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Sent: 23 November 2021 13:29

To: Legal Regulatory Services <lrs@npt.gov.uk>

Subject: Premises Licence Variation - Kittys O'Sheas

Dear Sir

An application has been received to vary the licence for Kitty O'Sheas, 6 James Street, Pontardawe, SA8 4LR.

The variation is to amend the premises licence to remove a condition that the beer garden is to close by 23.30 hours.

Currently with this condition on the licence customers who wish to smoke after 23.30 hours will have to use the front of the premises.

Kitty O'Sheas has a licence that allows them to operate until 04.30 hours on Friday and Saturdays so currently you have a situation where smokers are mixing with people who are either trying to get in the premises or just loitering outside. As you can expect this has caused problems for residents and we have received complaints about anti-social behaviour until the early hours of the morning.

The licence holders have put these increased complaints down to customers being outside the front of the premises which limits what control they have.

I acknowledge having customer smoking at the front of the premises makes it very difficult for them to prevent public nuisance.

The application outlines that they have built a small designated smoking shelter in the beer garden which they have proposed to limit to 6 customers, this will be supervised by door staff throughout the night. They have put forward that no drinks will be permitted in this area and there will be a power arm (self-closing mechanism) on the door leading to designated smoking area.

I believe these control measures within the designated smoking shelter will assist in the promotion of the licensing objectives however I have concerns that 6 customers is too many for this area.

There is a residential street (Dynevor Terrace) directly behind the beer garden and if proper control measures are not enforced and adhered too then these residents will clearly be affected as they live so close to the premises.

With the close proximity of residents in mind I would request that the permitted number of customers allowed in the designated smoking shelter be reduced to 2, as this would significantly reduce the noise and potential impact on residents.

In order to promote the licensing objectives and ensure the control measures put forward within the application can be enforced I propose the below conditions are attached to the licence:-

1. The beer garden must close at 23.30hrs, however customers are permitted to use the designated smoking shelter after this time.
2. No drinks shall be taken out to the designated smoking shelter after 23.30 hours.
3. After 23.30 hours a maximum of 2 customers shall only be permitted within the designated smoking shelter.
4. A door supervisor must control the door leading to the designated smoking shelter.
5. You must provide prominent signs within the designated smoking shelter requesting patrons to keep quiet to minimise impact on residents.
6. A self-closing mechanism must be in place on the door leading to the designated smoking shelter.

With the above conditions in place this should assist in the promotion of the licensing objectives and should elevate the potential impact on residents; however I think it's important to highlight if residents are negatively affected or the premises does not comply with the conditions requested, further action would have to follow.

Regards

Peter Malough

Uwchswyddog Rheoleiddio Cyfreithiol - Senior Legal Regulatory Officer

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