

Pencadlys Heddlu

Heol y Bont-faen
Penybont
CF31 3SU

Mewn argyfwng ffoniwch **999**
fel arall, ffoniwch **101**
Gwefan: www.heddlu-de-cymru.police.uk


Police Headquarters


Cowbridge Road
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CF31 3SU

In an emergency always dial **999**
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Police Licensing Officer,
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Mr N. Chapple,
Legal Regulatory Services Manager,
Neath Port Talbot Council.
Civic Centre,
Port Talbot.

8th June 2022.

**Police Observations to application for the Grant of a premises licence
under the Licensing Act 2003.**

In relation to the application for a premises licence under the Licensing Act 2003 at the below-referred licensed premises:

Name: Rum & Co,

Address: 12 High Street, Pontardawe, SA8 4HR

The Application is for a premises licence for the following Licensable activity;

Films:	09:00hrs to 02:00hrs Daily
Live Music:	12:00hrs to 00:00hrs Sun – Thurs 12:00hrs to 02:30hrs Fri & Sat
Recorded Music:	12:00hrs to 00:00hrs Sun – Thurs 12:00hrs to 02:30hrs Fri & Sat
Late Night Refreshment:	23:00hrs to 02:00hrs Sun – Thurs 23:00hrs to 02:30hrs Fri & Sat
Supply of Alcohol:	09:00hrs to 02:00hrs Daily
Hours open to the public:	09:00hrs to 02:30hrs Daily

This application is submitted by Mr Daniel DYER and Gourmet Catering Solutions Ltd and has come about as a result of the previous licence for the premises lapsing.

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I draw your attention to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Paragraph 1.4 of the Guidance stated the promotion of the statutory objectives is a paramount consideration at all times.

Section 1.15 of the guidance recommends that licence applicants contact responsible authorities when preparing their operating schedules. South Wales Police actively encourages early engagement and consultation in order to assist applicants, to work in a partnership approach, and in this case early contact was received and I met with both Mr Dyer and Mr Mohammed Pasha on 22nd April regarding the content of the application and how they planned to operate the premises.

At this meeting both explained that they intended to operate the premises as a food led business, providing a quality dining experience for their customers but felt that, as the previous licensable hours stood, they would lose customers after they had eaten to other venues if they wished to continue their evening's entertainment.

As a result they wanted to extend the licensable hours for the supply of alcohol and opening hours by 2½ hours every week day to match the hours they had for Friday's and Saturday's. They have also applied to extend the use of the rear garden area from a terminal hour of 22:00hrs to 00:00hrs as they felt this would offer their customers the opportunity to extend their stay beyond their food rather than leave for another venue.

This is a substantial increase for the centre of a town venue so closely situated to residential properties. Residents in Dynevor Terrace, which overlook the rear garden of the premises, have contacted me to confirm the hours applied for and to express their concerns about the noise impact of both the rear garden and the later hours.



As can be seen from the screenshot there is only the width of a road between the residential properties and the rear seating area of the premises which, in the photo has been highlighted.

The previous terminal hour for the rear garden was agreed when the premises was operating solely as a

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restaurant in order to reduce the possible impact on local residents, which it has done and I would request that this terminal hour remains set at 22:00hrs and that any recorded music allowed outside also terminates at this time as the applicant has stated that as seasonal variations they intend to have recorded music outside from 12:00hrs to 00:00hrs on Christmas Eve, New Year's Eve & Sundays preceding Bank Holidays.

I do not feel that to have live or recorded music playing in an outside area so close to residential properties after 11pm is appropriate and, as I have requested the seating area closes at 22:00hrs, I would request any outside music mentioned in the seasonal variations sections be limited to the same terminal hour.

I would therefore request that the condition proposed by the applicant relating to the use of the outside area be amended to read as follows;

The Prevention of Public Nuisance:

- The external seating area is only to be used between 09:00 and 22:00 seven days a week.

I am aware, from a first-hand account of someone who has visited the premises that the original plan of food customers staying has not materialised and there is a clear change of clientele at the premises after the kitchens close and the food service ends, with the venue then becoming a two-fold venue, starting as a restaurant then becoming just another vertical drinking venue but with a terminal hour of 02:30hrs.

My immediate concern about the terminal hour of the premises when operating as a late night drinking venue is that it would make this premises the 'final destination' venue in the town as it would have the latest operating hours of any licensed premises currently operating.

The current latest terminal hour of other licensed premises in the town is 01:30hrs, with the previous last destination venues of Kitty O'Sheas (which closed at 04:30) Mammas (is a night club and closes at 04:00), both no longer trading, it means this will be the only premises open beyond 1.30am giving revellers a choice of 1 if they wish to continue drinking.

Having recently had the previous final destination venue close, which itself had a very long history of alcohol related disorder and noise complaints, the immediate concern is that this venue will provide a replacement venue for the very same people that were responsible for these problems. Were the venue to operate solely as a restaurant as intended I believe the risk of such problems materialising would be vastly reduced.



I would request, to reduce the potential for Crime & Disorder, with the potential of customers making their way from the 7 other premises, all within walking distance, that the terminal hour be reduced to 01:30hrs to prevent a convergence of people trying to find somewhere to continue drinking, but if the committee are mindful to allow a terminal hour of 02:30hrs I would request the following condition be imposed to reduce the risk of potential disorder;

Prevention of Crime & Disorder:

- There shall be no entry or re-entry to the premises after 01:00hrs

If, as I do, the committee feel that a terminal hour of 01:30hrs in line with other venues is more appropriate I would also request that, as would happen with any new application for a vertical drinking venue with such a late terminal, that the use of door staff would be appropriate. I accept that this places a financial implication on any premises which is why I would request that the below conditions relating to the use of door staff be added;

- Every Friday and Saturday night, the Sunday night preceding any bank holiday, the Thursday night preceding Good Friday, Christmas Eve, Boxing Day & New Year's Eve a minimum of 2 SIA registered door supervisors will be on duty from 22:00 hours until closing time.
- At all other times, the premises licence holder will risk assess the need for door supervisors and provide door supervision between such times and in such numbers as is required by the risk assessment. They shall also display their S.I.A licence in a reflective armband whilst on duty.
- A daily register of security personnel will be maintained. The register shall show the name, address and licence number of each door supervisor, and the dates and times that they operate. The register must be kept available for inspection by the Police and authorised officers of the Local Authority.

The days specified are the key dates that the applicant has identified, having requested extended hours for both live & recorded music in the seasonal variations in sections E & F.

I would request that, prior to the grant of this licence should this application be successful, the following conditions, proposed by the applicant be amended to read as outlined below or be added for the reasons given;



The Prevention of Crime & Disorder:

The operating schedule does refer to the provision of CCTV, so I would ask that the following condition be added;

- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show and provide Police or authorised officer recent data or footage with the absolute minimum of delay following a lawful request.

The Protection of Children from Harm:

There is mention of a refusals book but, as it only refers to refusals to persons under 18 I would ask that it be amended to read;

- A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.

I would also ask that the following condition be added;

- Signage shall be displayed in a prominent position within the premises informing of the Challenge 25 policy.

There is a condition proposed relating to the seating area being used for smoking after 00:00hrs but as I have already requested that this area closes at 22:00hrs I would ask that this condition be removed and that after 22:00hrs anyone smoking does so at the front of the premises where they can be properly supervised to prevent disruption to local residents or disorder.

I believe that the conditions suggested are proportionate, are in line with this type of premises and will help promote the Licensing Objectives.

The application also proposes that Daniel Dyer become the DPS of the premises but adds that he is awaiting his personal licence number. Can he confirm whether he has been issued a personal licence yet, and if not, who will be the DPS? If he does hold a personal licence nothing is known to their detriment so there are no objections to this appointment.



The above information is submitted for your information and consideration.

Yours sincerely,

Nick Bailey

Police Licensing Officer
(On behalf of the Chief Officer of Police)

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Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police

