

**Pencadlys Heddlu**

Heol y Bont-faen  
Penybont  
CF31 3SU

Mewn argyfwng ffoniwch **999**  
fel arall, ffoniwch **101**

Gwefan: [www.heddlu-de-cymru.police.uk](http://www.heddlu-de-cymru.police.uk)

**Police Headquarters**

Cowbridge Road  
Bridgend  
CF31 3SU

In an emergency always dial **999**  
for non-emergencies dial **101**

Website: [www.south-wales.police.uk](http://www.south-wales.police.uk)

Nick Bailey

Police Licensing Officer,  
Neath Police Station.

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 : 01639 640207

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Mr N. Chapple,  
Legal Regulatory Services Manager,  
Neath Port Talbot Council.  
Civic Centre,  
Port Talbot.

5<sup>th</sup> July 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: The Orchard

Address: Fforest Goch, Rhos, Pontardawe, SA8 3JB

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

Films: 08:00hrs to 23:00hrs daily

Supply of Alcohol: 08:00hrs to 23:00hrs daily

Hours open to the public: 08:00hrs to 23:30hrs daily

This application is submitted by Ms Emma O'Mahoney and is for 3 acre parcel of  
land adjacent to the A474 Neath Road in Fforest Goch, Pontardawe. The land  
comprises of open land and trees planted as an orchard with a large agricultural  
shed at the southern end of the property, as per the plan submitted with the  
application.





The applicant intends to operate the premises as a production facility for their cider with the ability to supply alcohol to customers both on and off the premises to customers visiting the facility on tours, visits or as part an organised event held there.

The applicant has also applied, in the seasonal variations, for 5 event days per calendar year with 1 months prior notice to Police, to provide the licensable activities of supply of regulated entertainment and the supply of alcohol from 23:00hrs to 00:00hrs with the Police having a veto on any event taking place.

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.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.  
South Wales Police welcomes receiving correspondence in Welsh and English.  
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The applicant has requested to supply alcohol from 08:00hrs to 23:00hrs daily (to include a Christmas Eve & New Year's Eve seasonal variation) and a terminal hour of 23:30hrs so the full timings for the supply of alcohol, including a drinking up time, would read as follows;

Films:		08:00hrs to 23:00hrs daily
Seasonal variation:	Christmas Eve	08:00hrs to 01:00hrs
	New Year's Eve	08:00hrs to 01:00hrs

Non-Standard timings:		
Live & Recorded Music:	Christmas Eve	08:00hrs to 01:00hrs
	New Year's Eve	08:00hrs to 01:00hrs

Supply of Alcohol:		08:00hrs to 23:00hrs daily
Seasonal variation:	Christmas Eve	08:00hrs to 01:00hrs
	New Year's Eve	08:00hrs to 02:00hrs

Hours open to the public:		08:00hrs to 23:30hrs daily
Seasonal variation:	Christmas Eve	08:00hrs to 01:00hrs
	New Year's Eve	08:00hrs to 01:00hrs

In the operating schedule submitted with the application there are a number of conditions proposed relating to areas such as an incident book, the use of plastic glasses, encouraging customers to leave the area quietly and what control measures the company website will use to prevent underage sales.

It is clear that some thought has gone into what measures would help the premises operate smoothly which means that there only a few areas that I would like to address.

### **The Protection of Children from Harm:**

In terms of on-line sales and delivery the delivery methods and vehicle logs are mentioned but I would request the following be added;

1. If alcohol is delivered by an employee, or partner delivering on behalf of the business, a vehicle delivery log must be kept specifying the following;
  - a) The quantity of alcohol purchased,
  - b) The description of alcohol purchased,
  - c) The price of the alcohol purchased,
  - d) Name and address of the person placing the order,
  - e) The name and address of the person to whom and where the delivery is made if different from d. above.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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In relation to the age verification policy mention in section e). I would request it is amended to read as below;

2. If alcohol is supplied as an on-sale or delivered a Challenge 25 policy will apply and proof of age will be required, at the point of delivery, from any person who appears to be under the age of 25 years who attempts to accept delivery of any alcohol. The means of verification should be a form of identification which bears their photograph, date of birth and a holographic mark and should be restricted to:-

- P.A.S.S Accredited Proof of Age Schemes e.g,Citizen Card,
- Proof GB
- Photocard driving licence or passport.

A refusals log is mentioned and I would request this condition be amended to read as follows;

3. A refusal book shall be maintained recording the date and time of all refusals to requests to purchase alcohol. The book shall be made available to for viewing by the Police and / or authorised officer of the Licensing Authority on request and shall contain the following details;

- The member of staff refusing the sale
- The reason for the refusal
- The alcohol refused

I would also ask that the following condition be added;

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

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 Emma O'MAHONEY become the DPS of the premises 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)

