



IS-BWYLLGOR DEDDFAU TRWYDDEDU A GAMBLO ***2.00 PM – DYDD Mawrth 28 Mehefin 2022***

CYFARFOD AML-LEOLIAD ***DRWY MICROSOFT TEAMS NEU YN SIAMBR Y CYNGOR, PORT*** ***TALBOT***

RHAID GOSOD POB FFÔN SYMUDOL AR Y MODD DISTAW AR GYFER PARHAD Y CYFARFOD

Gweddarlledu/Cyfarfodydd Hybrid:

Gellir ffilmio'r cyfarfod hwn i'w ddarlledu'n fyw neu'n ddiweddarach drwy wefan y cyngor. Drwy gymryd rhan, rydych yn cytuno i gael eich ffilmio ac i'r delweddau a'r recordiadau sain hynny gael eu defnyddio at ddibenion gweddarlledu a/neu hyfforddiant o bosib.

1. Cyhoeddiad y Cadeirydd
2. Datganiadau o fuddiannau
3. Cais am roi Trwydded Mangre - A&K Catering Ltd (*Tudalennau 3 - 12*)
4. Cais am roi Trwydded Mangre - Clwb Rygbi Pontardawe (*Tudalennau 13 - 38*)
5. Cais am roi Trwydded Mangre - Rum and Co (*Tudalennau 39 - 72*)
6. Eitemau brys
Unrhyw eitemau brys yn ôl disgrisiwn y Cadeirydd yn unol ag Adran 100B(4)(b) o Ddeddf Llywodraeth Leol 1972.

K.Jones
Prif Weithredwr

**Canolfan Ddnesig
Port Talbot**

Dydd Mercher, 22 Mehefin 2022

Aelodaeth y Pwyllgor:

Cadeirydd: Y Cynghorydd J.Henton

Aelodau: Y Cynghorydd S.Paddison

Dirprwy: Y Cynghorydd A Dacey

c.c. Uwch-arolygydd yr Heddlu, Castell-nedd
Prif Swyddog Tân, Castell-nedd

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Sub Committee

28th June 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Neath North

Application for the Grant of a Premises Licence

Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	A&K Catering Ltd
Premises Address	7A The Parade, Neath, SA11 1RB
Applicant Name's	A&K Catering Ltd
Applicant Address	7a the Parade Neath SA11 1RB
DPS Name	Bettina Kacziba

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by A&K Catering Ltd. The premises licence will authorise the sale of alcohol off the premises only.
3. Representations were received in respect of the application from the South Wales Police requesting that additional conditions be attached to the licence.
4. The applicant has agreed to the imposition of the additional conditions and consequently all parties agree that a hearing is unnecessary; final determination of the application needs to be made by the Licensing and Gambling Acts Sub Committee.

Background

5. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
6. An application for the grant of a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
7. Where all parties have reached an agreement and amendments have been made to the original application, the Licensing Authority can dispense with the need for a formal hearing; a meeting of the Sub-Committee is still required to consider the amendments.

Licence Application

8. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

Opening Hours

Monday – Saturday 09.00 – 19.00

Sunday 09.00 - 16.00

Supply of Alcohol (Off Sales)

Monday – Saturday 09.00 – 19.00

Sunday 09.00 - 16.00

Licensing Objectives

The following information has been provided by the applicant.

General

9. The company intends to carry out one licensable activity, which is the sale of alcohol by retail. Alcohol will be sold for consumption away from the premises. The company will implement a number of measures to support all four licensing objectives. The consumption of alcohol will not be permitted on the premises, and alcoholic beverages will also not be permitted. The staff will receive regular training on age verification, refusals and dealing with disorderly behaviour. CCTV is equipped to ensure security of the staff and the public, as well as serving as a measure to discourage crime

The prevention of crime and disorder

10. The company will sell alcohol for consumption away from the premises, therefore crimes such as the consumption of drugs or disorderly behaviour, violence and vandalism should not be a threat to the public or staff. Open alcoholic beverages will not be permitted on the premises either. Staff will still receive training on how to handle and deal with disorderly behaviour, and the premises is already CCTV protected to prevent theft, and to ensure the security of staff. To avoid conflict, staff will be trained to personalize refusals.

Public safety

11. The company complies with Fire Safety Regulations and does not allow smoking inside the premises, therefore there is no threat posed to public safety by fire from the shop. Alcohol will be sold in glass bottles, but those bottles will be kept securely on stable shelves, and the alcohol will not be consumed on the premises, therefore the only threat from broken glass could come from accidentally broken bottles that will be cleaned up immediately by staff. The premises will be maintained on the regular

basis by staff to keep it clean, tidy and safe. There are security cameras in place for additional protection of the public and staff.

The prevention of public nuisance

12. As it is a non-residential area, and the shop will operate between 9am to 7pm Mondays to Saturdays, and 9am to 4pm on Sundays, nuisance from lighting or noise will not be an issue. Alcohol will not be consumed on the premises, therefore loud and disorderly behaviour will not be an issue. Hygiene is of high priority for the company, and staff will ensure the daily maintenance of the premises, therefore public nuisance from litter will not be a threat

The protection of children from harm

13. The company will take all necessary measures to ensure that children are protected from harm. Staff will be provided with regular training on how and when to ask for proof of age, what evidence to accept, and how to check its validity, as well as how to refuse service and depersonalize refusals. The Challenge 25 policy will be adapted and implemented by all staff, and a clear indication by signage will be provided by all sale points as well to make customers aware of the policy. The premises is already equipped with CCTV for additional security, which will support increased supervision of staff once alcohol is sold at the premises.

Relevant Representations

14. South Wales Police
15. The above representation is reproduced at Appendix 1

Officer Report

16. The application is to authorise the sale of alcohol off the premises.
17. A representation was received South Wales Police who requested additional conditions be attached to the licence.
18. The applicant has agreed to all the conditions requested.

Legal Impacts

19. There is a right of appeal against the decision to the Magistrates' Court

Risk Management

20. Not Applicable

Consultation

21. Consultation has been undertaken in accordance with the Licensing Act 2003.

Recommendation

22. The members determine the application after considering all relevant representations.

Reasons for Proposed Decision

23. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

Implementation of Decision

24. The decision is for immediate implementation

Appendices

25. Appendix 1 - South Wales Police Representations

List of Background Papers

26. Application for the grant of a premises licence
27. Neath Port Talbot Licensing Policy

<https://www.npt.gov.uk/media/14952/licensing-act-2003-draft-licensing-policy-2021.pdf?v=20210923150929>

28. Secretary of State's Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

29. Neil Chapple

Legal Regulatory Manager

Tel (01639) 763056

Email n.chapple@npt.gov.uk

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
Bridgend
CF31 3SU

In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

Nick Bailey
Police Licensing Officer,
Neath Police Station.

 : nick.bailey2@south-wales.police.uk

 : 01639 640207

 : 07971 623816

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

18th May 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:

Address: 7A The Parade, Neath, SA11 1RB

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

Supply of Alcohol (Off sales only): 09.00hrs to 19.00hrs Mon – Sat
09.00hrs to 16.00hrs – Sun

Hours open to the public: 09.00hrs to 19.00hrs Mon – Sat
09.00hrs to 16.00hrs – Sun

This application is submitted by Anita Kacziba, a director of A&K Catering Ltd for the grant of a premises licence to enable the applicant to sell alcohol for consumption off the premises, as part of a convenience store. The store is a corner grocery shop that sells Hungarian products which is situated on the Parade, in Neath town centre.

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.



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, however no such contact or advice about the operating schedule has been sought from the Police on this occasion which has, I believe, resulted in an operating schedule that appears to more like a set of mission statements rather than proposed conditions.

I would request the following conditions be added as outlined below prior to the grant of this licence should this application be successful;

The Prevention of Crime & Disorder:

The operating schedule does refer to the provision of CCTV, so I would ask that the condition reads as follows;

1. A Digital CCTV system shall be installed, or existing system maintained, at the premises which will be operational at all times when the premises is open to the public & be capable of providing pictures of evidential quality in all lighting conditions particularly facial identification. The CCTV recordings must be correctly timed and date stamped & retained for a period of 31 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request.

The system must provide coverage of the following areas:

- The exterior frontage of the premises
- The entrances and exits to the premises;
- The interior public areas of the premises;

I would also request that the following condition be added;

2. 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.
3. An incident recording book shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections,

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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Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.

The Protection of Children from Harm:

There is mention of not selling to people under 18 and mention of a Challenge 25 age verification policy, so I would ask that the following be added;

4. A Challenge 25 policy will apply and Proof of age will be required from any person who appears to be under the age of 25 years who attempts to purchase or consume 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.

I would also ask that the following conditions be added;

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

There is mention and staff training so I would ask that the following be added;

6. Premises to keep up to date records of staff training in respect of age-related sales, in written or electronic format, available for inspection on request by an authorised officer.

And that the following also be added;

7. 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 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 Bettina KASZAS 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)

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.



NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Sub Committee

28th June 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Pontardawe

Application for the Grant of a Premises Licence

Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	Pontardawe Rugby Football Club
Premises Address	Ynysderw Road, Pontardawe, SA8 4EG
Applicant Name's	Pontardawe Rugby Football Club Limited
Applicant Address	Ynysderw Road, Pontardawe, SA8 4EG
DPS Name	Meirion Davies

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Pontardawe Rugby Football Club Limited. The premises licence will authorise the sale of alcohol, regulated entertainment and late night refreshment.
3. Representations were received in respect of the application from the Environmental Health Section, Legal Regulatory Services Section and South Wales Police requesting that additional conditions be attached to the licence.
4. One other person a local resident has also submitted a representation.
5. There have been various discussions between the applicant and responsible authorities in an attempt to negotiate an agreed position, but there are still areas where an agreement has not been established.
6. The application therefore needs to be determined by the Licensing and Gambling Acts Sub Committee

Background

7. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
8. An application from Pontardawe Rugby Football Club Limited for the grant of a premises licence was received on 17th May 2022. The application seeks to permit licensable activities to take place, including the sale by retail of alcohol, regulated entertainment and late night refreshment.
9. The application has been advertised in the prescribed manner by displaying a notice at the premises for 28 days and advertising on one occasion in a local newspaper.
10. During the 28 day consultation period 'Responsible Authorities' and/or 'Other Persons' are invited to submit representations in respect of the application.
11. Where representations are received (and not withdrawn) the Licensing Authority must hold a hearing to consider the representations before determining the application.

Licence Application

12. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

Opening Hours

Sunday to Thursday 08.00 - 01.00

Friday and Saturday 08.00 - 01.30

Films (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 00.00

Indoor Sporting Events

Sunday to Thursday 10.00 - 00.00

Friday and Saturday 10.00 - 00.30

Live Music (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Recorded music (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Performance of Dance (Both indoors / outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Anything of Similar Description (Both Indoors / Outdoors)

Sunday to Thursday 10.00 - 23.30

Friday and Saturday 10.00 - 00.30

Seasonal variations

Bank Holiday Sunday 10.00 - 00.00

No Standard Timings

Thursday - Sunday 3rd weekend in August (music festival) 10.00 - 01.00

Late night Refreshment (Both Indoors / Outdoors)

Sunday to Thursday 23.00 - 23.30

Friday and Saturday 23.00 - 00.30

Non-standard Timings

Local music festival extension to 01.00

Supply of Alcohol (Both On / Off Sales)

Sunday to Thursday 08.00 – 00.30

Friday and Saturday 08.00 - 01.00

Licensing Objectives

The following information has been provided by the applicant.

General

13. The premises licence holder can nominate on up to 12 occasions per calendar year, "Special Event" days, when opening hours will be extended to include all licensable activities. They will give 7 days' notice in writing to the local Police Licensing Officer and the Licensing Authority. If the Police object and give 48 hours written notice (from receipt of the notification) to the premises licence holder then the event will not take place.

The prevention of crime and disorder

14. The premises licence holder shall participate in the Neath Port Talbot Business Crime Reduction Partnership (BCRP) and Nite Net radio schemes and the premises licence holder or a suitable representative shall attend all meetings.
15. The premises licence holder shall join and participate in the Storenet Scheme encompassed by the Neath Port Talbot Business Crime Reduction Partnership
16. SIA registered door staff shall be employed on occasions when a requirement is identified by the licence holders written risk assessment. Consideration will be given to the nature of the event at the premises, public holidays and days considered to be event days in the local area.
17. On any occasion where door supervisors are required 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.

18. The premises licence holder shall ensure that all door Supervisors shall wear conspicuous clothing which identifies them as such. They shall also display their S.I.A licence in a reflective armband whilst on duty
19. A Digital CCTV system shall be installed at the premises which will be operational at all times when the premises is open to the public. The system must provide coverage of the following areas:-
 - The entrances and exits to the premises;
 - The public areas of the premises;
20. The CCTV recordings must be retained for a period of 31 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request.
21. An incident recording book shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority.
22. A refusal book shall be maintained recording the date and time of all attempts by persons under the age of 18 to purchase alcohol. The book shall be made available for viewing by the Police and / or authorised officer of the Licensing Authority on request

Public safety

23. Ensure a free phone link to taxi proprietors is maintained and provide signage within the premises advertising this facility.
24. The premises must be participating members of the local Pub watch scheme and the Designated Premises Supervisor or their representative shall attend meetings of this scheme.

The prevention of public nuisance

25. Provide prominent signs throughout the premises and at all exits requesting patrons to leave in a quiet and orderly manner so as to minimise impact on local residents.

26. Provide prominent signs in the beer garden and any other outside area specifying the times when these areas are not to be used.
27. Provide prominent signs in the beer garden and any other outside area requesting patrons to keep noise levels to a minimum as to minimise impact on local residents
28. The placing of refuse into receptacles outside the premises shall take place at times that will minimise the disturbance to nearby properties

The protection of children from harm

29. The Premises to keep up to date records of staff training and refresher training in respect of age-related sales including proxy sales to persons who are drunk and identifying and preventing drug misuse in written or electronic format available for inspection on request by an authorised officer.
30. A Think 25 policy shall be implemented and proof of age shall be requested from any person who appears to be under the age of 25 years who attempts to purchase alcohol.
31. Signage shall be displayed in a prominent position within the premises informing of the Think 25 policy.

Relevant Representations

32. Neath Port Talbot Council - Environmental Health
33. Neath Port Talbot Council - Legal Regulatory Services
34. Nick Bailey - South Wales Police
35. The above representations are reproduced at Appendix 1, 2 and 3 respectively.

Other Persons

36. Mr Nigel Thomas - 10 Ynisderw Road, Pontardawe, Swansea, SA8 4EG

37. The above representation is attached as Appendix 4

Officer Report

38. The premises currently has a club premises certificate, which authorises licensable activities to members and permitted guests only.
39. The club now wish to authorise licensable activists to the general public and have now submitted an application for the grant of a premises licence
40. The new application seeks to licence the premises for the sale of alcohol, regulated entertainment and late night refreshment.
41. There has been discussions between the applicant and responsible authorities in an attempt to reach a mutually agreeable position in respect of operating hours and conditions. As a result agreements have been made in respect of attaching various conditions, however an overall agreement has not be reached.
42. It is proposed that any agreements reached between the applicant and responsible authorities be outlined at the start of the committee hearing

Legal Impacts

43. There is a right of appeal against the decision to the Magistrates' Court

Risk Management

44. Not Applicable

Consultation

45. Consultation has been undertaken in accordance with the Licensing Act 2003.

Recommendation

46. The members determine the application after considering all relevant representations.

Reasons for Proposed Decision

47. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

Implementation of Decision

48. The decision is for immediate implementation

Appendices

49. Appendix 1 - Environmental Health Section Representation
50. Appendix 2 - Legal Regulatory Services Representation
51. Appendix 3 - South Wales Police Representation
52. Appendix 4 - Mr Thomas Representation

List of Background Papers

53. Application for the grant of a premises licence
54. Neath Port Talbot Licensing Policy
55. <https://www.npt.gov.uk/media/14952/licensing-act-2003-draft-licensing-policy-2021.pdf?v=20210923150929>
56. Secretary of State's Guidance
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

57. Neil Chapple
Legal Regulatory Manager
Tel (01639) 763056
Email n.chapple@npt.gov.uk

Mae'r dudalen hon yn fwriadol wag

From: Rachel Matthews <r.matthews@npt.gov.uk>

Sent: 26 May 2022 20:11

To: Sarah Bartle <s.bartle@npt.gov.uk>

Subject: RE: NEW APPLICATION SUBMITTED Pontardawe RFC - Grant of premises licence application.

Dear Sir/Madam,

Officers of The Environmental Health Department wish to raise an objection to the application, as attached, in the interest of preventing Public Nuisance. The hours that have been specified on this application are unsuitable for the location of the premises.

Yours sincerely

Rachel Matthews

Environmental Health Officer

Mae'r dudalen hon yn fwriadol wag

From: Peter Malough <p.malough@npt.gov.uk>

Sent: 09 June 2022 16:46

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

Subject: Grant of Premises Licence - Pontardawe RFC

Dear Sir

An application has been made by Pontardawe RFC for the grant of a new premises licence.

The club currently have a Club Premises Certificate (CPC) however they are now having events at the club that require premises licence authorisation.

Following submission of the application a meeting was arranged at the club so we could discuss with the committee members their plans for the licence.

Officers from the Legal Regulatory Section, Environmental Health Section and South Wales Police were in attendance.

The applicant has outlined in their application the times they now wish to operate which includes having live and recorded music both Indoor/outdoors from Sunday to Thursday 10.00 – 23.30 and Friday and Saturday 10.00 – 00.30. On bank holidays Sundays they wish to provide regulated entertainment until 00.00 hours with an extension to 01.00 hours for the Pontardawe festival; this will be permitted outdoors.

In addition they also wish to supply alcohol both indoors and outdoors Sunday to Thursday from 08.00 – 00.30 and Friday and Saturday from 08.00 -01.00. They have also proposed an extension for the supply of alcohol until 01.30 hours for Pontardawe festival.

The opening hours are then 30 minutes after the terminal hour for alcohol sales.

During our meeting concerns were raised in regard to the proposal to allow regulated entertainment in all outside areas up until 00.30 hours on weekends and until 01.00 hours for the festival.

The Pontardawe festival has changed over the years and has gone from an organised event on the playing fields to a premises based event run by the pubs themselves. There has been an established

agreement since 2014 that all outside entertainment during the festival would finish at 23:00hrs. This came from meetings with the local ward members, environmental health, licensing and the police who agreed that this terminal hour is necessary for the community living in the area.

This agreement has been widely accepted by the trade.

The importance of recognising unreasonable disturbance beyond 23.00 hrs is highlighted in Section 2.19 of the Licensing Act Guidance:-

Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

The conditions put forward within the operating schedule to prevent public nuisance are :-

- Provide prominent signs throughout the premises and at all exits requesting patrons to leave in a quiet and orderly manner so as to minimise impact on local residents.
- Provide prominent signs in the beer garden and any other outside area specifying the times when these areas are not to be used.
- Provide prominent signs in the beer garden and any other outside area re-requesting patrons to keep noise levels to a minimum as to minimise impact on local residents
- The placing of refuse into receptacles outside the premises shall take place at times that will minimise the disturbance to nearby properties

As the applicant could potentially have live and recorded music outside every weekend until 00.30 hours and also supply alcohol outside every weekend until 01.00 hours I think it's reasonable and proportionate to request what additional steps will be put in place to mitigate any potential noise nuisance after 23.00hrs. I don't believe the conditions outlined above go far enough when you consider the potential impact on residents.

This is highlighted in the councils licensing policy which recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where they are situated in a residential or noise sensitive area; or extended opening hours are proposed.

From our meeting I don't believe it's the applicants intention to utilise the outside licence every weekend, however if the licence is approved there will be nothing stopping this from happening.

I believe allowing regulated entertainment in the outside areas particularly until 01:00 hrs for the festival would not only undermine the licensing objectives but would also undermine all the work that has been carried out by both the responsible authorities and trade. I do not support the request for any external regulated entertainment beyond 23:00 hrs.

I have reservations regarding alcohol being sold outside until 01.00 hours as again this will inevitably create some disturbance as customers will be encouraged to stay outside and drink.

The applicant has put forward within their operating schedule a condition of having 12 "special event" days, which I have outlined below:-

The premises licence holder can nominate on up to 12 occasions per calendar year, "Special Event" days, when opening hours will be extended to include all licensable activities. They will give 7 days' notice in writing to the local Police Licensing Officer and the Licensing Authority. If the Police object and give 48 hours written notice (from receipt of the notification) to the premises licence holder then the event will not take place

In order to promote the licensing objectives perhaps these event days could be used for any occasion when the premises wishes to provide regulated entertainment or supply alcohol beyond 23.00 hours outside. This will then provide some control when the outside area can be used.

Regards

Peter Malough

Uwchswyddog Rheoleiddio Cyfreithiol - Senior Legal Regulatory Officer

Gwasanaethau Rheoleiddio Cyfreithiol - Legal Regulatory Services

Cyfarwyddiaeth Gwasanaethau Corfforaethol & Cyllid / Finance & Corporate Services Directorate

Rhif Ffôn / Tel No. 01639 763050

Mae'r dudalen hon yn fwriadol wag

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
Bridgend
CF31 3SU


In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

Nick Bailey

Police Licensing Officer,
Neath Police Station.

 : nick.bailey2@south-wales.police.uk

 : 01639 640207

 : 07971 623816

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

14th 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: Pontardawe Rugby Football Club

Address: Ynysderw Road, Pontardawe, SA8 4EG

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

(b) Films:	10:00hrs to 00:00hrs Daily
(c) Indoor Sporting Events:	10:00hrs to 00:00hrs Daily
(e) Live Music (indoors & outdoors):	10:00hrs to 23:30hrs Sun – Thurs 10:00hrs to 00:30hrs Fri & Sat
(f) Recorded Music (indoors & outdoors):	10:00hrs to 23:30hrs Sun – Thurs 10:00hrs to 00:30hrs Fri & Sat
(g) Performance of Dance (indoors & outdoors):	10:00hrs to 23:30hrs Sun – Thurs 10:00hrs to 00:30hrs Fri & Sat
Anything similar to (e), (f) & (g):	
Late Night Refreshment:	23:00hrs to 23:30hrs Sun – Thurs 23:00hrs to 00:30hrs Fri & Sat
Supply of Alcohol:	08:00hrs to 00:30hrs Sun – Thurs 08:00hrs to 01:00hrs Fri & Sat

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Hours open to the public:

08:00hrs to 01:00hrs Sun – Thurs

08:00hrs to 01:30hrs Fri & Sat

There are seasonal variations for music and dance until 00:00hrs on bank holiday Sundays with non-standard timings for each for the Thursday, Friday, Saturday & Sunday of each 'Pontardawe Festival' until 01:00

There are seasonal variations for the supply of alcohol and opening hours for one extra hour every Friday Saturday & Sunday of every Bank Holiday weekend with non-standard timings for each for the Thursday, Friday, Saturday & Sunday of each 'Pontardawe Festival' until 01:30 for the supply of alcohol and 02:00hrs for opening hours.

This application is submitted by Pontardawe Rugby Football Club, who already hold a club premises certificate. The application seeks to allow them to operate and market to a wider audience than the club premises certificate allows.

The premises is described in the application as a 'Rugby Football club encompassing a café business during the day. Large playing area to the rear of the premises used for junior rugby training and games, also utilised for a local festival and community events, Large car park to the front of the premises.'

The licensed area applied for will encompass both the playing area at the rear and the whole of the car park at the front and is detailed by the plan submitted with the application.

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; these being the Prevention of Crime & Disorder, Public Safety, The Prevention of Public Nuisance and the Protection of Children from Harm.

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 pre-submission contact was received and I met with officers of the club, and their advisor, on 31st May regarding the content of the application and how they planned to operate the premises. I have previously met with, and had extended discussions with committee members about, moving the club to a premises licence and have discussed a range of possible licence conditions with them.

At this meeting they explained how they intended to operate the premises and when they would operate to the full extent of the licensable hours and when they may not, for example although they have applied for live music both inside and outside until 23:30hrs Sun – Thurs & 00:30hrs Fri & Sat they stated that they did not intend to

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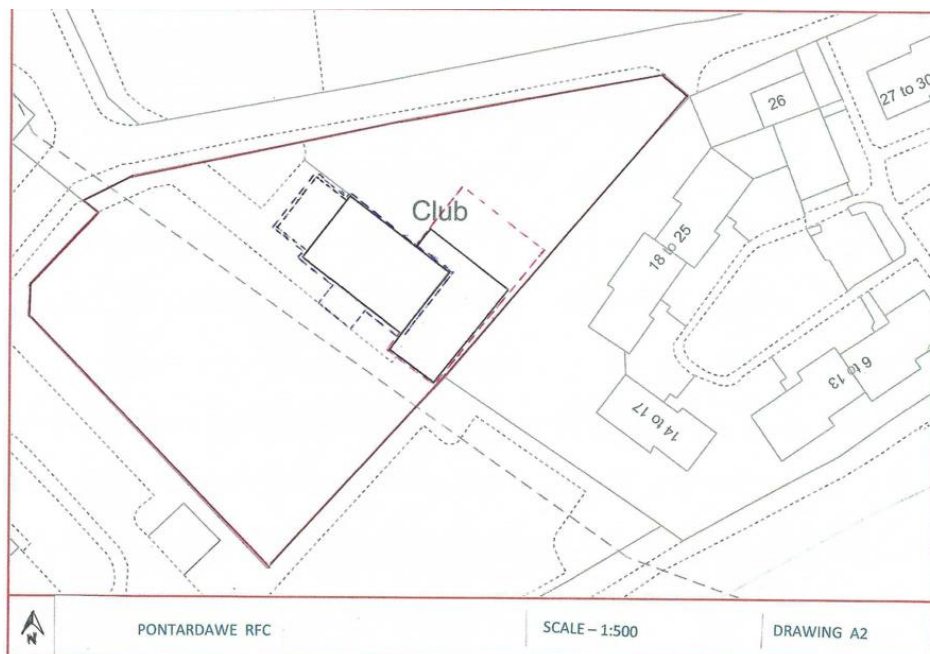
utilise these hours every day and that it would probably only be on a limited number of occasions throughout the year. While I accept that the current committee do not intend, at this point, for this to happen, if the times are agreed by the committee then there is nothing to stop this being implemented by them or by a new committee.

It is for this type of situation that I, as a responsible authority have to take into account that once a licence is issued it is for the lifetime of the premises, & have to consider the 'what if' scenarios that could come to pass during the lifetime of the licence, which will very likely be a number of years, which could be well beyond the service of the current committee members, and undoubtedly myself as well.

While the increase in licensable hours is not particularly significant, with only a 30 minute increase in the supply of alcohol and opening hours being applied for, what is significant is that the licensable areas will now include the whole grass area at the rear of the premises and the car park at the front of the premises and secondly, that the application is seeking to licence live & recorded music and the supply of alcohol both indoors and outside for the whole of the times allowed for licensable activities.

This is a substantial and significant change for a venue so closely situated to residential properties and while I do not have issues with music and alcohol sales taking place indoors until the terminal hour applied for I would bow to the greater, and more technical knowledge of officers from the Environmental Health Dept. as to whether this may/will cause any public nuisance issues.

The map supplied with the application shows the orientation and location of the premises and the proposed licensed areas, as shown below;



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The satellite & street view of this area shows, in a wider angle, its proximity to residential properties as detailed below with the proposed licensed area being shown outlined in red and the nearest residential properties being outlined in yellow.



The street view shows the entrance/exit of the club and front car park in relation to adjoining residential properties.



From this image it can be seen that a number of residential properties adjoin the area that the applicant has applied to licence for live and recorded music and for the

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supply of alcohol until 00:30hrs and 01:00 hours respectively, and later again on every Friday, Saturday & Sunday on every Bank Holiday weekend and for the Pontardawe Festival with further residential properties a very short distance away in Ynysderw Road.

Given the proximity of residential properties I can only see that, should the licence be granted, as applied for, with live & recorded music and the supply of alcohol being permitted outside as per the terminal hour outlined in the application, it can only lead to an increase in noise nuisance and increase the risk of alcohol related issues at the premises.

There has already been a report to Police of ASB and criminal behaviour from customers that the complainant believed to have recently left the rugby club. This involved a group of males, swearing & shouting, running over a resident's car, in Ynysderw Road, causing damage and then abusing the resident when they challenged them about their behaviour.

When this was raised at the recent meeting it was, quite rightly pointed out, that, due to the road layout, there was no direct line of sight from the residents house to the club house and that as there were other licensed premises from which they could have come it could not, therefore, be conclusively proved that these people had recently left the rugby club.

While I agree that there is no conclusive proof, I would point out that the nearest licensed premises was actually in the direction they were running towards, and not from, and that the next nearest premises is situated in Herbert Street.

For these people to have come from a premises there they would have to have walked from Herbert Street into the Home Bargains car park and into Lidl's car park and then scaled a fence to get into Ynysderw Road without passing the rugby club and that in fact there is a much quicker route by walking down Herbert Street itself towards Ynysderw Road. This makes me believe that, whilst not conclusively proving the youths were customers leaving the rugby club it certain makes it much more likely that they were.

With the proximity of residential premises I would request that the licensable activities allowed outside be limited to a terminal hour of 23:00hrs but, should the committee be mindful to allow a terminal hours as applied for including an area that has no fence line around it to prevent people entering whenever they want is inviting problems.

The application outlines in section M (d) The Prevention of Public Nuisance the control measure they intend to put in place to control and prevent nuisance being caused to local residents. There are 4 conditions suggested – 3 relate to putting up signage and the 4th relates to the times that rubbish can be put out.

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I believe that it wholly inappropriate that the applicant has not offered anything to suggest how staff will manage or control these outside areas and I believe that the only measure with any chance of managing and controlling the behaviour of customers in an area such as this is the use of SIA trained door staff. I would not want to penalise the club by placing an unnecessary financial burden on them of requiring door staff every day they are open until their terminal hour so I would then request the below condition;

- When any licensable activity is conducted in any outside area after 23:00hrs a minimum of 2 SIA registered door supervisors will be on duty from 23:00 hours until closing time.

Given that the applicant has suggested a condition relating to the use of door staff and the concerns I have outlined I would request that the condition suggested be amended to read as follows;

- Every Thursday, Friday, Saturday & Sunday night of the Pontardawe Festival, every Friday, Saturday & Sunday night of any bank holiday weekend a minimum of 2 SIA registered door supervisors will be on duty from 23:00 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.

I would also ask the applicant what their thought process was relating to restricting glassware outside, given that they are asking to increase their licensable areas so much and, if they did consider such a restriction, what their thought process was in deciding that it wasn't necessary.

Many years work has been put into achieving a uniform terminal hour for outside entertainment during the Pontardawe Festival with it currently being 23:00hrs. As the application seeks to have non-standard hours and seasonable variations to cover the Pontardawe Festival, in particular having a terminal hour of 01:00hrs for music and 02:00hrs for the sale of alcohol during the festival outside, I would ask that the outside areas also be restricted to a terminal hour of 23:00hrs during the Festival period as well.

The applicant has proposed a condition relating a having 12 'special event' days a years when the all licensable activities will be extend by 1 hour. At the recent meeting it was suggested by the applicant, as an example, that this would enable them to show overseas British & Irish Lions games. While there is no definition of what 'special events' are I am happy that, with the right of a Police veto within detailed timescales, should this be used in a manner deemed to be inappropriate there is sufficient redress available.

I would however request that the following be added in relation to the 12 event days;

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- All conditions specified in Annex 1, 2 or 3 of the premises licence remain valid during special event days

Another concern about the terminal hour of the premises when operating during the festival 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 and would therefore attract people who have already been drinking at other venues who want to extend their drinking time.

The current latest terminal hour of other licensed premises in the town is 01:30hrs, which means this will be the only premises open beyond 1.30am giving revellers a choice of 1 if they wish to continue drinking.

If the committee are mindful to allow a terminal hour of 02:00hrs during the Pontardawe Festival I would request the following condition be imposed to reduce the risk of potential disorder by attracting from other premises late into the evening and making this option less attractive that during the festival the following be added;

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

The operating schedule does refer to the provision of CCTV, but does not detail anything about the quality of the system proposed so I would ask that it be amended to read as follows;

- A Digital CCTV system shall be installed, or existing system maintained, at the premises which will be operational at all times when the premises is open to the public & be capable of providing pictures of evidential quality in all lighting conditions particularly facial identification. The CCTV recordings must be correctly timed and date stamped & retained for a period of 31 days and made available for viewing by the Police or an authorised Officer of the Licensing Authority on request.

The system must provide coverage of the following areas:-

- The exterior perimeter of the premises
- The entrances and exits to the premises;
- The public areas of the premises;

I would also request, to ensure that any relevant CCTV footage can be accessed should a suspect be in custody as a result of an incident at the premises without delay 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

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Police or authorised officer recent data or footage with the absolute minimum of delay following a lawful request.

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 Meirion DAVIES 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)

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-----Original Message-----Email 3

From: Nigel Thomas

Sent: 13 June 2022 22:07

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

Subject: Pontardawe rugby club

To mr chapel

As the revue will be on the 28/6/22 I will not be available as I have other Business on this date .

However the criteria set out in regards to prevention of crime people already have abused this as a group of people leaving this venue walked over a neighbours car which was reported to the police.

Public safety, once again people came down the street from this venue and verbally abused a neighbour when he asked them to stop shouting this was at 00:30 before their license has been approved and this information was past on to environmental debt.

The prevention of public nuisance: this objective has been breached on a number of occasions as the venue is positioned at the top of Ynisderw road and this road is the main access to the club.

I hope this information will prompt you to decline there application as this and another venue in close proximity are causing all of the above on a regular basis and as you Know there is no policing in this area to help the residents with the regular disruptions that we endure.

Your Thomas Pugh

-----Original Message-----Email 2

From:

Sent: 17 May 2022 19:53

To: Sarah Bartle <s.bartle@npt.gov.uk>

Subject: Pontardawe rugby club

Hello once again

Yes I strongly object to this license as it is in a residential area in close proximity to the venue ,but also the access to the venue would be along Ynisderw road .

We have already had the side affect's of this venue not sticking to it's license which it holds at present .

There has been no respect for the home owners on this road and to grant licenses above 11:30 would be another abuse of this street as we are already in consultation With the council on matters regarding another venue which we have problems with constantly.

Why does this street have to put up with so much and so little done to prevent these problems occurring?.

Your Thomas pugh

-----Original Message-----Email 1

From:

Sent: 02 May 2022 17:12

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

Subject: Pontardawe rugby club

To. Who it may concern

I've noticed that this venue has applied for a alcohol and entertainment license Up to the hours of 12:30 at night .

We have already had problems with this venue on the 1/5/2022 and in previous years with anti social behaviour on a number of occasions.

We've previously had bottles cans glasses thrown on the street from this venue.

This club is on a road which has old age residents, and is at the end of a street.

I'm against this venue having an extended license as we are having enough problems As it stands from the other place public house.

While licensing are handing out these permits to abuse the residents which live in close proximity it's then becomes a problem for environmental to sort out.

This is costing the tax payer more money when it could be better spent elsewhere.

Yours Thomas Pugh

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Sub Committee

28th June 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Pontardawe

Application for the Grant of a Premises Licence

Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	Rum and Co
Premises Address	12 High Street, Pontardawe, SA8 4HU
Applicant Name's	Gourmet Catering Solutions Ltd
Applicant Address	85 Cilmaengwyn Rd, Pontardawe, SA8 4QN
DPS Name	Daniel Dyer

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Gourmet Catering Solutions Limited. The premises licence will authorise the sale of alcohol, regulated entertainment and late night refreshment.
3. Representations have been received in respect of the application from South Wales Police, Neath Port Talbot Council's Environmental Health Section and Legal Regulatory Services Section.
4. Five representations have been received from other persons who are residents living in the area and a local community councillor.
5. There have been various discussions between the applicant and responsible authorities in an attempt to negotiate an agreed position, but there are still areas where an agreement has not been established.
6. The application therefore needs to be determined by the Licensing and Gambling Acts Sub Committee.

Background

7. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Legal Regulatory Section.
8. An application from Gourmet Catering Solutions Ltd for the grant of a premises licence was received on 10th May 2022. The application seeks to permit licensable activities to take place, including the sale by retail of alcohol, regulated entertainment and late night refreshment.
9. An application for the grant of a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
10. During the 28 day consultation period 'Responsible Authorities' and/or 'Other Persons' are invited to submit representations in respect of the application.
11. Where representations are received (and not withdrawn) the Licensing Authority must hold a hearing to consider the representations before determining the application.

Licence Application

12. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

Opening Hours

13. Monday to Sunday 09:00hrs to 02:30hrs

Films (Indoors)

14. Monday to Sunday 09:00hrs to 02:00hrs

Live Music (Indoors)

15. Sunday to Thursday 12:00hrs to 00:00hrs
16. Friday and Saturday 12:00hrs to 02:30hrs
17. Seasonal Variation Christmas Eve, New Year's Eve and Bank Holiday
Sunday 12.00 - 02.30hrs

Recorded Music (Both indoors/outdoors)

18. Sunday to Thursday 12:00hrs to 00:00hrs
19. Friday and Saturday 12:00hrs to 02:30hrs
20. Seasonal Variation Christmas Eve, New Year's Eve and Bank Holiday
Sunday 12.00 - 02.30hrs
21. Non Standard Timings outdoor recorded music 7 days a week from 12.00 - 00.00. This will be background volume only

Late Night Refreshment

22. Sunday to Thursday 23.00 - 02.00
23. Friday and Saturday 23.00 - 02.30

Supply of Alcohol (Both On/Off Sales)

24. Monday to Sunday 09.00 - 02.00

Licensing Objectives

25. The following information has been provided by the applicant.

General

26. N/A.

The prevention of crime and disorder

27. A Digital CCTV system shall be installed at the premises which will be operational at all times when the premises is open to the public. The system must provide coverage of the following areas

The entrances and exits to the premises;

The interior public areas of the premises;

The exterior seating area of the premises

28. The CCTV recordings must be retained for a period of 31 days and made available for viewing by the Police or an authorised officer of the Licensing Authority on request.
29. A refusal book shall be maintained recording the date and time of all attempts by persons under the age of 18 to purchase alcohol. The book shall be made available for viewing by the Police and / or authorised officer of the Licensing Authority on request.
30. An incident recording book shall be maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police and authorised officers of the Local Authority
31. A written record of staff training will be kept at the premises and will be produced on request of the Police Licensing Officer or an officer of the Licensing Section of the Neath Port Talbot County Borough Council.

Public safety

32. N/A.

The prevention of public nuisance

- 33. Access to the external seating area shall be via the restaurant only. The side gate leading onto Dynevor Terrace shall be used as an emergency exit only.
- 34. The external seating area is to only be used between 09.00 and 00.00 seven days a week.
- 35. Provide prominent signs in the external seating area requesting patrons to keep noise levels to a minimum as to minimise impact on local residents.
- 36. After 00.00 the rear external seating area will only be used as a smoking area.
- 37. A noise management plan to be produced and implemented; with particular attention to controlling noise from the external area

The protection of children from harm

- 38. A Challenge 25 policy will apply and Proof of age will be required from any person who appears to be under the age of 25 years who attempts to purchase or consume alcohol. The means of verification should be restricted to:-

P.A.S.S Accredited Proof of Age Schemes e.g,Citizen Card, Validate

GB Photocard driving licence or Passport

Relevant Representations

- 39. Neath Port Talbot Council - Environmental Health
- 40. Neath Port Talbot Council - Legal Regulatory Services
- 41. South Wales Police
- 42. The above representations are reproduced at Appendix 1, 2 and 3 respectively.

Other Persons

- 43. Mr I and Mrs S Roberts - 6 Dynevor Terrace, Pontardawe
- 44. Resident - Wesley Terrace, Pontardawe
- 45. Mr Evans - 21 Orchard Street, Pontardawe
- 46. Mr Hopkins - not provided
- 47. Cllr S Todd - 4 Uplands Road, Pontardawe
- 48. The above representations are reproduced at Appendix 4, 5, 6, 7 and 8 respectively.

Officer Report

- 49. This premises has previously held a licence, however information was received that confirmed a previous licence holder had become insolvent. Consequently, in accordance with the Licensing Act 2003, the licence lapsed and a new application had to be submitted.
- 50. The new application seeks to licence the premises for the sale of alcohol, regulated entertainment and late night refreshment.
- 51. There have been some discussions between the applicant and responsible authorities in an attempt to reach a mutually agreeable position in respect of operating hours and conditions. As a result of these discussions, some agreements have been made in respect of attaching various conditions, however an overall agreement has not been reached.
- 52. It is proposed that any agreements reached between the applicant and the responsible authorities be outlined at the start of the committee hearing.

Legal Impacts

- 53. There is a right of appeal against the decision to the Magistrates' Court

Risk Management

- 54. Not Applicable

Consultation

55. Consultation has been undertaken in accordance with the Licensing Act 2003.

Recommendation

56. The members determine the application after considering all relevant representations.

Reasons for Proposed Decision

57. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

Implementation of Decision

58. The decision is for immediate implementation

Appendices

59. Appendix 1 - Environmental Health Representations
60. Appendix 2 - Legal Regulatory Services Representations
61. Appendix 3 - South Wales Police Representations
62. Appendix 4 - Mr and Mrs Roberts Representations
63. Appendix 5 - Ms Bromfield Representations
64. Appendix 6 - Mr Evans Representations
65. Appendix 7 - Mr Hopkins Representations
66. Appendix 8 - Cllr Todd Representations
67. Appendix 9 - Applicant's Noise Management Plan
68. List of Background Papers
69. Application for the grant of a premises licence
70. Neath Port Talbot Licensing Policy

71. <https://www.npt.gov.uk/media/14952/licensing-act-2003-draft-licensing-policy-2021.pdf?v=20210923150929>
72. Secretary of State's Guidance
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

73. Neil Chapple
Legal Regulatory Manager
Tel (01639) 763056
Email n.chapple@npt.gov.uk

Gareth Jones

From: Rachel Matthews
Sent: 30 May 2022 22:10
To: Danny Dyer
Cc: Legal Regulatory Services
Subject: Premises Licence Application
Attachments: App form Rum and Co.pdf

Dear Sir,

I refer to the Premises Licence Application, dated 10th May 2022, as attached. I advise that Officers of The Environmental Health Team wish to raise their objection to this application in the interest of Prevention of Public Nuisance.

Yours sincerely

Rachel Matthews
Environmental Health Officer
Neath Port Talbot County Borough Council
01639 685642

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni

If you would like to use Welsh when dealing with the Council please click [here](#)

Os hoffech ddefnyddio'r Gymraeg wrth ddelio â'r Cyngor os gwelwch yn dda cliciwch [yma](#)

Mae'r dudalen hon yn fwriadol wag

From: Peter Malough
Sent: 08 June 2022 09:57
To: Legal Regulatory Services
Subject: Rum and Co - Grant of Premises Licence

An application for the grant of a new premises licence has been received from Gourmet Catering Solutions Ltd.

The premises has previously been licensed however it lapsed due to a previous licence holder becoming insolvent.

Subsequently an application has been made for the grant of a new licence for the following activities:-

- Films - Monday to Sunday 09.00 – 02.00
- Live Music - Sunday to Thursday 12.00 – 00.00 Friday & Saturday 12.00 – 02.30
- Recorded Music - Sunday to Thursday 12.00 – 00.00 Friday & Saturday 12.00 – 02.30
- Late Night Refreshment - Sunday to Thursday 23.00 -02.00, Friday & Saturday 23.00 – 02.30
- Supply of Alcohol - Monday to Sunday 09.00 – 02.00
- Opening Hours - Monday to Sunday 09.00 – 02.30

When this premises was first licensed it has always operated as a restaurant working solely as a food lead business.

When the licence was transferred the new owners utilised the operating times permitted until 02.30 hours and the venue changed in the evenings to more of a late night bar.

This did generate some complaints mainly due to customers having to use the outside area to smoke late in to the night.

The premises does have use of an external rear beer garden however there has always been a closing time of 10pm, this would have been to protect the residents of Dynevor Terrace whose properties look on to this external area.

The hours applied for by the applicant are slightly different to what was originally permitted as they are now applying to supply alcohol seven days a week from 09.00 to 02.00. The previous premises licence permitted alcohol sales Sunday to Thursday from 12:00 - 23:30 and Friday and Saturday from 12:00 - 02:00.

In regard to the external area the applicant has also proposed to allow customers to use this area until midnight (previously 22.00).

Residents of Dynevor Terrace have spoken to me regarding this and raised concerns about the additional times proposed for the external area.

It is important to recognise that the impacts of the activities applied for within an application are not contained just within the premises, when operating until 02.30 hours there is always a potential for wider impacts as you will inevitably have customers coming to and from the premises or congregating outside whilst it is in operation.

With the external area proposed to be used for an additional 2 hours the applicant hasn't put forward within the operating schedule what control measures they would put in place to prevent public nuisance.

This may be contained in a Noise Management Plan which the applicant has said would be produced confirming they will pay particular attention to noise from the external area – this document hasn't been submitted.

Looking at the operating schedule I note the applicant has volunteered 10 conditions outlining how they will be promoting the licensing objectives; these were taken from the previous licence.

With the hours proposed this would effectively become the latest premises currently operating in Pontardawe.

I would expect some further information regarding how the application will promote the licensing objectives considering how late they will be operating.

I submit a representation to this application based on the prevention of public nuisance objective as I would like to see the below points addressed:-

- A Noise Management Plan must be submitted as outlined within the application; this will give a clear indication of how the premises will control noise both inside and outside the premises.
- With the premises proposing to operate seven days a week until 02.30 hours has a consideration been given to SIA registered door supervisors. The applicant should use their experience and knowledge of their customers when making this assessment however I think there is an expectation where a premises is operating as a late night venue SIA door supervisors should be employed. I believe SIA door supervisors have previously been employed but this isn't mentioned within the operating schedule.

Regards

Peter Malough

Uwchswyddog Rheoleiddio Cyfreithiol - Senior Legal Regulatory Officer

Gwasanaethau Rheoleiddio Cyfreithiol - Legal Regulatory Services

Cyfarwyddiaeth Gwasanaethau Corfforaethol & Cyllid / Finance & Corporate Services Directorate

Rhif Ffôn / Tel No. 01639 763050

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.

If you would like to use Welsh when dealing with the Council please click [here](#)

Os hoffech ddefnyddio'r Gymraeg wrth ddellio â'r Cyngor os gwelwch yn dda cliciwch [yma](#)



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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
Bridgend
CF31 3SU

In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

Nick Bailey
Police Licensing Officer,
Neath Police Station.

 : nick.bailey2@south-wales.police.uk

 : 01639 640207

 : 07971 623816

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.

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.



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

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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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)

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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Jeremy Vaughan
Prif Gwnstabl / Chief Constable

Heddlu De Cymru
South Wales Police



We understand from a hand delivered letter from MR Danny Dyer that he is applying for a new licence for the above premises ,with a change in opening hours which would reduce opening times to those currently granted for the restaurant and bar to which we would have no objection,however as a further part of the licence MR Dyer has requested that the tented area to the rear of the property be granted opening hours until midnight,this we would find to be taking us back to the days of late night noise levels that we have had to tolerate over the past 20 years ,we respectfully ask the licensing panel to keep to the hours currently granted ie 10 pm closing with lights out with no further activity.

Yours faithfully,

Residents of Dynevor Terrace, Pontardawe)

Mae'r dudalen hon yn fwriadol wag

Dear Sirs

With respect to the above and their application for licensing until 2.30pm.

As a local resident with long standing issues with pubs and their late licences in residential areas I fully object to any licence beyond 11.30pm.

There has been over the 18 years of me living in the area unprecedented problems and issues (documented proof is logged with noise control) with anti social behaviour directly associated with late licences.

I have forwarded this email to noise control and our AM, together with the local councillors and police.

Kind regards

Tudalen59

Mae'r dudalen hon yn fwriadol wag

From: Keith Evans - Email 3

Sent: 17 June 2022 08:15

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

Cc: Rachel Matthews <r.matthews@npt.gov.uk>

Subject: Rum and Co license review

Dear Sir/ madam

With reference to my previous email, please can this additional point be raised during the meeting.

Objection to any entertainment outside on the basis that it will be extremely intrusive and annoying to local residents.

If an outside entertainment license is granted then it should be on condition that any entertainment is acoustic only, with no amplification of the sound.

A considered exception could be as an example Pontardawe festival. Most residents accept that this is a village tradition.

Yours Sincerely

Keith Evans

Email 2

From: Keith Evans

Sent: 16 June 2022 10:00

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

Subject: Re: Rum and Co, 12 High Street Pontardawe - Committee

Good morning

Regrettably I am unable to attend due to other commitments. Obviously I would like my objection to the license brought up in the meeting. Points I would have liked discussed are as follows:-

Why is such a late license required? It is most unusual for persons to be having a meal in the early hours of the morning! Is this just a front to attract probably already intoxicate patrons after other venues have closed?

What type of entertainment is planned?

If entertainment is ongoing in the venue, what would you consider to be a reasonable sound level and how would you manage it? (From an expert perspective, based on the size of the venue, anything over 90 db would be excessive. In perspective, a rock band would probably be around 100 db in a professional large venue).

What does the venue have in place to prevent the egress of noise from the premises? Currently there does not seem to be anything, not even double glazed doors and windows.

How do you propose to minimise noise from patrons departing the venue, especially during the early hours of the morning as you are requesting? Previously your door staff have been most ineffective at managing this. Sound carries over enormous distances in the quiet of the morning.

Why do you think the location of the venue is suitable for such a late license when it is located in such a highly residential area? There are people living directly across the road from the venue, to the sides, behind, and I believe in flats above.

Would you wish to put up with the anti social behaviour of intoxicated persons during the early hours of the morning if you lived near by?

Maybe these points could be discussed on my behalf? I think they are extremely valid and should be taken into account.

Yours sincerely

Keith Evans

Dear Sir/ Madam - Email 1

I understand that the premises known as Rum and Co, High Street, Pontardawe, has made application for a license to cover them until either 2 or 2.30 am. I wish it to be known that I strongly object to the granting of this license.

I am a resident living in Orchard Street, Pontardawe, which is relatively close to Rum and Co. My correspondence with (Redacted) in the Environment department will show that I have been subjected to annoyance caused by loud music and general rowdy, anti social behaviour on weekends for quite some time. The issues were caused by another premises, The (Redacted). The level of loud music and anti social behaviour increased substantially with the opening of Rum and Co. One Bank Holiday weekend was particularly horrible. There was extremely loud music coming from there until 2am. Closely followed by the loutish behaviour of persons leaving the premises. This is just one incident. I did actually contact Rum and Co to complain. I spoke with who I believed to be the owner/ manager. His words to me were that he would get the act to turn down, but he couldn't do anymore as he was new to the business and learning!! Not the most brilliant of answers I think

you will agree. Fortunately the Council saw sense and withdrew their license. Since then, the weekends have been pretty much trouble free. There has been very little late night anti social behaviour, and no loud music matters to be concerned with. The previous issues associated with the (Redacted) appear to have been resolved. I have met with the manager of the (Redacted) who is sympathetic of the impact of the premises on residents and has, in fairness sorted out the issue relating to loud music.

I am completely speechless if granting Rum and Co a license until 2 or 2.30 am is even being considered! Let alone including outside entertainment....The village is simply not suited to such a premises. Look at all the issues with (Redacted) and the (Redacted). I am aware that (Redacted) are causing problems with noise also. Pontardawe is a highly residential area. The premises in question are not located far enough away from residents to be allowed to operate until early hours of the morning. It is a fact that persons leaving at those times are likely to be intoxicated, and are going to be noisy. Residents should not have to, and will not put up with that!

If an entertainment license is granted to Rum and Co, then I would expect the following restrictions to be a condition of retaining that license.

1. All entertainment to cease at 11pm.
2. The sound from any amplified source is to be contained within the premises.
3. The sound levels of entertainment are to be monitored and restricted to automatically cut off if the set level is exceeded.
4. The premises is suitably sound proofed to prevent egress of noise from amplified sources. (At present the premises does not even have double glazed windows or doors....This should be a basic requirement if being licensed for entertainment).
5. No amplified entertainment to take place outside.
6. Spot checks to be made by Council staff to ensure the above are complied with.

The above should be prime considerations for any premises wishing to be licensed. Especially so in highly residential areas.

Finally, I'd like to add that I do not complain about matters lightly. I am a retired (Redacted). I have a high tolerance towards persons behaviour and noise matters. I am also a musician and a sound engineer. I love loud music. I operate large sound systems and know a lot about sound. There is a time and a place for it! Highly residential areas are most definitely NOT the place for it. The Pontardawe Music festival being the exception as this is a traditional aspect of the village which

residents accept and expect.

I am happy to discuss this matter further if required. I can be contacted on the below telephone number.

Yours sincerely,

Mr Evans

Dear Sirs

With respect to the above and their application for licensing until 2.30pm.

As a local resident with long standing issues with pubs and their late licences in residential areas I fully object to any licence beyond 11.30pm.

Kind regards

Mr Hopkins

Mae'r dudalen hon yn fwriadol wag

Hi LRS

As a local resident and on behalf of local residents as thier Pontardawe councillor
am objecting to the
application for a 230 alcohol licence..

Outside noise disturbance to local residents. Already seen when a nearby pub
(Redacted) had the same Disturbance and ASB with customers leaving the premises
after 1230 to 4am seen as issues when (Redacted) had a late licence.

Residents finally saw some respite after (Redacted) closed and do not wish to be
going backwards and seeing fighting shouting and car racing again in the early hours
of the morning

Thanks

CLLR Todd

Uplands road

Pontardawe

Mae'r dudalen hon yn fwriadol wag

Noise Management Plan

Gourmet Catering Solutions T/A Rum & Co
12 High Street, Pontardawe, Swansea SA8 4HU

Owner: Mr Daniel Dyer Tel: 07496147656 E: dannydyer1987@gmail.com

Date: June 2022

SITE DESCRIPTION

The premises is known as 'Rum & Co' of 12 High Street, Pontardawe, a bustling town with a vibrant, diverse and historic music scene. The property fronts onto the pavement adjoining High St and consists of a restaurant/bar in application for a drinking establishment, with a residential flat above.

Immediately adjacent to the premises are offices at ground floor level, with a residential property located directly above. There are further residential properties to the left and right of the property on the first floor and second floor.

These are considered to be most at risk of noise disturbance from the operations of the premises. All though there has been no known complaint from said residential properties opposite, above or to the side. However, we are managing our activities to be in the best interest of all residents within reason i.e. location.

2. INTENDED USE OF THE PREMISES

It is anticipated that the premises will be operated as a Micro bar but at the forefront, a restaurant and will be licensed to sell alcohol indoors and outdoors. Our license will also include the option to be an Off-License. All Micro bars strive for a welcoming, low-key atmosphere, where patrons can come and have a quiet beverage and chat with some great food.

AGREED POLICIES TO CONTROL NOISE:

A) INTRODUCTION

The venue is committed to develop and maintain good relations with residents, neighbours and local authority. The objective of this policy is to minimise disturbance to local residents and to ensure that any licensing objectives or other controls at the venue are being upheld. This policy sets out the measures which have been considered and will be adopted to ensure the trouble-free lives the residents deserve.

B) GENERAL

The premises will be open to the public within the hours of 08:00 and 02:30 Tuesday to Thursday, 08:00 – 02:30 Friday to Saturday, and 08:00 – 02:30 Sundays. We

have been in high demand for private functions that may alter the closing times. However, these will be on a rare occasion and will be consistent to the times above.

Use of the rear outdoor areas shall only be permitted within the hours we have requested. Customers will not be admitted to the area outside of agreed hours. Background music will be played at the outside area within the hours requested. Temporary event notices will be submitted for other events i.e. Music festivals and one-off events that may go against our usual hours. Licensed door staff, front of house staff and management will periodically check the levels of noise coming from the outside area.

There shall be no readmission to the premises beyond 01:30, with the exception of smokers. The license holder shall make available and regularly promote a contact number for residents to contact the premises to discuss any specific incidents or concerns either during or after events. The contact number has already been made available to residents with the added option of our social platforms. The number will be manned at all times and any action taken as a result of the complaint should be recorded and kept.

Customers will be permitted to use the front of the restaurant if they wish to smoke after 00:00. This will give staff and our qualified door staff (Friday and Saturday) vision on the numbers gathered and allow constant monitoring.

To prevent unsatisfactory numbers gathering outside, staff will make requests for customers to return inside, or move on to another establishment. Steps will be taken to educate regulars on the limited area for smokers. Two trained and licensed door staff will be on the premises at all times during our late license (mostly Fridays, Saturdays and Bank Holidays), this allows one member of staff to manage the door, whilst the other manages the customers within the premises. Furthermore, no shelter will be provided out the front to help discourage unnecessary use of the smoking area.

C) PROVISION MUSIC

The provision of background music shall be permitted at any time the premises is open to the public. (Definition; this is music or other audio played including Television when the main function is to create an atmosphere suitable to a specific occasion rather than to be listened to and is non disruptive to speech and conversation). Sporting events i.e. Six nations, World Cup etc may be played louder through the television sets and speakers. This will also apply to the outside seating area until said area closes. Live entertainment will be well organised with measures in place to keep within the desired decibel out-put readings. Unless live entertainment falls on to a specific one-off event, all live entertainment will not pass the hours of 00:00. We will use our social platforms to alert the residents of any special occasion where this live entertainment will pass this time of 00:00 when convenient.

D) DISPERSAL OF CUSTOMERS

Staff will actively encourage the gradual dispersal of customers to minimise nuisance. During the last 30 minutes of trading the following strategies will be implemented to encourage the gradual dispersal of customers. This will include the gradual decrease in ambient Music. All music will stop playing 15 minutes before the closure of the premises with all the bright lights available on.

A member of staff /door staff will be positioned in an area close to the main exit to oversee the end of night departure period. Customers will be encouraged to be considerate upon leaving the premises. Customers shall not leave the premises other than through the doors to the front of the premises. Customers will be asked not to stand around loudly talking in the street outside the premises. Communication will be made with taxi companies regarding the use of horns and slamming of doors.

E) MONITORING

Routine monitoring will be regularly conducted around the perimeter of the premises during opening hours. Details of checks, observations and any actions taken as a result of such shall be recorded. A noise logbook kept on the premises and maintained by management and staff will be available for inspection for the Local Authority upon request. Monitoring will be conducted by individuals who have not had prolonged exposure to loud music where possible.

F) TRAINING

All staff will be aware of the premises license and the requirements to reduce external impact from noise. All staff will be made fully aware and conversant with the noise management policy and procedures.

G) PROVISION OF INFORMATION

Notices will inform customers of our commitment to local concerns. Prominent, clear and legible notices will be displayed at the exits requesting the public to respect residents and to leave the premises and the area quietly.

H) WASTE MANAGEMENT

The movement of bins and rubbish outside the premises will be kept to a minimum after 21.00hrs. The removal of empty kegs or bottles to external areas shall not be permitted after 20:00. Refuse collections will only be permitted by external companies between the hours of 07.00 and 21.00hrs every Friday (NPTC). This can vary due to NPTC collection days.

I) MANAGEMENT OF DELIVERIES

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to avoid causing disturbance to nearby residents. Deliveries shall not be permitted outside the hours of 20;00.

J) PREMISES

The premise has been designed appropriately and detailed consideration has been given to its ability to operate in a manner which does not give rise to disturbance. The controls and limitations of the venue are reflected in this noise management plan. Management will consider carefully the issue of thermal comfort during the operation of the venue, particularly during summer. Plans will be implemented to control the temperature in the venue to discourage the public and staff from opening doors and windows to assist in cooling and therefore reducing the effectiveness of noise control measures. We have two well placed AIR CON systems within the premises.

When/if there is a time that the business is in a financial position to improve the glazing of the premises, double glazing may be considered.

Windows and doors where necessary shall be fitted with self-closing devices. No significant structural alterations shall be made to the premises without due consideration of its potential impact on noise management.

K) PROCEDURAL

The noise management plan will be reviewed at least annually or as agreed appropriate to ensure that it is streamlined and effective. New and innovative approaches to problem solving or incidents and any lessons learnt will be incorporated accordingly. We should consider this a live document which evolves by experience in agreement with the Authority and the residents.

COMMITMENT

We the undersigned commit to ensuring this noise management plan is implemented and always maintained for the duration of operation of our premises. We understand that it forms a key part of our License to operate, and that departure from it could lead to loss of said operating License.

Name: Mr Daniel J Dyer

Position: Owner and Director

Date: June 2022