

# APPENDIX P

## HISTORY OF PREMISES

### PUNJABI JUNCTION/TIFFINS/RE-EVOLUTION

13.6.2018	Licence granted to Mr Kamaljit Singh following Committee Hearing. Mr Singh also DPS. Committee added 21 conditions to licence.
16.7.2018	DPS Variation to Jasvir Singh Dillon
9.11.2018	Licence Transferred to Narinder Singh
9.11.2018	DPS Variation to Narinder Singh
6.12.2018	Warning Letter to Narinder Singh
7.5.2019	Final Warning Letter to Narinder Singh
2.8.2019	Letter sent advising to submit Minor Variation or SWP will request Review of licence.
14.8.2019	Minor Variation granted to add 5 additional conditions.
17.12.2019	Premises Licence transferred to Re-Evolution Ltd. Premises name changed. No change in DPS – remains as Narinder Singh.
23.12.2019	S19 Closure Notice issued under Criminal Justice and Police Act 2001 for breaches of licensing conditions.
24.12.2019	S19 Closure Notice issued under Criminal Justice and Police Act 2001 lifted.
27.12.2019	Final Warning letter issued to Re-Evolution Ltd for operating beyond licensed hours and breaches of conditions.
23.1.2020	Narinder Singh removes himself as DPS following under age sales at the premises.
23.1.2020	DPS Variation to Rebecca Dando.
30.1.2020	South Wales Police submit Review application.
10.2.2020	Rebecca Dando removes herself as DPS with immediate effect.
13.2.2020	William Morgan - Personal Licence Issued.
13.2.2020	SWP advise William that they would object if he applies to become DPS.
14.2.2020	DPS Variation to Wayne Gutierrez (PA0074) with immediate effect
27.2.2020	Statutory 28-day consultation period for Review Application finished at Midnight.

In under 2 years (21 months) the premises has had 3 different Premises Licence Holders; 5 different DPS' (the current DPS is only a temporary one) and 14 known complaints.

Since opening as Re-Evolution it has had 3 DPS' and by the time of the Hearing will be due their 4<sup>th</sup>. For a premises to have 4 DPS' in just over 3 months does not promote any of the Licensing objectives and can be perceived to indicate poor management as a direct reflection of poor company practice or policy at the premises.

## RE-EVOLUTION

- 10.12.2019 William Morgan met with Licensing Team Leader & South Wales Police Licensing Officer. His DJ was also present and the licence, activities, hours and conditions were gone through in details with both of them.
- 16.12.2019 Licensing Team Leader & South Wales Police Licensing Officer met with William and his Bar Manager and went through the details of the licence and its conditions in detail with both.
- 17.12.2019 Licence transferred to Re-Evolution Ltd. Company incorporated 10.12.2019 with 1 Director – Mr William John Morgan.
- 20.12.2019 Opening Night – Complaints received regarding operating beyond licensed hours.
- 23.12.2019 CCTV footage proved above complaints to be true. William Morgan also confirmed further breaches. He could not supply copies of CCTV – Breach of condition. S19 Closure Notice issued under Criminal Justice and Police Act 2001.
- 24.12.2019 New CCTV hard drive installed – S19 Closure Notice lifted.
- 26.12.2019 - 1.1.2020 Numerous Noise Complaints received – Unfounded.
- 27.12.2019 Final Warning Letter issued detailing unlicensed activity & breach of conditions. Also stated that should further complaints or breaches occur then a Review would be more than justified.
- 20.1.2020 Reports of underage sales at the premises and a youth being collected from the premises inebriated which led to a domestic incident and a subsequent arrest.
- 21.1.2020 Licensing Team Leader & South Wales Police Licensing Officer attended the premises to view CCTV of the weekend of 17 – 19 January.
- 22.1.2020 Report received by the Council of a rise in anti-social behaviour since Re-Evolution opened. Mr Morgan informed of this and he advised he would get his door supervisors to monitor the area concerned.
- 23.1.2020 Narinder Singh removes himself as DPS of the premises
- 23.1.2020 DPS Variation to Rebecca Dando
- 25.1.2020 Report received of underage persons in the premises. CCTV viewed at the premises and copies of it were requested. Subsequent viewing of the footage did not identify any persons who were clearly underage but did show drinks being taken outside which is an unlicensed activity (offence under S136).

30.1.2020 Review application submitted by South Wales Police

30.1.2020 Env Health submitted reps supporting the Review application. They currently has five Noise Complaints regarding the premises.

3.2.2020 Trading Standards submit email supporting Review application on grounds of Protection of Children from Harm.

5.2.2020 William Morgan submits email with regards the issue of the 15yr old boy in his premises who was hospitalised later.

10.2.2020 South Wales Police submit representation statement from School Community Police Officer addressed to the Licensing Committee. Accepted as a valid representation.

10.2.2020 Email received from South Wales Police that contained a copy of an email from William Morgan to their Licensing Officer, Andy Jenkins. In this email, he confirms that the CCTV Hard Drive has been disposed of. Therefore, another breach of condition. As we were notified 5 days later unable to issue another S19 Closure Notice.

10.2.2020 South Wales Police submit photos received from William Morgan regards notices displayed at the premises.

10.2.2020 Rebecca Dando removes herself as the DPS for the premises with immediate effect. Email sent to William Morgan advising him: - no alcohol sales, if he does then offence and penalty. This remains in force until new DPS nominated with correct forms & payment etc.

13.2.2020 William Morgan granted a Personal Licence and enquires about becoming the DPS for Re-Evolution. South Wales Police advise him that if he submits the relevant forms then they will have no alternative but to object to it on the same grounds as the Review has been submitted.

14.2.2020 DPS Variation to Wayne Gutierrez (PA0074) who runs the Door Supervisors at the premises. Copy of the licence given to Wayne as he was unaware what conditions he needed to comply with.

17.2.2020 Public Health representations received supporting the Review and the request to revoke the licence.

25.2.2020 CCTV requested and viewed for 8.2.2020 as this was 6 Nations day. Further breaches of conditions identified – Conditions 21 & 10 of Annex 3; Drinks taken outside = unlicensed activity (offence under S136).

- 26.2.2020 Representations supporting the Review application received from 2 members of the public. One of these was deemed relevant and has been accepted. The second was deemed as irrelevant and not accepted as a valid representation. Notifications have been sent to both parties.
- 27.2.2020 SWP submitted no objections to Wayne Gutierrez being named as the DPS for the premises but only on the proviso that he is there on a short-term basis – 4 to 6 weeks.
- 27.2.2020 Email sent to Re-Evolution Ltd c/o William Morgan re breaches of conditions identified on CCTV footage. Advice given that these breaches will form part of the Licensing Authority's representations and will be considered by Committee.
- 27.2.2020 Representations supporting Review applications received from Area Child Protection; Licensing Authority; Resident; Ward Member; Llamau Ltd – all deemed relevant and accepted. Notifications sent to all.
- 28.2.2020 Statutory 28-day consultation period has now closed – no further reps will be accepted.
- 2.3.2020 Copies of all representations received emailed to William Morgan and advised that the consultation period has now finished and he can take his blue notices down. Also advised Hearing will take place on 26.3.2020.

In 6 weeks of operating the premises prior to the submission of the Review Application the Licensing Department had received 9 complaints (6 were unfounded) and issued a S19 Closure Notice.

South Wales Police have received the following recent reports: -

- 16.1.2020            17 year old person working at the premises was paid in 'shots'
- 18.1.2020            15 year old heavily intoxicated collected from the premises by his parents which resulted in a domestic incident and complaint to South Wales Police and Licensing Department.
- 22.1.2020            Reports of 15/16 year olds in the premises on 18.1.2020. Reported to SWP by the Schools Police Liaison Officer. Parents attended the premises to collect their children. One of them had to be taken to Prince Charles Hospital due to concerns about alcohol/substance misuse.

Environmental Health have received the following recent reports regarding noise nuisance: -

- 08/01/2020    Complaint regarding music noise from 7 Garth Street, Merthyr Tydfil: - Noise log sheets have been sent to the complainant and awaiting their return.
- 09/01/2020    Complaint regarding music noise from 6 Garth Street, Merthyr Tydfil: - Noise log sheets have been sent to the complainant and awaiting their return.
- 09/01/2020    Complaint regarding music noise from 9 Garth Street, Merthyr Tydfil: - Noise log sheets have been sent to the complainant and awaiting their return.
- 25/01/2020    Complaint regarding music noise from an anonymous source: - Unable to contact the complainant for any further details.
- 28/01/2020    Complaint regarding music noise and ASB from patrons associated with the premises from 22 Bethesda Street, Merthyr Tydfil: - Noise log sheets have been sent to the complainant and awaiting their return.

The Licensee has breached the conditions attached to his licence on the following dates (before and after the submission of the Review application): -

**20.12.2019** – Operated outside his licensed hours (unlicensed activity S136 offence); person under the age of 16 in the premises after 2300hrs (Annex 3 Condition 17).

**23.12.2019** – Couldn't provide a copy of his CCTV on request (Annex 3 Condition 3)

**18.1.2020** – Underage viewed on CCTV – none were challenged for ID (Annex 3 Conditions 9, 10 & 11)

**25.1.2020** – CCTV viewed at premises – drinks being taken outside in the side area (unlicensed activity – No Off-Sales at the premises – S136 offence)

**25.1.2020** – copies of CCTV requested – not provided (Annex 3 Condition 3)

**10.2.2020** – further to request of CCTV on 25.1.2020 email received confirmed it had been disposed of (Annex 3 Condition 2)

**8.2.2020** – CCTV viewed on 25.2.2020 - real glass being used not plastic (Annex 3 Condition 21); Under 25's not challenged (Annex 3 Conditions 9, 10 & 11); drinks being taken outside in the side area (unlicensed activity – No Off-Sales at the premises – S136 offence)

This shows 7 sets of breaches, some of which are multiple breaches. These are the only dates that have been looked at, however, it is anticipated that should CCTV be requested for other dates further breaches of conditions would be identified.