

# Pecyn Dogfennau Cyhoeddus

Penallta House,  
Tredomen Park,  
Ystrad Mynach,  
Hengoed CF82 7PG

Ty Penallta,  
Parc Tredomen,  
Ystrad Mynach,  
Hengoed CF82 7PG



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Rebecca Barrett  
(Rhif Ffôn: 01443 864245 Ebst: barrerm@caerphilly.gov.uk)

**Dyddiad: Dydd Mawrth, 1 Medi 2020**

Annwyl Syr/Fadam,

Bydd cyfarfod o'r **Is-bwyllgor Trwyddedu a Gamblo** yn cael ei gynnal trwy Microsoft Teams ar **Dydd Llun, 7fed Medi, 2020** am **10.30 am** i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny.

Bydd y cyfarfod hwn yn cael ei recordio a bydd ar gael i'w weld trwy wefan y Cyngor, ac eithrio trafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig. Felly, bydd delweddau/sain yn unigolion sy'n bresennol ac/neu sy'n siarad yn ystod ar gael i'r cyhoedd trwy'r recordiad ar wefan y Cyngor yn [www.caerffili.gov.uk](http://www.caerffili.gov.uk)

Yr eiddoch yn gywir,

**Christina Harrhy**  
PRIF WEITHREDWR

## A G E N D A

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



Atgoffi'r Cynghorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cynghorwyr a Swyddogion.

I dderbyn ac ystyried yr adroddiad canlynol:-

- 3 Cais am Drwydded Eiddo Newydd mewn perthynas â Brew Monster Brewing Company Ltd, Uned 1, Lôn-y-Twyn, Caerffili, CF83 1NW.

1 - 134

**Cylchrediad:**

Cynghorwyr D.W.R. Preece (Cadeirydd), Mrs D. Price a W. Williams

A Swyddogion Priodol

**SUT FYDDWN YN DEFNYDDIO EICH GWYBODAETH**

Bydd yr unigolion hynny sy'n mynychu cyfarfodydd pwyllgor i siarad/roi tystiolaeth yn cael eu henwi yng nghofnodion y cyfarfod hynny, weithiau bydd hyn yn cynnwys eu man gweithio neu fusnes a'r barnau a fynegir. Bydd cofnodion o'r cyfarfod gan gynnwys manylion y siaradwyr ar gael i'r cyhoedd ar wefan y Cyngor ar [www.caerffili.gov.uk](http://www.caerffili.gov.uk). ac eithrio am drafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig.

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym amdanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu. Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn ar ein gwefan <http://www.caerffili.gov.uk/Pwyllgor/Preifatrwydd> neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio [griffd2@caerffili.gov.uk](mailto:griffd2@caerffili.gov.uk) neu ffoniwch 01443 863028.



## LICENSING AND GAMBLING SUB COMMITTEE

### REPORT BY LICENSING MANAGER

DATE OF MEETING: 7<sup>th</sup> September, 2020

#### 1. Application Details – Stephen Glenn White

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Brew Monster Brewing Company Ltd Unit 1 Lon y Twyn Caerphilly CF83 1NW	Brew Monster Brewing Company Ltd Unit 1 Lon y Twyn Caerphilly CF83 1NW	New Premises licence

#### 1.1 Application for Grant of a New Premises Licence

An application has been submitted to apply for a new premises licence for the above premises. The proposed application for consideration is set out in 1.3 of this report.

#### 1.2 Site Plan/Photographs

The plan of the licensed area is reproduced as **Appendix 1**.

A location plan is reproduced as **Appendix 2**.

#### 1.3 Proposed Trading Times and Licensable Activity

The application for the grant of a Premises Licence seeks to permit the following Licensable Activities:-

- **Supply of Alcohol (on and off sales)**

Monday to Saturday, 16:00 to 23:00  
New Year's Eve, 16:00 to 02:00 the following morning

- **Late Night Refreshment (indoors only)**

New Year's Eve, 23.00 to 02.00 the following morning

- **Recorded Music (indoor only)**

Monday to Saturday, 16:00 to 23:00  
New Year's Eve, 16:00 to 02:00

The applicant has amended his original application and operating schedule following representations from residents and responsible authorities. The applicant had initially sought -

- ***Supply of Alcohol (on and off sales)***

*Monday to Sunday, 12:00 to 23:00  
Christmas Eve, 12.00 to 02:00 the following morning  
New Year's Eve, 12:00 to 02:00 the following morning*

- ***Late Night Refreshment (indoors only)***

*New Year's Eve, 23.00 to 02.00 the following morning*

- ***Recorded Music (indoor only)***

*Monday to Sunday, 12:00 to 23:00  
Christmas Eve, 12.00 to 02:00 the following morning  
New Year's Eve, 12:00 to 02:00*

**1.3.1** The following steps have been volunteered by the applicant as part of the Operating Schedule, to promote the Licensing Objectives, and are reproduced directly from the application:-

1. Premium pricing – Alongside real ale and craft beer, we would offer local artisan spirits and craft cider. All alcoholic drinks are sold at premium prices relative to other local licensed venues. We believe that offering premium drinks at premium prices gives greater appeal to our target demographic (older, more affluent).
2. Opening hours – Reduced opening hours (closing at 23.30) and including a 30 minute drink up time (stop serving alcohol at 23.00) reduces the scope for excessive drinking by customers and offers greater appeal to our target demographic rather than those seeking a long boozy night out. It also ensures that our customers are not pressurised into drinking their drinks quickly prior to leaving the venue.
3. The designated premises supervisor will ensure that all staff are trained in their responsibilities with regard to the sale and supply of alcohol. Training records will be maintained for all members of staff and made available for inspection by any authorised officer at any reasonable time. This will include training of underage sales, drug awareness and drunk and disorderly behaviour. Training records will be reviewed on a regular basis.

4. CCTV system shall be installed. The system will be maintained and operated at all times the premises are open to the public, and shall cover all parts of the licensable areas to which the public have access (excluding the toilets). The images shall be produced to a Police employee as soon as is reasonably practical upon request.
5. An incident book shall be kept at the premises and maintained on site. It shall be made available on request to an authorised officer of the local authority or member of the Police. The register will record all crimes at the premises, complaints received of a licensing nature, any incidents of disorder, any refusal for the sale of alcohol and any visits by the emergency services.
6. We will stop serving alcohol from 23.00 allowing a 30 minute drink up time for our customers before the venue closes.
7. We will make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified wherever possible. Customers will not have access to the production/brewery area of the building. This area will be closed off and will only be accessible by staff using a keycode.
8. Prominent and clear notices displayed at points where clientele leave the building, instructing them to leave the premises and area quietly.
9. Recorded music will not be played in any outside area at all times on any day.
10. All products will be consumed indoors within the designated area.
11. Off-sales will be restricted to the sale of packaged products (bottles, cans, 5 litre microkegs) which are intended for consumption at home.
12. The use of an accredited proof of age scheme (Challenge 25) including and especially the use of Photocard Driving Licences and Passports when patrons are purchasing alcohol.
13. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar adult entertainment will be permitted on the premises.

#### **1.4 RELEVANT CONSIDERATIONS**

Caerphilly County Borough Council Licensing Policy **Appendix 3**

National Guidance **Appendix 4**

#### **1.5 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS**

##### **1.5.1 Responsible Authorities:**

Fire Safety and Trading Standards, have indicated that they have no representations in respect of the proposed new premises licence.

**Police**

Document	Date Received	Appendix Reference
Initial Representation	15/07/2020	Appendix 5

**Child Protection Co-ordinator**

Document	Date Received	Appendix Reference
Initial Representation	28/07/2020	Appendix 6

**Licensing Authority in role as Responsible Authority**

Document	Date Received	Appendix Reference
Initial Representation	05/08/2020	Appendix 7

**Environmental Health Officer H&S**

Document	Date Received	Appendix Reference
Initial Representation	05/08/2020	Appendix 8

**Environmental Health Officer Noise Team**

Document	Date Received	Appendix Reference
Initial Representation	10/08/2020	Appendix 9

There is no representation from Planning who will consider the associated planning application separately.

**1.5.2 Other Persons:****Residents / Elected Members**

Document	Date Received	Appendix Reference
Resident A Representation	06/07/2020	Appendix 10a
Resident B Representation	08/07/2020	Appendix 10b
Resident C Representation	10/07/2020	Appendix 10c
Resident D Representation	15/07/2020	Appendix 10d
Resident E Representation	14/07/2020	Appendix 10e
Resident F Representation	15/07/2020	Appendix 10f
Resident G Representation	17/07/2020	Appendix 10g
Resident H Representation	26/07/2020	Appendix 10h
Resident I Representation	27/07/2020	Appendix 10i
Resident J Representation	28/07/2020	Appendix 10j
Cllr Bevan Representation	06/08/2020	Appendix 10k
Resident L Representation	05/08/2020	Appendix 10l
Resident M Representation	06/08/2020	Appendix 10m
Resident N Representation	05/08/2020	Appendix 10n
Resident O Representation	06/08/2020	Appendix 10o
Resident P Representation	07/08/2020	Appendix 10p
Resident Q Representation	06/8/2020	Appendix 10q
Resident R Representation	09/8/2020	Appendix 10r
Resident S Representation	05/8/2020	Appendix 10s
Resident T Representation	07/8/2020	Appendix 10t

Resident U Representation	<b>10/8/2020</b>	<b>Appendix 10u</b>
Resident V Representation	<b>07/8/2020</b>	<b>Appendix 10v</b>
Resident W Representation	<b>07/8/2020</b>	<b>Appendix 10w</b>
Resident X Representation	<b>10/08/2020</b>	<b>Appendix 10x</b>
Resident Y Representation	<b>09/8/2020</b>	<b>Appendix 10y</b>
Cllr Kent Representation	<b>10/08/2020</b>	<b>Appendix 10z</b>
Cllr Elsbury Representation	<b>09/8/2020</b>	<b>Appendix 10aa</b>

## **1.6 SUMMARY OF REPRESENTATIONS**

Trading Standards and Fire Safety have indicated that they have no representations in respect of the proposed new premises licence.

Heddlu Gwent Police have proposed conditions that the CCTV images shall be kept for 28 days and that the premises licence holder shall participate in any local Pubwatch or similar scheme operating in the area.

Child Protection Co-ordinator has proposed conditions that all staff are trained to prevent underage sales annually or if legislation changes are made. All training to be documented and available for inspection by a police officer or licensing officer. An approved age scheme to be adopted such as challenge 25, photographic proof of age identification to be produced on request. Publicity materials to be on display to notify customers such a scheme is in place. The prevention of supplying or selling alcohol to under 18s except where a table meal is being sold with an accompanying adult.

The Environmental Health Officer (Health and Safety) has requested conditions in relation to use of toughened safety glass, ensuring emergency exits remain clear, the suitability of lighting in places where public have access and suitability of flooring.

The Licensing Authority in its role as a responsible authority has advocated additional controls in relation to CCTV provision, training of staff to utilise the same and the disclosure to Licensing Authority Officers as well as the Police. Measures in relation to use of smoking shelter, removal of litter/waste and specified times when waste should be collected are also proposed.

The comments of the Environmental Health Noise Pollution Officer relate to the removal of waste into external areas. The Environmental Health Officer is unable to propose conditions in relation to entertainment noise, given the hours sought by the applicant. As should a Premises licence be granted, the premises will benefit from the ability to hold live and recorded music between 8am and 11pm by virtue of the live music act exemption and recorded music deregulation. In such instances' protection will be afforded to residents via the nuisance provisions under the Environmental Protection Act 1990.

Relevant representations objecting to the granting of the premises have been received from 3 Elected Members. The concerns relate to the construction of the building, given its intended usage, proximity of residential housing, proximity of local school and reference to an advert at another Brew Monster premises (out of county) that it was believed encouraged binge drinking.

Relevant representations have been received from 24 residents throughout the consultation process. These detail concerns in respect of the proximity of Twyn Junior school to the proposed premises and impact upon children witnessing drunken behaviour of patrons, the inappropriate location of the premises given that it is surrounded by homes on 3 sides and resultant privacy issues that the premises could cause, the potential for public nuisance due to noise from patrons including that from smokers, entertainment, together with smell from brewing process. Parking related concerns and increased traffic were also raised.

Concern is expressed as to the building and its construction being a former Warehouse and inability to prevent noise escape. Reference is made to a noise assessment undertaken by the applicant being insufficient. Comment is made in relation to the potential for urination in the lane / alleyway opposite the building. A number of residents, also articulated their views as to the 'presumptive' nature of the applicant in moving items connected to the brewing process on to the land ahead of the application consultation end date, which gave them the impression that the application being effectively a 'done deal.'

Some resident comments relate to noise and antisocial behaviour concerns attributed to other existing premises in the area. Comment is also expressed about the existing number of premises in the vicinity and fears about increased litter. Reference is made to a new childcare facility in proximity to the premises.

The applicant provided a response to resident concerns (dated 16<sup>th</sup> July) part way through the 28day consultation period, in this response, the applicant detailed that the Company would amend its operating schedule, reducing proposed hours and removing Sunday trading.

After the applicant response, further comments were subsequently received from a number of residents, detailing that their concerns remained in relation to the amended opening time i.e 4pm, in view of after school clubs that were held at the school until at least 6pm.

## **1.7 APPLICANT RESPONSE**

<b>Document</b>	<b>Date Received</b>	<b>Appendix Reference</b>
Initial Response to Residents	<b>16/07/2020</b>	<b>Appendix 11</b>
Subsequent Response to Residents	<b>25/08/2020</b>	<b>Appendix 12</b>

The applicant initially responded to resident concerns received prior to the 16<sup>th</sup> July 2020, before providing a further response on 25<sup>th</sup> August 2020.

The applicant in its response to residents has amended its operating schedule and reduced their hours for the retail sale of alcohol from 11am until 4pm to address concerns in relation to the proximity of the local school and has removed their ability to sell alcohol on Sundays and Bank Holidays. The applicant has also amended their application to remove the additional hours requested for Christmas Eve.

The applicant has identified that there are existing licensed premises in the vicinity including one with later permissions than the company has applied for, with an outdoor area, whereas the company's premises would permit licensable activity indoors only.



The applicant has indicated that the company is conscious of noise and indicated that the company has instructed a noise consultant in relation to survey the site. The applicant indicates that the bar areas will be fully insulated as part of the refurbishment and fitted out to modern insulating standards.

In the response received 25<sup>th</sup> August 2020, the applicant references the location of the proposed premises as the 'town centre' as opposed to it being located in a residential area and provided the map shown on the local development plan. The applicant details that the placing of equipment at the site was down to the lease expiring at its former site in Torfaen on the 31<sup>st</sup> July 2020. The applicant provides clarification in relation to entertainment to be provided at the venue and proposed works to address acoustic integrity of the building.

In relation to concerns in relation to proximity of the Twyn School, the applicant stated that the company had no issues at its last site, where a school was in similar proximity. Reference is made to the Child Protection Officer being satisfied with conditions. The applicant detailed that it was not intended to provide open receptacles which would produce litter and that no alcohol would be consumed outdoors.

In relation to hours of operation, the applicant indicated that the company remained open to constructive discussion in relation to the same.

With reference to smell from the brewing process, the applicant stated that this would be contained within the premises.

The Applicant has responded and agreed to the proposed conditions by the Police, Licensing Authority in role as a responsible authority, Environmental Health, Health and Safety Officer and Child Protection Officer as such these would form the basis of conditions, should a premises licence be granted.

## **1.8 LICENSING ASSESSMENT**

The Licensing Assessment is a provisional summary, based on representations received prior to the hearing. The Head of Public Protection, Community and Leisure Services reserves the right to amend or vary the provisions contained in the summary and recommendation, subject to any change in the material facts that become known at the hearing. The Sub-Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm

In making its decision, the Sub Committee is obliged to have regard to:-

- Licensing Act 2003
- Statutory Guidance issued under S182 of the Licensing Act
- The Council's own licensing policy, and

- All representations made and evidence presented

NOTE: The Sub-Committee may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. Any such actions must be necessary in order to promote the licensing objectives.

Statutory Power - Licensing Act 2003. This is a Council function which is delegated to this committee to decide.

## **1.9 OBSERVATIONS**

This application relates to the granting of a new premises licence. No objections were received from any of the Responsible Authorities (RA's). It is noted that the Police, Licensing Authority in role as responsible authority, Environmental Health, (Health and Safety Team) and Child Protection Officer have all advocated conditions, which have been accepted by the applicant. Trading Standards and Fire Authority offered no representations in relation to the application.

The Responsible Authorities (RA's) are essentially satisfied with the applicant's ability to promote the licensing objectives, having raised no concerns or confidence in management issues in respect of the applicant. It would appear that the Responsible Authorities have formed a view that the location for the premises within the town centre, could sustain a well-managed licensed premise.

Paragraph 9.12 of the Section 182 Home Office National Guidance states - *Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.*

Relevant representations making objections to the granting of the premises licence have been received from 3 Elected Members and 24 residents.

It is noted that some comments received relate to the council's decision to allow an application for a premises licence to be submitted, however the council has no discretion or remit to prevent an applicant from making an application for a Premises Licence at any location.

Reference has been made to an initial error in the application process in relation to the premise location / postcode. This was addressed, the 28day consultation process was re-started, to ensure that parties had the ability to comment upon the application. The Licensing Authority is satisfied from visits undertaken that relevant notices were clearly displayed, the

relevant newspaper advertisement, published and application advertised on the council's website.

Some of the concerns expressed by residents are understandable, however the applicant cannot be held responsible for any existing or historic issues that have arisen as a result of activities held at other licensed premises in the vicinity. Should any residents have concerns in relation to noise / nuisance or anti-social behaviour linked to already licensed premises, then these matters should be reported to the Licensing Team for investigation.

Members of the Sub Licensing Committee will be required to determine the application in relation to the promotion of the four licensing objectives i.e prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Whilst it is understood that residents will be concerned by the same, matters such as increased traffic, congestion and the lack of parking will not be a consideration for Members of this Sub-Committee, as they are not considerations under the Licensing Act 2003.

Paragraph 18.4 of the Authority's licensing policy states

*'Representations that are not about the likely impact on the licensing objectives may be considered as not being relevant and may be rejected.'*

A number of concerns appear to be anticipatory in nature about behaviour or issues which could arise, should a licence be granted. At this time, no concerns have been brought forward by the Responsible Authorities in respect of current anti-social behaviour in the vicinity. The Council does not currently have any cumulative impact areas and therefore the number of other licensed premises in the vicinity would not ordinarily be a consideration for Members of the Sub Committee. The same principle would apply in relation to the 'need' or otherwise for a new, licensed premises.

Information held would suggest that last recorded complaint to the council's public protection team in relation to one premises specifically identified by residents as a cause for existing concern in relation to noise was the 29<sup>th</sup> August 2017. Whilst the last recorded noise complaint at another licensed premises identified was the 28<sup>th</sup> May 2019.

The applicant has identified that several existing licensed premises in the vicinity of the proposed premises including one with later permissions than his company has applied for, with an outdoor area. The applicant details that company's premises will permit licensable activity indoors only (with the ability to provide off sales in sealed containers.)

A common concern shared by residents is the proximity of the Twyn Junior school to the proposed premises. From the original application / operating schedule, it could be argued that the applicant may not have fully addressed the proximity of the local school.

The council's licensing policy Paragraph 18.1 *The Licensing Authority will expect applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community, in order that those with a right to make representations or objections are able to fully assess the factors that may affect them.*

However, the amended operating schedule / sale of alcohol times i.e 4pm onwards traditionally after school finishing time, may alleviate some of the concerns in relation to children witnessing any inappropriate behaviour by patrons. That said, residents responded by indicating that 'after school' clubs in operation meant that children would still be potentially leaving the premises up until approximately 6pm. No representations have been received directly from the school in relation to the application. (Cllr. Kent has confirmed that his representation was submitted in his capacity as the local ward member and not as the chair of governors of the school)

The applicant has also limited the scope of the Company's licensable activities to indoors only, this would potentially limit any interaction between patrons / children.

Advice is offered in relation to hours within the Section 182 Home Office National Guidance Paragraph 10.14 states:

*Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.*

Paragraph 14.5 of the Council's Licensing Policy States:

*The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.*

This is echoed by Paragraph 2.21 of the Section 182 Home Office National Guidance which states that *Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.*

No concerns have been identified by the Responsible Authorities during the statutory consultation process in relation to nuisance from noise or smell from the proposed premises.

Paragraph 8.3 of the Authority's licensing policy states

*'The following fundamental principles will apply:*

*The right of any individual or body to apply for a variety of permissions is not undermined and that each application will be determined on its merits;*

*The statutory rights of any person to make appropriate representations in respect of any application or to seek a review of any premises / club premises certificate.*

*The statutory function of licensing is primarily concerned with the regulation of persons, premises and temporary events within the legislation and that any conditions that may be*

*attached to licences and certificates will focus on:*

*Matters within the control of premises licence/club premises certificate holders and others who are granted relevant permissions;*

*The premises and places being used for licensable activities and their immediate vicinity; and*

*The direct impact of the activities taking place at the relevant premises on members of the public living, working or otherwise engaged in normal activity in the area concerned.*

## **1.10 RECOMMENDATION**

Having had regard to and considered the position of the Responsible Authorities and all comments received by Elected Members and residents, it is recommended that the application for a Premises Licence be **granted subject to conditions**. In reaching this conclusion, it is noted that there are no objections to the application from Responsible Authorities.

Whilst there are a number of objections from the general public which give rise to genuine concerns, as identified above, such concerns are in the main either outside of the control of applicant or outside of the scope of the Licensing Act regime. To the extent that the application may conflict with the licensing objectives, it is considered that any such potential conflicts may be adequately controlled by the recommended conditions set out below. Where proposed conditions have replicated existing legal requirements' under primary legislation these have been removed.

1. The designated premises supervisor will ensure that all staff are trained in their responsibilities with regard to the sale and supply of alcohol. Training records will be maintained for all members of staff and made available for inspection by any authorised officer at any reasonable time. This will include training of underage sales, drug awareness and drunk and disorderly behaviour. All such training to be updated on an annual basis, or for instances when legislation changes and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it.

2. CCTV system shall be installed. The system will be maintained in good working order and operated at all times the premises are open to the public and will continually record when licensable activities take place and for a period of two hours afterwards; the CCTV shall cover all parts of the licensed areas to which the public have access (excluding the toilets). The images shall be retained for a period of 28 days and produced to a Police Officer and any authorised officer of the Licensing Authority and as soon as is reasonably practical upon request

The premises licence holder shall ensure that there are trained members of staff during licensed hours to be able to reproduce and download images into a removable format at the request of any authorised officer of the Licensing Authority or police officer.

3. An incident book shall be kept at the premises and maintained on site. It shall be made available on request to an authorised officer of the local authority or member of the Police. The register will record details of all crimes at the premises, complaints received of a licensing nature, any incidents of disorder, any refusal for the sale of alcohol and any visits by the emergency services.
4. Persons using the smoking shelter will not be permitted to take food or drink outside, and notices to this effect shall be displayed at suitable locations.
5. The premises licence holder shall ensure that there are sufficient litter bins and ashtrays within the vicinity of the premises to collect any waste arising from the carrying on of licensable activities and should also ensure that such receptacles are emptied when full.
6. No waste or bottles shall be moved to external areas between 23:00 and 08:00.
7. The collection of refuse, bottles and recyclable materials shall only take place between 08:00 and 18:00.
8. An approved proof of age scheme shall be adopted, implemented and advertised within the premises such as 'Challenge 25' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
9. Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.
10. The premises should be cleared of customers within 30 minutes of the last supply of alcohol on any day.
11. The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.
12. Customers will not have access to the production/brewery area of the building. This area will be closed off and will only be accessible by staff using a keycode.
13. Prominent and clear notices displayed at points where clientele leave the building, instructing them to leave the premises and area quietly.
14. Recorded music will not be played in any outside area at all times on any day.
15. All alcoholic drinks will be consumed indoors within the licensed area.
16. Off-sales will be restricted to the sale of sealed packaged products (bottles, cans, 5 litre microkegs) which are intended for consumption at home.

17. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar adult entertainment will be permitted on the premises.

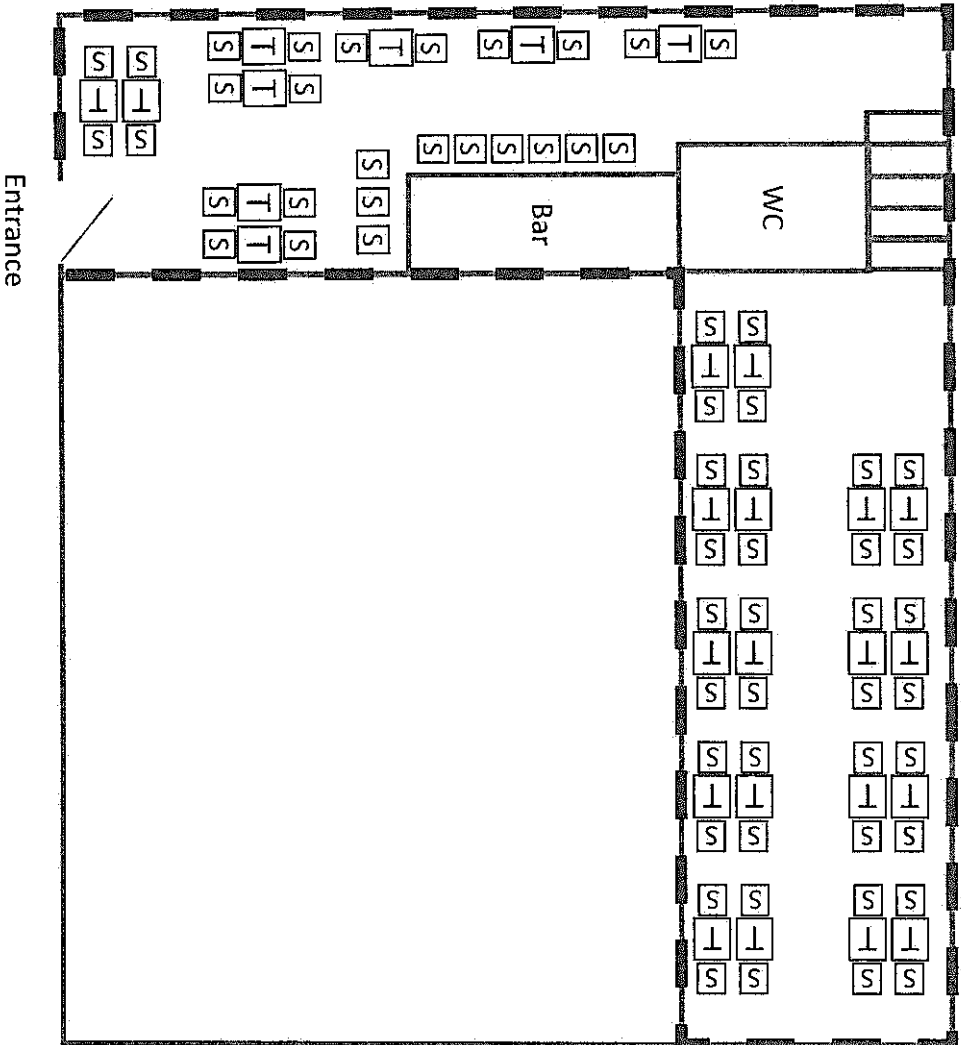
18. The premises licence holder shall ensure participation in any Pub Watch or similar scheme operating in the locality of the licensed premises.


Background Papers: Statutory Guidance issued under S182 of the Licensing Act  
Caerphilly CBC Statement of Licensing Policy

Date of this report: 26<sup>th</sup> August 2020

Author: Lee Morgan – Licensing Manager

**Licensable Area and Bar Layout**  
 Unit 1, Lon y Twyn, Caerphilly, CF83 1NW



**KEY**  
 T = Table  
 S = Seating  
 = Licensable area

**NOTES**

The only raised area of flooring in the public areas is the mezzanine floor which is accessed via stairs. The remainder of the licensable area is on the ground floor and level

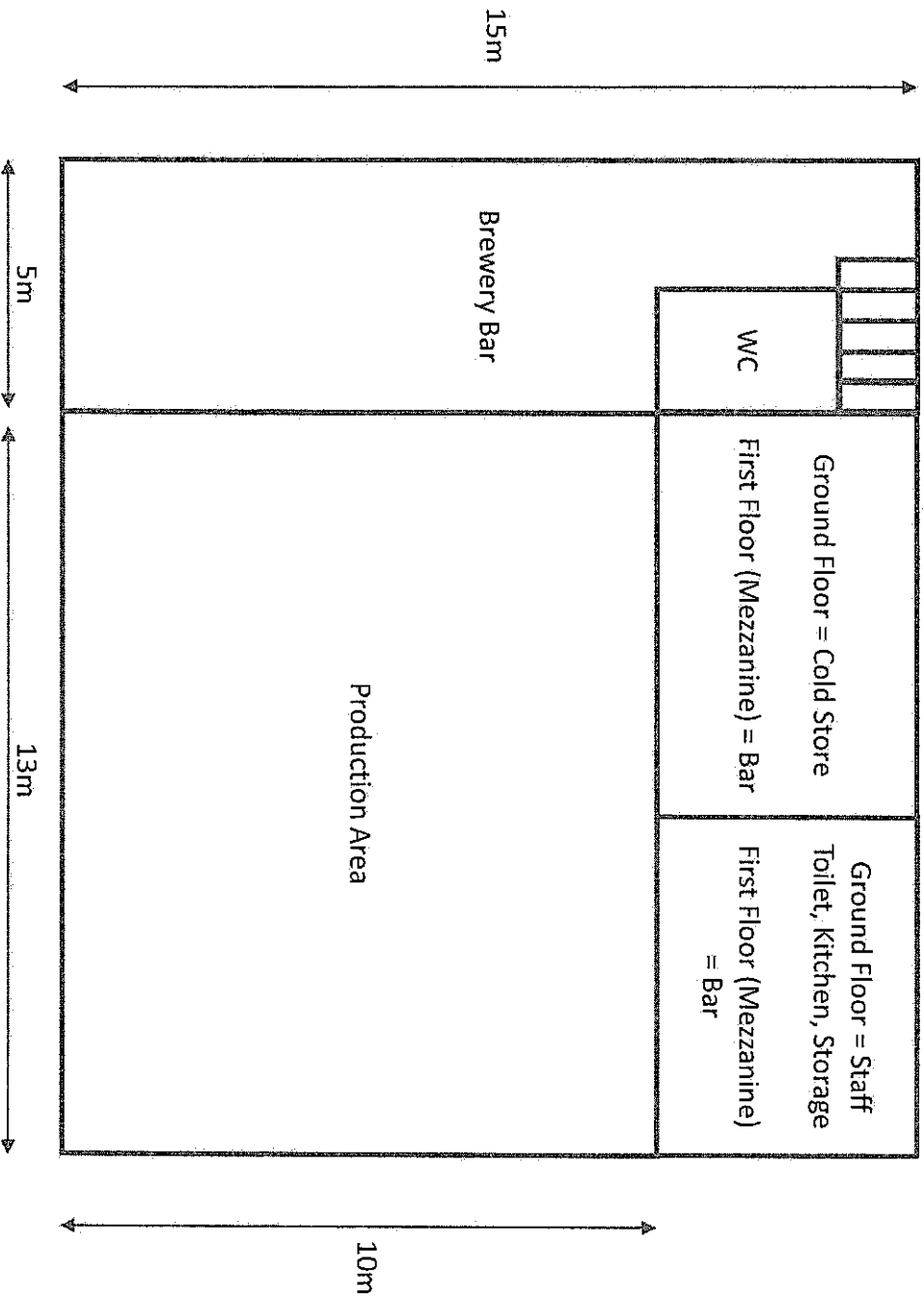
There are no other licensable activities other than those shown in the above plan

There will be no outdoor licensable areas

We plan to have 2 separate WC's, one of which will be suitable for disabled customers.



Premises Layout  
Unit 1, Lon y Twyrn, Caerphilly, CF83 1NW







## Caerphilly County Borough Council Licensing Policy Relevant Extracts

8.2 The licensing regime places a great responsibility on applicants themselves to actively engage in the application process. It also places responsibilities on defined consultees to make relevant representations (either positive or negative) relating to applications within the prescribed timescales. Where representations are not received within the timescales an authorisation may be granted with only those conditions that are in line with an applicant's operating schedule. Operating schedule conditions can only be modified where relevant representations are received and where they need to be modified to promote the licensing objectives.

8.3 The following fundamental principles will apply:

- The right of any individual or body to apply for a variety of permissions is not undermined and that each application will be determined on its merits;
- The statutory rights of any person to make appropriate representations in respect of any application or to seek a review of any premises / club premises certificate.
- The statutory function of licensing is primarily concerned with the regulation of persons, premises and temporary events within the legislation and that any conditions that may be attached to licences and certificates will focus on:
  - Matters within the control of premises licence/club premises certificate holders and others who are granted relevant permissions;  
The premises and places being used for licensable activities and their immediate vicinity; and
  - The direct impact of the activities taking place at the relevant premises on members of the public living, working or otherwise engaged in normal activity in the area concerned.

8.4 Each application will be considered on its individual merits, and in the light of this Policy.

10.5 The Licensing Authority will monitor premises to ensure that all conditions are adhered to by authorisation holders.

12.1 Applicants are required by law to set out in their operating schedules the steps they intend to take to promote the licensing objectives. Responsible applicants will give proper regard in the schedules to the location, character and condition of the premises, the nature and extent of the proposed use, the demography of the area and the person likely to be attracted to the premises.

13.2 The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. Applicants are recommended to seek advice

from the Licensing Authority's licensing officers and the police, as well as taking into account, as appropriate, local planning and transport policies, tourism, cultural and crime prevention strategies, when preparing their plans and operating schedules.

13.3 It is expected that authorisation holders will take steps to control excessive consumption and drunkenness on their premises. Proper management will reduce the risk of anti-social behaviour occurring both on the premises and outside after customers have left. They must also demonstrate a general duty of care to customers using their premises and others that may be affected by the activities.

14.1 Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.

14.2 Subject to case law the Licensing Authority interprets 'public nuisance' in its widest sense, to include such issues as noise, light, odour, litter and antisocial behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.

14.3 Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.

14.4 The Licensing Authority 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.

14.5 The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.

14.6 When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered. The following issues that should be considered are set out below to assist applicants when preparing their operating schedules, having regard to their particular type of premises and/or activities. These are not exhaustive, and are not to be regarded in any way as standard requirements, but include:

- a) Demonstrate effective and responsible management of premises;
- b) Evidence appropriate staff instruction, training and supervision to prevent incidents of public nuisance;
- c) Indicate how the operating hours for the whole or parts of premises are to be controlled so as to reduce the potential noise impact on neighbouring properties.

This should include control of external areas such as beer

gardens and smoking areas, and such matters as deliveries, disposal of glassware and waste collections.

d) Adoption of best practice guidance (Such as the Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by the Institute of Acoustics, Safer Clubbing the National Harm Reduction Strategy Toolkit and other industry codes of practice).

e) Installation and effective maintenance of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;

f) Management of people including staff and customers arriving and leaving premises (including the potential for queuing outside of the premises);

g) Liaison with public transport / taxi and private hire service providers to encourage customers to leave the area quickly;

h) Siting of external lighting including security lighting and consideration of the potential for light pollution nuisance;

i) Management arrangements for collection and disposal of litter in the vicinity of the premises;

j) Effective ventilation systems to prevent nuisance from odour;

k) Demarcation, capacity control, supervision and monitoring of areas immediately in the vicinity of the premises, used by smokers;

l) Dispersal policy / arrangements

m) Adverse noise created by any ventilation or air conditioning system or other associated machinery positioned outside the building.

n) Appropriate signage requesting patrons to respect the rights of local residents when leaving the premises.

16.4 When addressing the protection of children, an applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to cause concern in relation to children. Such steps as are required to deal with these identified concerns should be included within the applicant's operating schedule and these may include:

Effective and responsible management of premises;

Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm. Details of the content of any training, preferably to be maintained in a written form, along with dates and frequency of any training or instruction given. A written policy in respect of "proof of age".

Requiring the production of age identification documentation: Proof of Age Standards Scheme (PASS) accredited "proof of age" cards, passports/photo driving licences;

Measures to ensure that children do not purchase, acquire or consume alcohol;

Measures to ensure that adults do not purchase/acquire or supply alcohol for consumption by children;

Adoption of best practice guidance;

Provision of sufficient numbers of people employed or engaged to secure the protection of children, including child performers, from harm;

Limitations on the hours when children will be present in all or parts of the premises;

- Limitations or exclusions by age when certain activities are taking place;
  - Imposition of requirements for children to be accompanied by an adult;
- 20
- Measures to ensure that children are not exposed to incidences of violence or disorder.

16.5 In the event that representations are received regarding the protection of children from harm the Council will judge each application on its own individual merits. Examples, which will give rise to particular concern in respect of children, include premises:

- Where entertainment of an adult or sexual nature is provided;
- Where there is a strong element of gambling taking place;
- With a known association in drug taking or dealing;
- Where there has formal enforcement action taken in relation to the sale or supply of alcohol to children under the age of 18;
- With a reputation for underage drinking;
- Where convicted sex offenders are housed.
- Where the supply of alcohol for consumption on the premises is the exclusive primary purpose of the services provided at the premises.

18.1 The Licensing Authority will expect applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community, in order that those with a right to make representations or objections are able to fully assess the factors that may affect them.

18.4 Representations that are not about the likely impact on the licensing objectives may be considered as not being relevant and may be rejected.

23.2 In the absence of any specific reasons linked to the licensing objectives, the Licensing Authority will not seek to restrict licensed retail outlets ability to sell alcohol for consumption off the premises throughout their general trading hours, unless it is satisfied, following the statutory process prompted by receipt of relevant representations, that there are good reasons based on evidence for restricting those hours.

23.6 Where there are relevant representations in respect of an application and the Licensing Committee believes that granting the licensing hours proposed would undermine the licensing objectives, then it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

24.4 The Council recognises that licensing law is not a mechanism for the general control of antisocial behaviour by people once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. However the Council must consider the potential detrimental impact on the surrounding areas from the operation of either individual or accumulations of

premises, where the premises are the predominant cause of resultant anti-social behaviour arising from drunkenness etc.

32.1 Where an application for the grant, variation or review of an authorisation is considered by a committee the Council will give comprehensive reasons for its decisions. On making findings of fact in its reasons, the Council will ensure that they address the standard of proof and the burden of proof that they have adopted. The Council will also address the extent to which decisions have been made with regard to its statement of licensing policy and the Guidance issued by the Secretary under section 182.



### National Guidance issued under Section 182 of the Licensing Act 2003

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 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.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for

children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

8.13 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.

8.15 Any person (if an individual aged 18 or over) who is carrying on or who proposes to carry on a business which involves the use of premises (any place including one in the open air) for licensable activities may apply for a premises licence either on a permanent basis or for a time-limited period.

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises

certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to

the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to

the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is

imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

9.45 Where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

14.51 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

**Helps, Tracey**

**From:** ALLEN, DANIEL <DANIEL.ALLEN@gwent.pnn.police.uk>  
**Sent:** 05 August 2020 08:56  
**To:** Helps, Tracey; Dicks, Annette  
**Subject:** FW: Application

Hi both,

Please see the below email sent on the 15<sup>th</sup> July 2020.

Thanks

Dan

Dan Allen



Cwnstabl Heddlu 7 | PC7 Allen  
 Swyddog Atal Niwed/Trwyddedu | Harm Prevention Officer/Licensing  
 Ymyrraeth ac Atal | Intervention and Prevention  
 Caerffili/Blaenau Gwent/Torfaen | Caerphilly/Blaenau Gwent/Torfaen

Heddlu Gwent Police

Ffôn | Tel: (710) 2785 / 01495 238058  
 Ffôn symudol | Mobile: 07464653993  
 E-bost | E-mail: [Daniel.allen@gwent.pnn.police.uk](mailto:Daniel.allen@gwent.pnn.police.uk)

Pencadlys yr Heddlu | Police Headquarters | Croesyceiliog | Cwmbrân |  
 NP44 2XJ

 [gwent.police.uk](http://gwent.police.uk)

 /HeddluGwent  /GwentPolice  @HeddluGwent  @GwentPolice

**From:** ALLEN, DANIEL  
**Sent:** 15 July 2020 13:04  
**To:** Helps, Tracey <HELPST@CAERPHILLY.GOV.UK>  
**Cc:** Licensing Caerphilly (licensing@caerphilly.gov.uk) <licensing@caerphilly.gov.uk>  
**Subject:** FW: Application

Hi Tracey,

Please be aware of the below email. I plan on visiting the site soon before replying to the application.

Thanks

Dan

Dan Allen



Cwnstabl Heddlu 7 | PC7 Allen  
 Swyddog Atal Niwed/Trwyddedu | Harm Prevention Officer/Licensing



Ymyrraeth ac Atal | Intervention and Prevention  
Caerffili/Blaenau Gwent/Torfaen | Caerphilly/Blaenau Gwent/Torfaen

Heddlu Gwent Police

Ffôn | Tel: (710) 2785 / 01495 238058

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E-bost | E-mail: [Daniel.allen@gwent.pnn.police.uk](mailto:Daniel.allen@gwent.pnn.police.uk)

Pencadlys yr Heddlu | Police Headquarters | Croesyceiliog | Cwmbrân |  
NP44 2XJ



**From:** [glennwhite@brewmonster.co.uk](mailto:glennwhite@brewmonster.co.uk) <[glennwhite@brewmonster.co.uk](mailto:glennwhite@brewmonster.co.uk)>

**Sent:** 15 July 2020 13:01

**To:** ALLEN, DANIEL <[DANIEL.ALLEN@gwent.pnn.police.uk](mailto:DANIEL.ALLEN@gwent.pnn.police.uk)>

**Subject:** Re: Application

Hi Dan

Thanks for the call earlier, it was good to speak

Yes we are happy with both those amendments

Thank you

Glenn White

Managing Director

Brew Monster Ltd

Tel: [REDACTED]

Email: [glennwhite@brewmonster.co.uk](mailto:glennwhite@brewmonster.co.uk)

On 15 Jul 2020, at 12:39 pm, ALLEN, DANIEL <[DANIEL.ALLEN@gwent.pnn.police.uk](mailto:DANIEL.ALLEN@gwent.pnn.police.uk)> wrote:

Hi Stephen,

In relation to our conversation earlier and your application for Brew Monster, Unit 1 Lon Y Twyn, Caerphilly, CF83 1NW can you confirm that you are happy to include that the CCTV will be kept for a period of 28 days and that you will be a member of Pubwatch.

The Pubwatch condition would read: **The premises licence holder shall ensure participation in any Pub Watch or similar scheme operating in the locality of the licensed premises.**

Many thanks

Dan

Dan Allen

<image013.png>

Cwnstabl Heddlu 7 | PC7 Allen  
Swyddog Atal Niwed/Trwyddedu | Harm Prevention Officer/Licensing  
Ymyrraeth ac Atal | Intervention and Prevention  
Caerffili/Blaenau Gwent/Torfaen | Caerphilly/Blaenau Gwent/Torfaen

Heddlu Gwent Police

Ffôn | Tel: (710) 2785 / 01495 238058  
Ffôn symudol | Mobile: 07464653993  
E-bost | E-mail: [Daniel.allen@gwent.pnn.police.uk](mailto:Daniel.allen@gwent.pnn.police.uk)

Pencadlys yr Heddlu | Police Headquarters | Croesyceiliog | Cwmbrân |  
NP44 2XJ

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Os hoffech dderbyn gohebiaeth o hyn ymlaen yn y Gymraeg neu os ydych  
wedi cael eich gwahodd i gyfweiliad neu gyfarfod a hoffwch  
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Darperir gwasanaethau cyfieithu.

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have been invited to an interview or meeting and would like  
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neu'r sefydliad y'i cyfeiriwyd ato. Os derbyniwch hwn mewn  
camgymeriad,dywedwch wrthym a'i ddifa. Gall datgelu neu ddefnyddio  
gwybodaeth o'r fath fod yn weithred anaddas, ac yn groes i  
ddeddfwriaeth neu gyfrinachedd.

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Os hoffech dderbyn gohebiaeth o hyn ymlaen yn y Gymraeg neu os ydych  
wedi cael eich gwahodd i gyfweiliad neu gyfarfod a hoffwch  
ddefnyddio'r Gymraeg, danfonwch e-bost at: [cymraeg@gwent.pnn.police.uk](mailto:cymraeg@gwent.pnn.police.uk).  
Darperir gwasanaethau cyfieithu.

We welcome correspondence in Welsh and will reply in Welsh.  
If you would like to receive future correspondence in Welsh or if you  
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camgymeriad, dywedwch wrthym a'i ddifa. Gall datgelu neu ddefnyddio  
gwybodaeth o'r fath fod yn weithred anaddas, ac yn groes i  
ddeddfwriaeth neu gyfrinachedd.

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## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY Caerphilly CBC

<b>Name and Address of Applicant</b>	Brew Monster 1 Lon Y Twyn Caerphilly CF83 1NW
<b>Premises</b>	Brew Monster Brewing company

<b>Your Name</b>	Deborah Jane Lewis	<b>Date 28.7.20</b>
<b>Job Title</b>	Child Protection Coordinator	
<b>e.mail Address</b>	Lewisdj1@caerphilly.gov.uk	
<b>Contact Telephone Number</b>	01443864616	

<b>Which of the four Licensing Objectives does your representation relate to?</b>		<b>Please outline the reasons for your Representations</b>
---	--	--

**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's

<b>The Prevention of Crime and Disorder</b>		
<b>Public Safety</b>		
<b>The Prevention of Public Nuisance</b>		
<b>The Protection of Children from Harm</b>	✓	<p>I have reviewed the application in its entirety. I acknowledge the response from Brew Monster Brewing Company to residence views and the intention to now serve alcohol after 4pm. However, on the basis that the establishment's main function is the sale of alcohol, the following wording and conditions are being proposed in line with the licensing objectives for the Protection of Children From Harm:-</p> <ul style="list-style-type: none"> <li>• The establishment is within close proximity of the Twyn Primary school.</li> <li>• After School clubs and concert are likely to go on after 4pm, resulting in children and their families vacating the school after the hours proposed.</li> <li>• To reduce the risk underage drinking, anti social behaviour and child exploitation.</li> </ul>

**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's

**What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account**

**SA01** All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated on an annual basis, or for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.

**SA02 (a)** An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 25' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

**(b)** Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

**SA06** All staff with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur.

**SA07** All staff with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur, subject to the exemptions under Section 149 (5) of the Licensing Act 2003 which allows beer, cider or wine to be purchased for an individual aged 16 or 17, providing the beer, cider or wine is for consumption with a table meal

**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's

	and that a person aged 18 or over is accompanying the individual.	
<b>Are you prepared to discuss these representations with the applicant by way of mediation?</b>	<b>Yes or No</b>	Yes

**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's



## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) – Licensing

<b>Name and Address of Applicant</b>	Brew Monster Brewing Company Ltd
<b>Premises</b>	Unit 1 Lon y Twyn, Caerphilly

<b>Your Name</b>	Annette Dicks	<b>Date</b> 5 <sup>th</sup> August 2020
<b>Job Title</b>	Assistant Licensing Manager	
<b>e.mail Address</b>	dicksa@caerphilly.gov.uk	
<b>Contact Telephone Number</b>	01443 866750	

<b>Which of the four Licensing Objectives does your representation relate to?</b>	<b>✓</b>	<b>Please outline the reasons for your Representations</b>
<b>The Prevention of Crime and Disorder</b>	✓	<p>The applicant seeks to provide the sale of alcohol between 12 and 23:00 hours Monday to Sunday and the provision of recorded music as part of its intended plan to provide a microbrewery with organised public visits and a 'tap room'. The premise is situated in a residential area and is close to some residential properties and a school. Given the hours applied for, the intended use of the premises and the number of customers that the premises could accommodate, the Licensing Authority would not object to the application. There are however, some concerns regarding the potential public nuisance that may arise from these activities to persons within the vicinity. Having visited the site and spoken to the applicant, the licensing authority would advocate a number of conditions to promote the licencing objectives, in particular the prevention of public nuisance, in addition to the conditions proposed by the applicant, and the suggested conditions submitted by Heddlu Gwent Police and the Council's Child Protection Coordinator.</p>
<b>Public Safety</b>		
<b>The Prevention of Public Nuisance</b>	✓	
<b>The Protection of Children from Harm</b>	✓	



<p><b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b></p>	<p>The conditions are as follows:</p> <p>The CCTV equipment shall be maintained in good working order and continually record when licensable activities take place and for a period of two hours afterwards;</p> <p>The premises licence holder shall ensure that there are trained members of staff during licensable hours to be able to reproduce and download images into a removable format at the request of any authorised officer of the Licensing Authority or police officer</p> <p>Persons using the smoking shelter will not be permitted to take food or drink outside, and notices to this effect shall be displayed at suitable locations.</p> <p>The premises licence holder shall ensure that measures are in place to ensure the removal of litter or waste from customers and to prevent such litter from accumulating in the immediate vicinity of the premises or neighbouring premises.</p> <p>Children under the age of sixteen must be accompanied by a responsible adult.</p> <p>The premises licence holder shall ensure that adequate measures are put in place to prevent the escape of odours from the premises, including odour from food preparation and refuse storage.</p> <p>No waste or bottles shall be moved to external areas between 23:00 and 08:00.</p> <p>The collection of refuse, bottles and recyclable materials shall only take place between 08:00 and 18:00</p> <p>.</p>	
<p><b>Are you prepared to discuss these representations with the applicant by way of mediation?</b></p>		<p>Yes</p>

**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's



### RESPONSIBLE AUTHORITY REPRESENTATION

RESPONSIBLE AUTHORITY (Please delete as applicable) – Food/Health and Safety Section

Your Name	TRACY WATKINS
Job Title	Environmental Health Officer
Postal and e-mail address	watkitj@caerphilly.gov.uk
Contact telephone number	01443 811334

Name and Address of Applicant:	Brew Monster Brewing Company
Premises	1 Lon Y Twyn Caerphilly CF83 1NW

Which of the four Licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation.
The prevention of crime and disorder	No	
Public safety	Yes	<p>Health and Safety legislation in respect of this premise will enforced by the Health and Safety Executive (HSE) as the main activity of the business is predominantly manufacturing. General Safety Measures should, however, be observed in the licensed area:</p> <p><b>GB04</b> The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.</p> <p><b>GS15</b> Emergency exits will be kept clear of obstructions at any time when licensable activities are taking place.</p> <p><b>GS23</b> (amended) Arrangements must be in place to ensure that all parts of the premises that members of the public may use, whether this be regularly or only in case of emergency are suitably illuminated during times of use (this includes internal and external areas, for example such as corridors, lobbies, emergency exits, emergency exit routes etc.)</p> <p><b>GS31</b> (amended) The floors of all gangways, lobbies, corridors, passages and other exit routes and the tread of all steps and stairways shall be non-slippery and flat. The nosings of</p>

		the treads of steps, changes of level and stairways shall be of a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions.
The prevention of public nuisance	No	
The protection of children from harm	No	

What conditions could be added to the license to remedy your representation that the Licensing Sub-Committee could take into account.		
Are you prepared to discuss these representations with the applicant by way of mediation?	Yes	

N.B If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

**Signed: Tracy Watkins**

**Date: 5<sup>th</sup> August 2020**

Please return this form to: Licensing Section, Caerphilly County Borough Council, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG. **This form must be returned within the Statutory Period.**

**Morgan, Lee**

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**From:** Jennings, Kristian  
**Sent:** 25 August 2020 15:39  
**To:** WWW: Licensing  
**Subject:** RE: Premises Licence Application-Brew Monster Brewing Company Ltd, Unit 1 Lon y Twyn, Caerphilly, CF83 1NW  
**Attachments:** Brew Monster - amendment.doc

Good Afternoon

Find attached amendments to the formal representations of Environmental Health Pollution Control for Brew Monster Premise license application. These amendments have been made to account for exemptions from the Licensing Act.

Kind Regards

**Kristian Jennings**

Swyddog Iechyd yr Amgylchedd Rhanbarth | District Environmental Health Officer  
 Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

☎ 01443 811350

✉ [jennik@caerphilly.gov.uk](mailto:jennik@caerphilly.gov.uk) [jennik@caerffili.gov.uk](mailto:jennik@caerffili.gov.uk)

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Gallwch ohebu mewn unrhyw iaith neu fformat. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

**From:** Jennings, Kristian

**Sent:** 10 August 2020 14:37

**To:** Helps, Tracey ; WWW: Licensing

**Subject:** Premises Licence Application-Brew Monster Brewing Company Ltd, Unit 1 Lon y Twyn, Caerphilly, CF83 1NW

Good Afternoon

Find attached Environmental Health Pollution Control's representations for Brew Monster Premises License – I have proposed conditions to be agreed by the applicant.

Kind Regards

## Kristian Jennings

Swyddog Iechyd yr Amgylchedd Rhanbarth | District Environmental Health Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 811350

✉ [jennik@caerphilly.gov.uk](mailto:jennik@caerphilly.gov.uk) [jennik@caerffili.gov.uk](mailto:jennik@caerffili.gov.uk)

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Gallwch ohebu mewn unrhyw iaith neu fformat. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

**From:** Helps, Tracey <[HELPST@CAERPHILLY.GOV.UK](mailto:HELPST@CAERPHILLY.GOV.UK)>

**Sent:** 07 August 2020 14:24

**To:** Powell, Carwyn <[POWELC2@CAERPHILLY.GOV.UK](mailto:POWELC2@CAERPHILLY.GOV.UK)>; [alcohol@homeoffice.gsi.gov.uk](mailto:alcohol@homeoffice.gsi.gov.uk); Boardman, Chris <[BOARDC@CAERPHILLY.GOV.UK](mailto:BOARDC@CAERPHILLY.GOV.UK)>; Brown, Abbie <[BROWNA2@CAERPHILLY.GOV.UK](mailto:BROWNA2@CAERPHILLY.GOV.UK)>; Davies, Michele <[DAVIEM2@CAERPHILLY.GOV.UK](mailto:DAVIEM2@CAERPHILLY.GOV.UK)>; Davis, Ceri J <[DAVISCJ@CAERPHILLY.GOV.UK](mailto:DAVISCJ@CAERPHILLY.GOV.UK)>; Dicks, Annette <[DICKSA@CAERPHILLY.GOV.UK](mailto:DICKSA@CAERPHILLY.GOV.UK)>; Fire <[firesafety@southwales-fire.gov.uk](mailto:firesafety@southwales-fire.gov.uk)>; Godfrey, Maria <[GODFRM@CAERPHILLY.GOV.UK](mailto:GODFRM@CAERPHILLY.GOV.UK)>; Health Board <[Publichealth.aneurinbevan@wales.nhs.uk](mailto:Publichealth.aneurinbevan@wales.nhs.uk)>; Heyworth, Lorraine <[HEYWOL@CAERPHILLY.GOV.UK](mailto:HEYWOL@CAERPHILLY.GOV.UK)>; Jennings, Kristian <[JENNIK@CAERPHILLY.GOV.UK](mailto:JENNIK@CAERPHILLY.GOV.UK)>; Jones, Simon <[JONESS21@CAERPHILLY.GOV.UK](mailto:JONESS21@CAERPHILLY.GOV.UK)>; Keohane, Tim <[KEOHATP@CAERPHILLY.GOV.UK](mailto:KEOHATP@CAERPHILLY.GOV.UK)>; Lewis, Deborah <[LEWISDJ1@CAERPHILLY.GOV.UK](mailto:LEWISDJ1@CAERPHILLY.GOV.UK)>; Mumford, Gary J. <[MUMFOGJ@CAERPHILLY.GOV.UK](mailto:MUMFOGJ@CAERPHILLY.GOV.UK)>; Police <[WestLPAlicensingteam@gwent.pnn.police.uk](mailto:WestLPAlicensingteam@gwent.pnn.police.uk)>; Pugh, Dean <[PUGHD1@CAERPHILLY.GOV.UK](mailto:PUGHD1@CAERPHILLY.GOV.UK)>; SRT <[SRT@CAERPHILLY.GOV.UK](mailto:SRT@CAERPHILLY.GOV.UK)>; Thomas, Ryan <[THOMAAR@CAERPHILLY.GOV.UK](mailto:THOMAAR@CAERPHILLY.GOV.UK)>

**Cc:** Morgan, Lee <[MORGAL16@CAERPHILLY.GOV.UK](mailto:MORGAL16@CAERPHILLY.GOV.UK)>; Hopkins, Kathryn <[HOPKIK1@CAERPHILLY.GOV.UK](mailto:HOPKIK1@CAERPHILLY.GOV.UK)>

**Subject:** Premises Licence Application-Brew Monster Brewing Company Ltd, Unit 1 Lon y Twyn, Caerphilly, CF83 1NW

Good afternoon

Please find attached further representations for the above.

Many thanks.

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 866750

✉ [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk) [licensing@caerffili.gov.uk](mailto:licensing@caerffili.gov.uk)

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**RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS**

**RESPONSIBLE AUTHORITY - Environmental Health (Noise)**

<b>Name and Address of Applicant</b>	Stephen White
<b>Premises</b>	Brew Monster, Unit 1, Lon-y-Twyn, Caerphilly, CF83 1NW

<b>Your Name</b>	Kristian Jennings	<b>Date</b> 25 <sup>th</sup> August 2020
<b>Job Title</b>	Environmental Health Officer	
<b>Email Address</b>	jennik@caerphilly.gov.uk	
<b>Contact Telephone Number</b>	01443 811350	

Which of the four Licensing Objectives does your representation relate to?	✓	Please outline the reasons for your Representations
The Prevention of Crime and Disorder		
Public Safety		
The Prevention of Public Nuisance	✓	<p>Environmental Health have no objections in principle to the premises license application for Brew Monster, subject to the conditions volunteered by the applicant, as well as the amendments made on 16<sup>th</sup> July 2020.</p> <p>There are however, some concerns regarding the potential noise impact on nearby residents from Brew Monster. For that reason, I have proposed the following conditions to be agreed by the applicant:</p> <ul style="list-style-type: none"> <li>No waste or bottles should be moved to external areas between 23:00 and 08:00.</li> </ul>
The Protection of Children from Harm		
What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account		
Are you prepared to discuss these	Yes or	Yes

**representations with the applicant by  
way of mediation?**

**No**

--

**Morgan, Lee**

---

**From:** Kathryn Jordan [REDACTED]  
**Sent:** 08 August 2020 22:21  
**To:** WWW: Licensing; Cllr. Elsbury, Colin; Cllr. Fussell, James E; Cllr. Bevan, Phil J; Cllr. Kent, Stephen; Powell, Carwyn; Martin Williams  
**Subject:** 1 Lon Y Twyn Caerphilly CF83 1NW  
**Attachments:** Brew Monster Advert.jpg; Brew Monster Facebook status.docx

Good evening

I am writing on behalf of my mother, Mrs. Marjorie Tilley, of [REDACTED]

Tonight on their Facebook page, Brew Monster have announced that they are leaving their current premises and will soon be opening "a brewery and microbar at 1 Lon Y Twyn Caerphilly CF83 1NW." (see attached photo).

I am furious that this company has the arrogance to assume their license and planning application will be approved. Have they had information that their application will be approved? I can only assume they have been told by somebody that this will definitely go ahead, as otherwise I am incredulous at their presumption.

My 83 year old mother will be right next door to this brewery and microbar (the application I have previously seen mentions nothing about a brewery). The smell, noise, disruption and inconvenience will be intolerable. It is not the right location for a bar or brewery. There is a very real possibility of an increase in crime and disorderly behaviour in this quiet residential area. The location opposite Twyn Junior School is entirely inappropriate.

The applicant responded to residents' initial objections to say they were determined to have a good impact on the area. This is clearly nonsense as they have done everything possible to push their agenda, paying scant regard to county protocol. The applicant's response to our initial objections was to claim that their bar attracted a more discerning clientele and they sold beer at significantly higher prices than the local Wetherspools, so therefore any antisocial and drunken behaviour would not occur. Their Facebook posts prove different.

In a Facebook post on 20th March, Cardiff residents were urged to "drink the bar dry" on beer that was reduced to £3. Customers were urged to come down to drink everything at significantly reduced prices. A customer asked when would they shut? Their response was "when the bar has been drunk dry". What is to stop them doing this in Caerphilly if their license and planning application is approved?  
I have attached their Facebook posts.

The company is making statements of fact about their business opening soon at the Caerphilly address. No residents to my knowledge have even received a formal notice of application. Something has gone very badly wrong here and on behalf of my mother and other residents, I urge this application to be denied.

Kind regards  
Kath Jordan



## Morgan, Lee

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**From:** Cllr. Elsbury, Colin  
**Sent:** 09 August 2020 15:36  
**To:** WWW: Licensing  
**Subject:** FW: 1 Lon Y Twyn Caerphilly CF83 1NW  
**Attachments:** Brew Monster Advert.jpg; Brew Monster Facebook status.docx

I am forwarding attachments from a resident I relation to a licensing application by Brew Monster in relation to 1 Lon Y Twyn.

I am formally against the application.

I do not think that the building is suitable for a bar/entertainment venue, it's made of corrugated tin and any noise from it is amplified.

The building is less than 10metres from houses/a residential area and would have a detrimental impact on the locality. It is not in-keeping with the surrounding area.

It is less than 20metres from a Primary School and due to a new road closure agreed by local members, Lon Y Twyn will be the only access to that area. There already exist major problems with parking and congestion. Deliveries to and from the proposed site will only make this worse.

Given the wording of the Facebook attachment herein I do not believe that the proprietors of Brew Monster exhibit the type of behaviour that warrants granting of a license. The drink till you drop attitude beggars belief, it encourages binge drinking. This lead to anti-social behaviour and has lasting long term effects on people's health. How can CCBC honestly grant a license knowing that this is the type of behaviour Brew Monster promote?

Regards,

### **Cllr Colin Elsbury**

Cynghorydd Sir - Martin Sant | County Councillor - St Martins  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** Kathryn Jordan [mailto:████████████████████]  
**Sent:** 08 August 2020 22:21  
**To:** WWW: Licensing; Cllr. Elsbury, Colin; Cllr. Fussell, James E; Cllr. Bevan, Phil J; Cllr. Kent, Stephen; Powell,

Carwyn; Martin Williams

**Subject:** 1 Lon Y Twyn Caerphilly CF83 1NW

Good evening

I am writing on behalf of my mother, Mrs. Marjorie Tilley, of [REDACTED]

Tonight on their Facebook page, Brew Monster have announced that they are leaving their current premises and will soon be opening "a brewery and microbar at 1 Lon Y Twyn Caerphilly CF83 1NW." (see attached photo).

I am furious that this company has the arrogance to assume their license and planning application will be approved. Have they had information that their application will be approved? I can only assume they have been told by somebody that this will definitely go ahead, as otherwise I am incredulous at their presumption.

My [REDACTED] mother will be right next door to this brewery and microbar (the application I have previously seen mentions nothing about a brewery). The smell, noise, disruption and inconvenience will be intolerable. It is not the right location for a bar or brewery. There is a very real possibility of an increase in crime and disorderly behaviour in this quiet residential area. The location opposite Twyn Junior School is entirely inappropriate.

The applicant responded to residents' initial objections to say they were determined to have a good impact on the area. This is clearly nonsense as they have done everything possible to push their agenda, paying scant regard to county protocol. The applicant's response to our initial objections was to claim that their bar attracted a more discerning clientele and they sold beer at significantly higher prices than the local Wetherspoons, so therefore any antisocial and drunken behaviour would not occur. Their Facebook posts prove different.

In a Facebook post on 20th March, Cardiff residents were urged to "drink the bar dry" on beer that was reduced to £3. Customers were urged to come down to drink everything at significantly reduced prices. A customer asked when would they shut? Their response was "when the bar has been drunk dry". What is to stop them doing this in Caerphilly if their license and planning application is approved?

I have attached their Facebook posts.

The company is making statements of fact about their business opening soon at the Caerphilly address. No residents to my knowledge have even received a formal notice of application. Something has gone very badly wrong here and on behalf of my mother and other residents, I urge this application to be denied.

Kind regards

Kath Jordan

**Morgan, Lee**

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**From:** [REDACTED] m>  
**Sent:** 06 July 2020 12:28  
**To:** WWW: Licensing  
**Subject:** Objection to Notice of Application for a premises licence for Unit 1, Lon y Twyn, Caerphilly. CF83 1NE  
**Attachments:** Notice of Application for a Premises Licence.jpg

I am writing to object to the proposed application for a premises licence, by Brew Monster Brewing Company Limited for Unit 1, Lon y Twyn, Caerphilly CF83 1NE, the notice of which I read in a local paper this weekend (see attached photo).

The proposed licence would allow the premises to be open to the public and alcohol to be sold and consumed on and off the premises from 1200 hours to 2300 hours Monday to Sunday and an extension on Christmas Eve and New Year's Eve for the sale of alcohol, late night refreshment and opening hours to 0200 hours.

I object to this application for the following reasons:

Prevention of Public Nuisance:

Noise Pollution – The lightweight construction of the building is not conducive to current noise protection standards. A noise impact study will be required internally. However, as the building is adjacent to a quiet residential street, East View, it would be impossible to mitigate the noise externally if the use of the property was changed to a pub/entertainment premises.

Unsociable Hours – if the licence to open until 2300 hours is granted Monday to Sunday, the associated noise of customers leaving at that hour would be a nuisance to me and the surrounding neighbours of East View. My property is directly adjacent to the building and its car park overlooks my garden. I would be directly affected by the noise of people leaving the premises late at night, as well as deliveries early in the morning.

Litter – The sale of alcoholic beverages to be consumed on and off the premises may result in an increase of litter around the property.

Prevention of Crime and Disorder and Public Safety – The sale of alcoholic beverages to be consumed on and off the premises will result in unsociable behaviour outside the venue and the surrounding area. Customers who leave the premises having drunk alcohol will be noisy, possibly aggressive and may result in criminal behaviour or damage to my property. This will have a detrimental effect on my wellbeing. I will not feel safe in my home.

The Protection of Children from Harm – the licensing application would allow alcohol to be sold and consumed from 1200 hours. The Twyn Primary School is in very close proximity – children playing in the school yard could see the behaviour of customers outside the building, and anyone having consumed alcohol would be in very close proximity to vulnerable youngsters.

I urge you in the strongest terms to not grant this licence.

Yours sincerely

Mrs. Marjorie Tilley

## Helps, Tracey

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**From:** Helps, Tracey on behalf of WWW: Licensing  
**Sent:** 22 July 2020 12:48  
**To:** [REDACTED]  
**Subject:** Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW  
**Attachments:** Reply from Applicant redacted.pdf

Good afternoon Mrs Jordan (on behalf of Mrs Tilley)

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I attach the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

Alternatively if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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## Helps, Tracey

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**From:** Kathryn Jordan [REDACTED]  
**Sent:** 29 July 2020 08:02  
**To:** WWW: Licensing  
**Subject:** Objection to application for licensing at 1 Lon Y Twyn Caerphilly

FAO: Tracey Phelps

Good morning

Thank you for your email. We have read and discussed the applicant's response.

While we appreciate their efforts to allay our concerns, we would like to continue our objection to the proposed licence.

Kind regards

Kath Jordan

On Wednesday, 22 July 2020, 12:47:54 BST, WWW: Licensing <licensing@caerphilly.gov.uk> wrote:

Good afternoon Mrs Jordan (on behalf of Mrs Tilley)

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I attach the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

Alternatively if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.

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[Reply from Applicant redacted.pdf](#)

**Helps, Tracey**

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**From:** martin butler [REDACTED]  
**Sent:** 08 July 2020 17:40  
**To:** WWW: Licensing  
**Subject:** Notice of application - unit 1 Lon y TWYN

Hi

I am writing to object to the application of for a Premises Licence at the above address.

The proposed location is sited less than 30m of The TWYN Schools playground, with an open view from the school, to the premises. The protection of children is paramount in Such an application, with alcohol being sold and consumed, whithin view of children should not be allowed.

Parking within the local area is already at a premium for the residents of East view, and Southern street, between 8.30 and 17.00 Monday to Friday.

Also during the weekend these streets being used by visitors to Caerphilly town centre.

Unsociable hrs of trading up to 23.00 customers arriving and departing the premises, along with the associated noise, would be a nuisance to the surrounding neighbours of east view.

Litter

The prevention of crime and disorder and public safety associated with the consumption of alcohol.

I will also make representation to my local MS and local councillor.

Kind regards

Martin Butler

[REDACTED]  
Caerphilly  
[REDACTED]

Sent from my iPad



## Helps, Tracey

---

**From:** martin butler [REDACTED]  
**Sent:** 03 August 2020 22:02  
**To:** WWW: Licensing  
**Subject:** Re: Notice of application - unit 1 Lon y TWYN

Hi Licensing

I acknowledge receipt of the reply from the applicant.

I reject the statement of parking not being relevant to the application. Parking is an issue with any application, whether it be for any planning or premises application, as this would have an impact on the local residents.

Can I also enquire as to whether an application has been made in the Planning Permission - use classes, as to what I would assume changing from A1 to A3.

I know this isn't within your remit, but I have not seen any applications for this change, maybe you could internally enquire, as to whether this has been done or not.

If you are unable to supply this information, I will have to make enquires into this myself.

All previous objections still apply to this application, and oppose all replies from the applicant.

Kind regards

Martin

Sent from my iPad

On 27 Jul 2020, at 14:55, WWW: Licensing wrote:

Good afternoon Mr Butler

I confirm receipt of your emails regarding the above. Please accept my apologies for the delay in replying to you.

I attach for your information and attention the applicant's comments and would invite your comments when you have had time to consider them. The end of representation date is 10<sup>th</sup> August 2020.

Kind regards.

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** Hopkins, Kathryn **On Behalf Of** WWW: Licensing

**Sent:** 27 July 2020 10:12

**To:** Helps, Tracey

**Subject:** FW: Notice of application - unit 1 Lon y TWYN

FYI

**From:** martin butler

**Sent:** 26 July 2020 19:44

**To:** WWW: Licensing

**Subject:** Re: Notice of application - unit 1 Lon y TWYN

Hi

A number of local residents have approached me, asking what my thoughts are on the reply received from the applicant, in respect of the submitted opposition.

I have not received anything.

Is there any reason why I have not received this information.

It's pretty poor that you have advertised on line, the incorrect address for this application for a number of weeks, along with not sending the relevant information to all the people who have objected to this application.

Will the application need to be re-advertised online, and also in the relevant local news papers, pointing out the error in this application?

I will make representation to all my ward councillors and my MS, pointing out these specific errors being made with this application.

Look forward to hearing your reply to this.

Kind regards

Martin Butler

Sent from my iPad

On 14 Jul 2020, at 10:11, WWW: Licensing

<[LICENSING@caerphilly.gov.uk](mailto:LICENSING@caerphilly.gov.uk)> wrote:

Good morning Mr Butler

The website advert has now been amended. Apologies for any inconvenience caused.

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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## Helps, Tracey

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**From:** martin butler [REDACTED]  
**Sent:** 04 August 2020 20:11  
**To:** Powell, Carwyn  
**Cc:** Helps, Tracey; WWW: Planning  
**Subject:** Re: Notice of application - unit 1 Lon y TWYN

Hi all

Thank you so much for replying to this, very much appreciated.

Kind regards

Martin

Sent from my iPad

On 4 Aug 2020, at 16:02, Powell, Carwyn <POWELC2@caerphilly.gov.uk> wrote:

Mr Butler,

I can confirm that an application for the change of use of the premises has been received but that it is currently invalid. The application reference is 20/0517/COU. When the application is made valid a public consultation exercise in accordance with the Town and Country planning (General Development Management Procedure) (Wales) Order 2015 will be carried out. You will be able to submit any concerns you have with regard to the proposal at that stage.

Regards

**Carwyn Powell**

Prif Gynllunydd | Principal Planner

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 864424

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**From:** Helps, Tracey **On Behalf Of** WWW: Licensing  
**Sent:** 04 August 2020 11:46  
**To:** 'martin butler'  
**Cc:** WWW: Planning; Powell, Carwyn  
**Subject:** RE: Notice of application - unit 1 Lon y TWYN

Good morning Mr Butler

Regarding your enquiry about planning/change of use, I have forwarded your request to the planning department.

We will contact you in due course regarding the hearing.

Many thanks.

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** martin butler [mailto: ]  
**Sent:** 03 August 2020 22:02  
**To:** WWW: Licensing  
**Subject:** Re: Notice of application - unit 1 Lon y TWYN

Hi Licensing

I acknowledge receipt of the reply from the applicant.

I reject the statement of parking not being relevant to the application.  
Parking is an issue with any application, whether it be for any planning or premises application, as this would have an impact on the local residents.

Can I also enquire as to whether an application has been made in the Planning Permission - use classes, as to what I would assume changing from A1 to A3.

I know this isn't within your remit, but I have not seen any applications for this change, maybe you could internally enquire, as to whether this has been done or not.

If you are unable to supply this information, I will have to make enquires into this myself.

**Helps, Tracey**

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**From:** [REDACTED]  
**Sent:** 10 July 2020 11:40  
**To:** WWW: Licensing  
**Subject:** Brew Monster-Brewing Company license application

Dear Licensing,

I wish to object to the licencing application for Brew Monster Brewing Company limited. However my objection depends on what address the application is for.

The address given on your website is ambiguous because although the post code relates to Lon y Twyn it is not part of Castle Court Shopping Centre and it's not clear which premises is Unit 1 on Lon y Twyn. If the application is for Castle court shopping centre then I have no objections.

Lon y Twyn is close to residential properties and the Twyn school playground is less than 25 metres away. I'm concerned this application does not consider the protection of children.

Parking within this area is already an issue with a lot of demand on East View and Southern St. These streets are also used by visitors to Caerphilly town centre at the weekend, all creating difficulties for local residents.

Unsociable hours of trading up to 2300 hours would also create noise and nuisance for the local residents, even worse on Christmas Eve and New Year's Eve.

thank you,

Mr T. Newhouse

[REDACTED]  
Caerphilly  
[REDACTED]

## Helps, Tracey

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**From:** Helps, Tracey on behalf of WWW: Licensing  
**Sent:** 22 July 2020 12:39  
**To:** [REDACTED]  
**Subject:** Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW  
**Attachments:** Reply from Applicant redacted.pdf

Good afternoon Mr Newhouse

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I attach the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

Alternatively if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

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If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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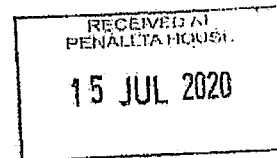
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Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

Caerffili

13 July 2020

Licensing Authority  
Caerffili County Borough Council  
TY Penallta  
Parc Tredomen  
Ystrad Mynach  
CF82 7PG



13 July 2020

Application for New Premises Licence Unit 1 Lon Y Twyn, Caerffili CF83 1NE

I would urge that the above application is rejected. Firstly, please note that the post code CF83 1NE on the published official notice is incorrect. As you will see from this letter, the post code CF83 1NE is actually my address (see image below).

Regarding the implications of the application I would like to object on the following grounds :

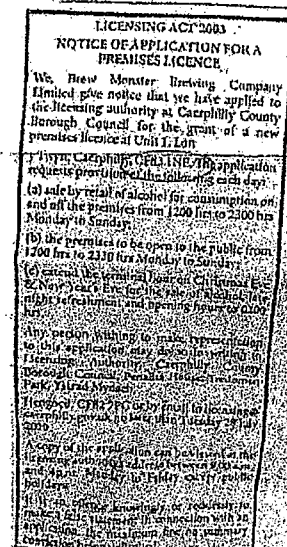
1. The building is totally unsuited to this activity, being a large warehouse with very poor sound proofing. Approval of the licence will undoubtedly lead to a noise disturbance to local residents.
2. There will possibly be an increase in anti-social behaviour particularly on weekends and late at night.
3. The site is directly adjacent to a residential property and will result in a fundamental negative impact on the residents environment.
4. The Twyn Primary School is within earshot and sight of the premises and Lon Y Twyn is a busy thoroughfare for parents and children at the beginning and particularly at the end of the school day.

Having regard to the above points, please reject the application

Yours sincerely

Councillor Huw Jackson

Twyn Ward, Caerffili Town Council



## Helps, Tracey

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**From:** Helps, Tracey on behalf of WWW: Licensing  
**Sent:** 23 July 2020 09:32  
**To:** [REDACTED]  
**Subject:** Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW  
**Attachments:** Reply from Applicant redacted.pdf

Good morning Councillor Jackson

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I attach the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

Alternatively if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

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If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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Licensing Authority  
 Caerphilly County Borough Council  
 Penallta House  
 Tredomen Park  
 Ystrad Mynach  
 Hengoed  
 CF82 7PG

Caerphilly County Borough Council  
 Directorate of the Environment

No.

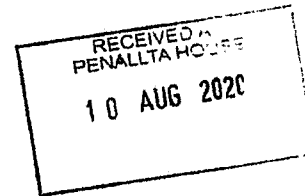
Date Received 10 AUG 2020

Date Answered

Reference to:

Caerphilly

6th August 2020



Dear Ms Helps

**Re: Objections to the licence application for Brew Monster at Unit 1 Lon-y-Twyn, Caerphilly**

I welcome the concessions made by the proposed licensee, and are very heartened by the promises of consultants in both noise and traffic being employed.

I concede that the proposed pricing structure may indeed put off certain clientele from immediately drinking their beer in the streets, BUT human nature being what it is, there can be no guarantees of this. One only has to look at the current global Covid-19 situation and proposed social distancing. This soon falls by the wayside once alcohol is introduced into the equation - I have had first hand experience of this from both local pubs and ones in Cardiff. The same goes for the possibility of people using the alleyway to urinate - even with the threat of CCTV coverage. As the alleyway is almost directly opposite the front of the building, the temptation to take a short cut and relieve oneself may be too much for some.

With regards to public nuisance and noise pollution, surely there will be impact from the smokers that will no doubt use the venue and, not being allowed to smoke on the premises, will have to congregate somewhere close by. With the premises being closer to residential areas, I feel this would be a different situation compared to other venues on the main streets of Caerphilly. I hear nothing from the Muni which is fronted entirely on the main street around the corner.

I notice from the Brew Monster Facebook page that they also hold open mic nights. I have also had experience of what happens when a venue nearby holds gigs. During the summer months, the pub around the corner from me (what was 13 Market Street) often held gigs and taking advantage of the fine weather, opened all their bifold doors, letting all the sound out. Whilst I do not live opposite that venue, I could hear the commotion in my garden. Again, with a venue more towards the centre of town, this would be something to be expected, but not in a residential area.

I noticed at the weekend that there are beer kegs and equipment already in the yard at the site. Also, I see that the "Brew Monster" name has appeared on the site on Google Maps. I find this rather disconcerting as the consultation period doesn't end until 10/8/20. It seems that the Council are not following due process.

I do feel that such a venue is more suited to a more central town location, rather than dragging trade away from town centre.

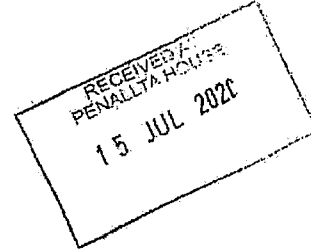
Yours sincerely,

Carol Booth

Licensing Authority  
Caerphilly County Borough Council  
Penallta House  
Tredomen Park  
Ystrad Mynach  
Hengoed  
CF82 7PG

[REDACTED]  
Caerphilly  
[REDACTED]

14<sup>th</sup> July 2020



Dear Sir/Madam

**Re: Application of new premises licence at Unit 1, Lon Y Twyn, Caerphilly CF83 1NE**

We strongly object to the granting of the licence as it stands on the following grounds:

- Prevention of Public Nuisance
- Noise Pollution
- Unsociable hours – if the licence to open until 23:00hrs is granted Monday-Sunday, the associated noise of customers leaving at that hour would be a nuisance to surrounding neighbours. This would also hold true for the proposed extended opening hours on Christmas & New Year's Eve to 02:00hrs
- Litter
- Prevention of Crime & Disorder and Public Safety
- Protection of Children from Harm – the licensing application would allow alcohol to be sold and consumed from 12:00hrs. The Twyn School is in very close proximity.

We look forward to hearing from you on this matter.

Yours faithfully,

[REDACTED]  
*Evani Russell Booth*

[REDACTED]  
*Carol Booth*

Mrs C Booth

Caerphilly

Pennaeth Diogelu'r  
Cyhoedd,  
Gwasanaethau  
Cymunedol a Hamdden  
Rob Hartshorn

Head of Public Protection,  
Community & Leisure  
Services

Rob Hartshorn

Eich Cyf/Your Ref:

Ein Cyf/Our Ref:

Cysylltwch â/Contact:

Rhif Ffôn/Telephone:

Ebost/Email:

Dyddiad/Date:

Licensing

01443 866750

licensing@caerphilly.gov.uk

23<sup>rd</sup> July 2020

Dear Madam

**RE: Licensing Act 2003 – Application for Premises Licence  
Premises – Unit 1, Lon y Twyn, Caerphilly, CF83 1NW**

With reference to our telephone conversation of 23<sup>rd</sup> July 2020 regarding the above.

However, I have a duty to inform you in writing that I acknowledge receipt of your letter dated 14<sup>th</sup> July 2020 in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I enclose the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

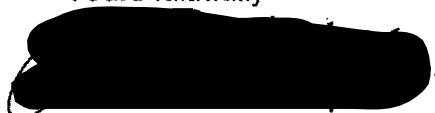
Alternatively if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be

published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

Yours faithfully



T Helps

Licensing Officer

For Head of Public Protection, Community & Leisure Services

Helps, Tracey

---

From: [REDACTED]  
Sent: 15 July 2020 17:41  
To: WWW: Licensing  
Subject: Subject: Licencing application for brewery at y twyn caerphilly

Hi

I would like to register my objection to the proposed brewery for y Twyn Caerphilly which has been made by Monster Brewing Company. I feel that this is a terrible location especially as it is so close to a junior school.

I live on [REDACTED] and the parking is terrible at the best of times, adding this would also make that problem worse. The prospect of issues with anti-social behavior and noise are also unwelcome. Directly opposite the proposed location is also a lane with no lighting. There will be issues with public urination there at the very least if this goes ahead.

This is the first time i have ever opposed anything of this nature but this is one i feel very strongly about.

Please don't hesitate to contact me if you wish to discuss further.

Kind regards  
Andrew Swales

## Helps, Tracey

---

**From:** Andrew Swales [REDACTED]  
**Sent:** 22 July 2020 16:45  
**To:** WWW: Licensing  
**Subject:** Re: Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Hi Tracey

I think Brew Monster have demonstrated that they aim to be a good neighbour and have made quite a few concessions to alleviate any potential issues with the venue in this location. I am grateful for them changing their opening hours to miss school times and the addition of CCTV would be welcomed; especially if it covers the lane opposite to deter against undesirable activity. My concern is that it all sounds good but what if they don't fulfil these promises or change their position once open.

Kind Regards  
Andrew

On Wed, Jul 22, 2020 at 12:42 PM WWW: Licensing <[LICENSING@caerphilly.gov.uk](mailto:LICENSING@caerphilly.gov.uk)> wrote:

Good afternoon Mr Swales

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I attach the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

Alternatively if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

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If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
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Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhwch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdur yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddi-frod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn.

Rydym yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog (yn unol â'ch dewis), ac mewn ieithoedd a fformatau eraill. Cewch ymateb yn unol â'ch dewis iaith os nodwch hynny i ni, ac ni fydd cyfathrebu â ni yn Gymraeg yn arwain at oedi.

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We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.

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**Helps, Tracey**

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**From:** Martin Williams [REDACTED]  
**Sent:** 17 July 2020 11:08  
**To:** WWW: Licensing  
**Subject:** Objection to premises licence

Dear Sir/Madam

**Re: Application of new premises licence at Unit 1, Lon Y Twyn, Caerphilly CF83 1NE**

We strongly object to the granting of the licence as it stands on the following grounds:

- Prevention of Public Nuisance
- Noise Pollution
- Unsociable hours – If the licence to open until 23:00hrs is granted Monday-Sunday, the associated noise of customers leaving at that hour would be a nuisance to surrounding neighbours. This would also hold true for the proposed extended opening hours on Christmas & New Year's Eve to 02:00hrs
- Litter
- Prevention of Crime & Disorder and Public Safety
- Protection of Children from Harm – the licensing application would allow alcohol to be sold and consumed from 12:00hrs. The Twyn School is in very close proximity.

We look forward to hearing from you on this matter.

Kind regards

Martin Williams & Rhian Griffiths

[REDACTED]  
Caerphilly  
[REDACTED]



## Helps, Tracey

---

**From:** Martin Williams [REDACTED]  
**Sent:** 31 July 2020 08:27  
**To:** WWW: Licensing  
**Subject:** Re: Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Dear Ms Helps

Re: Our objections to the licence application for Brew Monster at Unit 1 Lon-y-Twyn, Caerphilly

We welcome the concessions made by the proposed licensee, and are very heartened by the promises of consultants in both noise and traffic being employed.

We concede that the proposed pricing structure may indeed put off certain clientele from immediately drinking their beer in the streets, BUT human nature being what it is, there can be no guarantees of this. One only has to look at the current global Covid-19 situation and proposed social distancing. This soon falls by the wayside once alcohol is introduced into the equation – we have had first hand experience of this from both local pubs and ones in Cardiff. The same goes for the possibility of people using the alleyway to urinate – even with the threat of CCTV coverage. As the alleyway is almost directly opposite the front of the building, the temptation to take a short cut and relieve oneself may be too much for some.

With regards to public nuisance and noise pollution, surely there will be impact from the smokers that will no doubt use the venue and, not being allowed to smoke on the premises, will have to congregate somewhere close by. With the premises being closer to residential areas, we feel this would be different situation compared to other venues on the main streets of Caerphilly. We hear nothing from the Muni which is fronted entirely on the main street around the corner.

We notice from the Brew Monster Facebook page that they also hold open mic nights. We have also had experience of what happens when a venue holds gigs nearby. During the summer months, the pub around the corner from us (what was [REDACTED] often held gigs and taking advantage of the fine weather, opened all their bifold doors letting all the sound out. Whilst we do not live opposite that venue, we could hear the commotion in our garden and discussed the issue with residents who DID. Again, with a venue more towards the centre of town, this would be something to be expected, but not in a residential area.

We appreciate that the Brew Monster brand is not your run-of-the-mill venue and has little in common with the other "pile 'em high, sell 'em cheap" merchants on the high street. However, we do feel that such a venue is more suited to a more central town location.

Yours sincerely

Martin Williams & Rhian Griffiths  
[REDACTED]

---

**From:** "WWW: Licensing" <[LICENSING@CAERPHILLY.GOV.UK](mailto:LICENSING@CAERPHILLY.GOV.UK)>  
**Date:** Wed, 22 Jul 2020 11:34:35 +0000  
**To:** Martin Williams [REDACTED]  
**Subject:** Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Good afternoon Mr Williams/Rhian Griffiths

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done, and I attach the applicant's response to your representations.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments and wish to withdraw your objection.

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If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 866750

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Mae'r e-bost hwn ac unrhyw ffeliâu sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhowch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdur yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddifrod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn.

Rydym yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog (yn unol â'ch dewis), ac mewn ieithoedd a fformatau eraill. Cewch ymateb yn unol â'ch dewis iaith os nodwch hynny i ni, ac ni fydd cyfathrebu â ni yn Gymraeg yn arwain at oedi.

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We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.

---

**Morgan, Lee**

---

**From:** Jim Robinson [REDACTED]  
**Sent:** 10 August 2020 13:37  
**To:** WWW: Licensing  
**Subject:** Re: Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Dear Licensing,

I have spent the week considering you email. I wish to be absolutely clear and say that my concerns have NOT been met and my complaints still stand.

Further to this I wish to reply to the statements you have sent me.

I acknowledge that they say they wish to be a good neighbour, but as has been proven time and time again in Caerphilly, the patrons of any alcoholic establishments DO NOT wish to be a good neighbour. In fact when fuelled with alcohol the patron's swear, shout, urinate outside, drop litter and in general they could not care whatsoever about the neighbourhood. This is obviously going to cause a public nuisance as the door step of this building is literally opposite peoples homes, and the building is surrounded on 3 sides by homes, including my own. If they truly cared about the neighbourhood, they would recognised that this location is NOT an appropriate location for the sale of alcohol and seek a different venue in Caerphilly.

I worry greatly that the council doesn't care about the neighbourhood either. The comments in the reply seem to address the councils concerns, rather than the concerns of the residents. I also worry that despite the law, this seems to be a "done deal", as barrels and brewing gear have already been moved into the premise and the company have started advertising their new venue in Caerphilly.

With regards to the 4pm opening time to fit in with the school, clearly they have not done their research on this. The school is open until at least 6pm on a daily occurrence. In fact [REDACTED] [REDACTED] pm nearly every school day. So a 4pm start time does not help. I would also remind the council and Brew Monster that the school holiday club is also open until 6pm, on days when the school is not in term time.

What due diligence was done to show that the patrons of this establishment would be any different from the people drinking in other establishments in Caerphilly? Whilst I acknowledge that the Brew Monster company would wish to have the nicest patrons in the world, I think it also has to be acknowledged that whilst they claim their higher prices will deter a bad crowd, this simply isn't true. Recently the Facebook page of Brew Monster advertised a £3-a-pint "drink the place dry", so we already have proof that this company doesn't not rely on high prices to avoid bad crowds, and they will do what ever they want to sell as much beer as possible. Clearly not the higher prices they claim to have to avoid the bad crowd. And I fail to see how beers named Daemon Red with pictures of demonic creatures is in keeping with a better class of patron.

Please note the location of the [REDACTED] is a problem, as this does cause significant noise. But the noise is already at the limits that the residents can stand. Any additional noise would be greatly unfair on the residents, especially as this noise would be now be surrounding some of the residents on multiple sides. We do NOT want to turn this neighbourhood into a drinking area in the town. The [REDACTED] has been a venue for many hundreds of years. We do not need any additional venues adding to the issues already generated by the club. Any increases in public nuisance would be intolerable. Saying that the club already makes noise, so it's OK if we surround the residents in more noise, is not acceptable. How on earth can

making MORE noise be considered acceptable by the council? The municipal club is a private member club has the potential to control its membership. This Brew Monster establishment is not a private club that I'm aware of? So how can they control their patrons?

Also the building is most definitely not sound proof. The build appears in great disrepair in fact. It looks like a prefab building from the 1960's and was most definitely not built with any levels of noise insulation in the roof, walls or windows.

Will Brew Monster company be willing to guarantee (with financial penalties paid directly to the neighbourhood) that:

- \* We will not be subjected to music, shouting, swearing
- \* We will not be subjected to patrons urinating in the back lane
- \* We will not be subjected to patrons littering.

And will the Brew Monster company shutdown its operation if indeed their patrons do causes us additional noise and public nuisance?

With regards to the outdoor CCTV that the venue offers as a solution to the urination in the back lane. How will this CCTV prevent this? Will Brew Monster install CCTV to protect the residents' homes? Or will the CCTV just protect the venue itself?? Unless the CCTV covered the perimeter of my own home, then the CCTV is useless to me. I would also be interested to know how the CCTV surrounding the venue itself would stop people who were drinking there from urinating just away from the CCTV. I would also be interested to know what the venue would do about it. Just saying it wouldn't happen isn't enough. I'm sure the municipal club says the same thing.

Also, they claim that "no alcohol will be consumed outdoors". Will they guarantee that? What would they do if drinking did occur outside the venue? And will they cease trading if drinking outside the venue occurred?

I still stand that giving a license to this company for this venue, cannot be compatible with "the prevention of crime and disorder", "the prevention of public nuisance", "the protection of children from harm", and "public safety". The venue is on the door step of a school. The venue is surround by family homes with young children of primary school age. I do not believe that the impact on the neighbourhood will be negligible.

Regards.  
Mr Robinson,

On 31 Jul 2020, at 15:24, WWW: Licensing <[LICENSING@CAERPHILLY.GOV.UK](mailto:LICENSING@CAERPHILLY.GOV.UK)> wrote:

Good afternoon Mr Robinson

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done. I have attached, for your information, the applicant's proposals, submitted before I received your representation. If there are any additional proposals from the applicant I will inform you of this.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments you wish to withdraw your objection.

Alternatively, if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

Regards

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 866750

✉ [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk) [licensing@caerffili.gov.uk](mailto:licensing@caerffili.gov.uk)

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Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

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Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhowch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdur yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddifrod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn.

Rydym yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog (yn unol â'ch dewis), ac mewn ieithoedd a fformatau eraill. Cewch ymateb yn unol â'ch dewis iaith os nodwch hynny i ni, ac ni fydd cyfathrebu â ni yn Gymraeg yn arwain at oedi.

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JAMES ROBINSON

CAERPHILLY,

26 July 2020.

Licensing Authority,  
Caerphilly County Borough Council,  
Penalta House,  
Tredomen Park,  
Ystrad Mynach,  
Hengoed,  
CF82 7PG.

Dear Council,

I was recently disturbed to discover that the Council have decided to allow an application for a Premises License at Unit 1, Lon Y Twyn, Caerphilly, CF83 1NE (address as per newspaper notification), or Unit 1, Lon Y Twyn, Caerphilly, CF83 1NW (as per the application stuck to the door of the premises itself).

Clearly, this is a wholly inappropriate location for drinking and selling alcohol, and I'm surprised and saddened that the Council haven't realised this before allowing this application to take place.

As I understand it, comments in relation to blocking this application have to made with regards to the following points:

- the prevention of crime and disorder
- the prevention of public nuisance
- the protection of children from harm
- public safety

The following comments refer:

**1. Location by a school**

The location is directly opposite a primary school, that not only operates during usual school hours, but the playground of which is in use by an after-school club and various sports clubs after school hours. Anyone who has spent any time outside any other drinking establishments in Caerphilly town centre would know that the patrons of these establishments are often unable to control their

language and behaviour under the influence of alcohol. It should come as no surprise to the Council that the town centre is already subject to antisocial behaviour caused more often than not by alcohol consumption. Situating a licensed premises so close to a primary school would subject the pupils to language and behaviour that would be entirely inappropriate. It's very clear from other establishments based in Caerphilly town centre, that this location would not be any different to any other alcoholic premises in the town centre.

It would be inevitable that drinking would occur outside the premises. Especially as this property has access to open air land. It would be reasonable to expect that there would be shouting, swearing and loud behaviour coming from this outdoor area, as indeed other bars in town are clearly shown to attract this behaviour. There is definitely precedent here, to indicate that a bar this close to the town centre would attract the bad crowds from the town centre to a location directly opposite the school.

These comments are in relation to the prevention of crime and disorder, the prevention of public nuisance, and the protection of children from harm.

## **2. Location to residential homes**

I have included a map below in this letter, that shows clearly that this premises is surrounded by homes and a primary school. If this licence application is approved the nearby homes will be subject to more noise and antisocial behaviour from the alcohol-fuelled patrons of the premises.

Some of these homes, like mine and my neighbours, have primary school aged children, that are already subject to inappropriate language from patrons of other drinking establishments nearby. Clearly the opening of a further licensed premises will only make this situation worse.

This point is in relation to the prevention of crime and disorder, the prevention of public nuisance, and the protection of children from harm.

## **3. Noise**

We already have problems in the evenings and weekends with noise coming from the [REDACTED] club which shares a small boundary with the premises to which this application relates. We do not want any more noise. It's incredibly distressing to us that we are often unable to enjoy our home due to shouting and swearing emanating from the [REDACTED]. As we are already subject this, we do not want the Council to allow an even greater level of noise. We have regularly complained to the police about the noise from the [REDACTED]. We have also complained to the Council about the noise from this club. And we have engaged



directly with the club over many years to try and reduce the antisocial behaviour. We have also recorded several videos over the years indicating the level of noise coming from this establishment. We know, first hand, that when people drink in Caerphilly they get loud and swear, with no thought to the surrounding area.

As parents of an [REDACTED] child, we are often forced to abandon our garden as a result of loud inappropriate language coming from the outside drinking area of the [REDACTED]. But the volume of noise this brings with it is an absolute public nuisance to me and my neighbours. We are already at the limit of noise that we can bear, and adding a second premises, surrounding us with even more noise would be unbearable.

The license would also cover playing of music. Yet the premises clearly has no sound insulation. And even if it did get the best sound insulation available, the additional noise of patrons outside the property would be too great to bear, and as with the [REDACTED] sound insulation is useless when they leave the doors and windows open anyway.

Additionally, the property in the application is raised up. It's many meters above the ground level at the back of property. And that means there is nothing to stop the noise from travelling. We have already located the sleeping bedrooms at the back of our property, as the front is too noisy with the [REDACTED] noise. The back of our property is in fact such that first floor bedrooms are at the same level as the Premises in this application, with no trees or fences between us and them. In fact my [REDACTED] son's bedroom overlooks the premises in the application. This is particular problematic for me. It's inevitable that we will now have to keep his bedroom window shut at all times to avoid the noise pollution if this license was allowed. And as our house is over 100 years old, it has very little protection from outside noises that a modern house with cavity walls and new windows would afford.

This is point is in relation to the prevention of public nuisance, and the protection of children from harm.

#### 4. Urine

We already have problems with regards to patrons of the [REDACTED] Club using my back lane as a urinal. My back gate and fence is regularly sprayed with urine. When walking from the Premises in this application towards the residential area, the back lane behind my property is the first location that many would consider is secluded enough to use as a urinal. Again, there is precedent here from the [REDACTED] to know that patrons leaving the establishment,

find the first secluded place to relieve themselves of urine. My child plays in this back lane, and I do not want him subject to playing ball in other peoples urine. This point is in relation to the prevention of crime and disorder, the prevention of public nuisance, and the protection of children from harm.

#### 5. Threats of violence

I've already been subject to several threats of violence against me and my home, as a direct result of challenging patrons of the [REDACTED] engaging in antisocial behaviour. I've had to ring the police on several occasions when threats of violence were made against me. For example, when I suggested that the noise level at the [REDACTED] was too loud, aggressive and inappropriate, I was threatened with being pelted with beer bottles through my window. When I suggested to someone urinating on my back gate that they use the toilets in the [REDACTED] I was threatened with violence.

A recent spate of stabbings in Caerphilly town centre, near the epicentre of drinking establishments such as this, just further convinces me that moving the drinking establishments into residential areas is an incredibly bad idea. Especially as it was reported that one of these stabbings was with a beer bottle.

This is a point is in relation to the prevention of crime and disorder, the prevention of public nuisance, and public safety.

#### 6. Drug Use

I've had to ring the police on occasion, as it became clear that the back lane that my child plays in was being used for the selling and consumption of drugs. Given the drug problem in Caerphilly, and the link between alcohol and drugs, I don't want my child growing up with drugs related paraphernalia outside his back gate.

It's clear that this bar will attract younger patrons that the [REDACTED] next door. And this means an increase in antisocial behaviours that this age range would bring to the neighbourhood. Which means increased drug related issues. And the back lane behind my property is unfortunately the first secluded area when walking away from the premises in this application. This is the reason why it will bring additional drug related issues.

This is point is in relation to the prevention of crime and disorder, the prevention of public nuisance, and public safety.

## **7. Rubbish**

The back lane behind my home is used by many in Caerphilly as a rubbish dump. Patrons of the [REDACTED] often leave the bar with a bottle of beer and dispose of it in the back lane or over my fence into my garden. This has been happening for years. The Council have only cleared the back lane once in over 10 years. I have no doubt that if this premises license is allowed, then the quantity of rubbish and beer bottles would increase. Some of this rubbish, such as broken glass will be dangerous to people and animals.

A back lane that isn't kept clear and clean indicates to some people that it's OK to dump even more rubbish. Outdoor areas that are kept clear are less likely to attract rubbish. But unfortunately, even though the back lane behind my house is near the town centre, the Council rarely ever do anything to make the lane less appealing to litter louts.

This point is in relation to the prevention of crime and disorder, the prevention of public nuisance, and public safety.

## **8. Privacy**

The property in this application overlooks my back garden. And whilst this was never an issue when this was a shop selling plumbing supplies, it will become an issue when the patrons of the premises are drinking and looking down into my garden. It's inevitable that this will on occasion cause a public nuisance, and would subject me [REDACTED] to inappropriate language. Especially as the drinking patrons will be looking down into the garden. If it was the other way around and my back garden was higher then it would be less of an issue, but that's not the case.

This point is in relation to the prevention of public nuisance.

## **9. Anti-Social Behaviour**

As the Council is aware, the town centre has been subject to several Dispersal Orders in recent years. I would suggest that moving the alcohol problems from the town centre towards a clear residential area means that the anti-social trouble will follow it.

This point is in relation to the prevention of crime and disorder, the prevention of public nuisance, and public safety.

#### 10. Opening Hours

If approved, this license application will extend drinking hours beyond 11pm. The application included the option of a late night 2am license on special days such as Christmas Eve. This is ridiculous to me, as we have enough trouble until 11pm, without taking the noise levels at 2am in a residential area. I don't understand how a license could be granted to 2am when the building is next door to people's homes. Clearly this will present a significant public nuisance.

The start of the hours of operation, from noon onwards is also a problem, as it clashes with the operations of the primary school. The playground is in use both during normal school hours and until 6pm by after school clubs. The playground is used by the holiday club when the school is closed. The opening hours of this premises are not compatible with having a primary school directly opposite it.

This point is in relation to the prevention of public nuisance, and the protection of children from harm.

#### 11. Sale of alcohol for consumption off-premises

The application covers the sale of alcohol for drinking on and off the premises. This immediately causes a problem, as the issues related to drinking alcohol are not just confined to the property itself, but the surrounding area. It takes the drinking out of a building, and puts the drinking on the streets outside people's homes, and outside a school. This will exacerbate all the issues of a licensed premises with regards to its location.

This point is in relation to the prevention of public nuisance, and the protection of children from harm.

As you can see from the attached map, this particular premises (marked in red) is surround on 3 sides by residential properties and a primary school (marked in green). This premises if given a license would clearly impact the lives of the neighbouring residents, both from a noise and antisocial behaviour stand point:



Yours sincerely,

James Robinson and Helen Robinson

## Helps, Tracey

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**From:** Helps, Tracey on behalf of WWW: Licensing  
**Sent:** 31 July 2020 15:24  
**To:** [REDACTED]  
**Subject:** Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW  
**Attachments:** Reply from Applicant redacted.pdf

Good afternoon Mr Robinson

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done. I have attached, for your information, the applicant's proposals, submitted before I received your representation. If there are any additional proposals from the applicant I will inform you of this.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments you wish to withdraw your objection.

Alternatively, if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

Regards

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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Correspondence may be in any language or format.Corresponding in Welsh will not lead to any delay.

**Helps, Tracey**

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**From:** Hartshorn, Robert  
**Sent:** 27 July 2020 09:27  
**To:** Morgan, Lee  
**Cc:** Godfrey, Maria  
**Subject:** FW: Application for a Premises Licence at Unit 1, Lon y Twyn, Caerphilly

Hi Lee, please see below regarding the above application.

Regards

Rob

**From:** [REDACTED]  
**Sent:** 27 July 2020 09:15  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Application for a Premises Licence at Unit 1, Lon y Twyn, Caerphilly

FYI/action please

**Christina Harrhy**  
Prif Weithredwr | Chief Executive  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

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**From:** Mary Williamson [REDACTED]  
**Sent:** 26 July 2020 17:02  
**To:** WWW: Licensing <[LICENSING@CAERPHILLY.GOV.UK](mailto:LICENSING@CAERPHILLY.GOV.UK)>  
**Cc:** [REDACTED]; WWW: Complaints <[COMPLAINTS@CAERPHILLY.GOV.UK](mailto:COMPLAINTS@CAERPHILLY.GOV.UK)>; [caerphillytowncouncil@outlook.com](mailto:caerphillytowncouncil@outlook.com)  
**Subject:** Application for a Premises Licence at Unit 1, Lon y Twyn, Caerphilly

Dear Sir or Madam,



I am writing to oppose an alcohol licence being awarded to the property at Unit 1, Lon y Twyn, Caerphilly, CF83 1NE.

One of the reasons why I would like to oppose the licence on the grounds of child safety. With many children finishing after school clubs until 4.15pm at the earliest (many are there until 6pm), children will have to leave their school and witness people entering and leaving the establishment. This issue is intensified when you consider that many of the children are collected by teenage siblings. I am completely shocked and disappointed that anyone in the council would allow this establishment to be built within a minute walk from a primary school.

Secondly, whilst I appreciate that the target audience for Monster Brew venues is more sophisticated than Wetherspoons, there will still be people frequenting this establishment who will be looking to get intoxicated. Money does not always buy class. Moreover, alcohol makes everyone less inhibited. Therefore, despite good intentions, there will be rowdiness on our street that we have never witnessed before. I appreciate that there are rougher places such as [REDACTED] nearby, however as it is on the main street (instead of a side street next to a primary school and residential houses), the people who frequent those types of places do not go near our family home. Sadly, the antisocial behaviour from this new venue would impact us. Some people are unable to drink appropriately (no matter their age, economic class or wealth) will have a huge impact on our quiet residential road. Furthermore, the council and police are unable to deal with the antisocial behaviour that already exists in the alleyway behind East View (children breaking into an empty building, young adults inhaling helium in the alleyway), how will they be able to cope with the fallout from this? I feel the fact this is being pushed through when the school is closed (and unable to challenge it) is also terrible as a bar so close to the school will have an impact on whether parents will choose to send their children to this school. The school should have the opportunity to oppose this.

Additionally, as we are entering a recession, this brewery may have find that that they have a difficulty drawing in (and maintaining) their chosen clientele. Many reports indicate that the middle classes will be largely impacted by this recession (<https://www.thisismoney.co.uk/money/news/article-8164995/Britains-middle-class-wealth-hit-coronavirus-rescue.html>) and as a consequence their spending power will be impacted. Additionally, evidence from previous recessions (and articles at present) imply that those with wealth, who are still employed will look to save during this awkward economic climate (<https://www.theguardian.com/money/2020/may/31/uks-richest-20-reduce-spending-by-23bn-during-coronavirus-lockdown>). How will the brewery react to a decline in customers? They will drop prices. This will then lead to an increase in antisocial behaviour in the area. Furthermore, were this establishment to close down, a precedent would have already been set for this venue to have an alcohol licence, what happens then? Will the council ensure a reputable place takes over or we will be left with a noisy Wetherspoons?

The third problem is noise pollution. Even if this establishment is not granted a licence for people to sit outside, there will still be increased noise pollution in a quiet section of town. Noise issues will stem from entertainment noise, noise from mechanical services equipment, noise from customers arriving and leaving, and noise from deliveries to the venue. Whilst there are drinking venues on Market Street, the noise from these places is not audible on East View. According to a report from the University of Salford, "Noise levels measured in bars and restaurants during quiet periods showed noise levels of 65-70. Noise levels of up to 88 dB were measured during busy periods in bars not playing music i.e. just customer noise." (Noise from Pubs and Clubs Final Report - University of Salford). Therefore an establishment placed on this quiet road

will have a huge detrimental impact on the lives of people that live in the vicinity and this is without the bar having a music licence. This will be then be further exacerbated by the fact that many of those drinkers will pass by our homes to get there. Additionally, there will also be noise from smokers that congregate outside. In addition to this, while the brewery may not request a licence for an outdoor area, what's to stop them requesting this two years from now? Everyone who purchased a house on our street, felt they would be investing in a property in a safe, quiet and respectable area (particularly as we live opposite a school), The placing of this establishment less than one minute from our street, will impact us with reference to noise pollution, antisocial behaviour and also with regards to the safety of our children. It will affect us with reference to the resell value of our properties. How is this acceptable?

Finally, allowing a property of this nature a drinking licence away from the high street will have a negative impact on the town as a whole. Rates and rates are kept so high on the main streets (Cardiff Road, Market Street and Castle Court) that businesses are being attracted to residential areas instead. As a consequence, the high street is left with shops that let down the town (charity shops, gambling establishments and pawn brokers) or empty outlets. Why is the council not trying to attract businesses into these areas instead of next to people's homes? This a lack of foresight that will continue to ruin this town. Why not take the licence away from places that should have their licence taken away (eg [REDACTED] with their drug and violent culture) and encourage this kind of business to go there? There needs to be a cohesive vision and strategy for Caerphilly. one that ensures the mix of retailers complement each other and provide the right offering to consumers. The council also needs to ensure that the businesses (like Brew Monster Ltd) are attracted to the right areas which are suitable for local residents and visible to tourists too. Thousands of tourists come to Caerphilly every year but because we allow coaches to park right next to the castle, they do not have the opportunity to spend their money in the town. For those who get public transport in (or who drive in), this new venue will not be easy for them to find. Why are you not encouraging this venue to locate to a far more suitable area? This shows a lack of ambition for the town.

Therefore, I find it completely unacceptable that this venue is given an alcohol licence and look forward to hearing your justification if this were to go ahead.

Kind regards,

Mary Jenkins

## Helps, Tracey

---

**From:** Mary Williamson [REDACTED]  
**Sent:** 04 August 2020 18:49  
**To:** WWW: Licensing  
**Subject:** Re: Application for a Premises Licence-Unit 1 Lon y Twyn, Caerphilly, CF83 1NW

Good evening Tracey,

Just to confirm that I would still like have concerns and stop oppose this place being given a licence. I feel that this response does but address the fact that it will still be open during school hours (4-6pm), didn't clarify how it will survive a recession, glosses over issues we will have with antisocial behaviour, the devaluing of our properties our issues with noise pollution.

Moreover, the council has bit addressed my concerns as to why it is allowing places like this to open on a back street in a residential area instead of encouraging businesses (other than charities) on the high street.

Additionally, I ask concerned why (when the licence is so under discussion) that it appears as though the brewery has already started to place equipment there. This is incredibly disappointing.

I look forward to hearing from you with a response to why the council is allowing this to happen and refusing to stand up for the people that live here.

Kind regards,  
Mary Jenkins

Sent from my iPhone

On 31 Jul 2020, at 15:19, WWW: Licensing <LICENSING@caerphilly.gov.uk> wrote:

Good afternoon Mrs Jenkins

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done. I have attached, for your information, the applicant's proposals, submitted before I received your representation. If there are any additional proposals from the applicant I will inform you of this.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments you wish to withdraw your objection.

Alternatively, if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

Regards

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 866750

✉ [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk) [licensing@caerffili.gov.uk](mailto:licensing@caerffili.gov.uk)

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Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhwch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdur yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddirifod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn.

Rydym yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog (yn unol ?'ch dewis), ac mewn ieithoedd a fformatau eraill. Cewch ymateb yn unol ?'ch dewis iaith os nodwch hynny i ni, ac ni fydd cyfathrebu ? ni yn Gymraeg yn arwain at oedi.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Caerphilly County Borough Council. Finally, the recipient should check this email and any attachments for the presence of viruses. The Council accepts no liability for any damage caused by any virus transmitted by this email.

We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.

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<Reply from Applicant redacted.pdf>

**Helps, Tracey**

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**From:** Hopkins, Kathryn on behalf of WWW: Licensing  
**Sent:** 28 July 2020 09:14  
**To:** Helps, Tracey; Thomas, Joannie  
**Subject:** FW: Website Contact --- Licensing and permits

Would this be one of your new premise applications? Not sure where the old Plumbsave is?

**From:** [DONOTREPLY@caerphilly.gov.uk](mailto:DONOTREPLY@caerphilly.gov.uk) <[DONOTREPLY@caerphilly.gov.uk](mailto:DONOTREPLY@caerphilly.gov.uk)>  
**Sent:** 27 July 2020 21:12  
**To:** WWW: Licensing <[LICENSING@CAERPHILLY.GOV.UK](mailto:LICENSING@CAERPHILLY.GOV.UK)>  
**Subject:** Website Contact -- Licensing and permits

**Name -**

Gemma Keogh

**Email Address -**

[REDACTED]

**Phone Number -**

[REDACTED]

**Date Submitted -**

27/07/2020 21:10:55

**Message -**

I am writing in regards to the proposed plan to open a bar/club in the Old plumbsave building behind my property. I am against this as I have 2 children. I therefore am making complaint along the four line of the protection of children from harm and the prevention of crime and disorder. There are already several bars in a small radius of my property I do not feel the need for another, that could bring many problems.

**Reference -**

**NB** This is an automated email sent to inform you of a contact made via the website. Please do not reply to this email.

## Helps, Tracey

---

**From:** Helps, Tracey on behalf of WWW: Licensing  
**Sent:** 31 July 2020 15:14  
**To:** [REDACTED]  
**Subject:** Application for a premises licence-Licensing Act 2003-Brew Monster Brewing Company Ltd., Unit 1, Lon y Twyn, Caerphilly, CF83 1NW  
**Attachments:** Reply from Applicant redacted.pdf

Good afternoon Gemma

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation. The Licensing Act requires that your comments are forwarded to the applicant or their representative in advance for their consideration in an attempt to see if the position can be mediated and avoid the necessity of a hearing before the licensing sub-committee. This has been done. I have attached, for your information, the applicant's proposals, submitted before I received your representation. If there are any additional proposals from the applicant I will inform you of this.

I would be grateful if you could consider the same and provide confirmation as to whether your concerns have been satisfied and as a result of the applicant's comments you wish to withdraw your objection.

Alternatively, if your concerns still remain, then please advise me accordingly. If a hearing is required, we will inform you how and when this will take place. Given the current circumstances, this is likely to be a remote video hearing. Where issues can be resolved via mediation, relevant parties may consider that a hearing before a licensing sub-committee is no longer necessary thereby reducing inconvenience.

The council is aware of its obligations under the Data Protection Act and is concerned regarding the publication of personal data. Your representations with your personal details redacted will be published on the Council's website should a hearing be required.

If you wish to discuss this matter, please do not hesitate to contact me on 01443 866750 or via email at [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

Regards

### Tracey Helps

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**Helps, Tracey**

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**From:** Helps, Tracey  
**Sent:** 06 August 2020 10:05  
**To:** Cllr. Bevan, Phil J  
**Subject:** RE: Tracey Helps regarding 1 Lon Y Twyn Caerphilly CF83 1NW  
**Attachments:** Reply from Applicant redacted.pdf

Good morning Cllr Bevan

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation.

I attach for your information suggestions submitted by the applicant after previous similar representations were submitted to him.

I will inform you when the hearing will take place, given the current circumstances, this is likely to be a remote video hearing.

Many thanks.

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer  
 Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** Cllr. Bevan, Phil J

**Sent:** 05 August 2020 20:05

**To:** Hopkins, Kathryn

**Subject:** FW: Tracey Helps regarding 1 Lon Y Twyn Caerphilly CF83 1NW

Kath.

I am sure by now that the rumblings of discontent about this pending application, may have reached you by now, and attached is an update from a Kathryn Jordan who is objecting to this companies move to set up alongside the Twyn school, and the two bungalows that abut the site.

They appear to be pre-empting any decision you make, which I suppose than can do, but whether you approve it or not, is the issue I wish to take up. I want to object to this development, as it is too



near the Primary school and very close to the bungalows. Parking in the area is not good, but that is of course a planning issue which I will take up with Carwyn Powell.

Can you pass this on to someone else if its not you, and please get back to me with any information you have on this unacceptable application.

Stay safe.

Phil.

**Cllr. Phil Bevan**

Cynghorydd Sir - Morgan Jones | County Councillor - Morgan Jones  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

---

☎ 029 2086 6185

✉ [BEVANPJ@caerphilly.gov.uk](mailto:BEVANPJ@caerphilly.gov.uk) [BEVANPJ@caerffili.gov.uk](mailto:BEVANPJ@caerffili.gov.uk)

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---

**From:** Kathryn Jordan [REDACTED]

**Sent:** 03 August 2020 10:35

**To:** WWW: Licensing

**Cc:** Cllr. Elsbury, Colin; Cllr. Fussell, James E; Cllr. Bevan, Phil J; Twyn Primary; Cllr. Kent, Stephen;  
[REDACTED]

**Subject:** FAO: Tracey Helps regarding 1 Lon Y Twyn Caerphilly CF83 1NW

Good morning

Following our telephone conversation I attach the photos of the kegs and vats placed in the carpark of CF83 1NW on Saturday 1st August, and a photo and link to Brew Monster website which states they will be opening soon at the above address.

I had searched the address to check with planning if a change of use application has been granted, and a link to the Brew Monster website appeared with the location said to be "Opening Soon". I cannot find any application for change of use and representations to object are still valid until the 10th August. I don't know if the applicant is contravening any rules or is prematurely assuming the license will be granted.

As far as I am aware no license has been granted, but I would be grateful if you could look into this further as we still want to object to the application.

I have copied in the local councillors who I have previously emailed to object to the application.

Kind regards

Kath Jordan

[Brew Monster Tap, Lon Y Twyn, Caerphilly, CF83 1NW](#)

**Brew Monster Tap, Lon Y Twyn, Caerphilly, CF83  
1NW**

Located in Caerphilly town centre, just a stone's throw from  
Caerphilly Castle

**Helps, Tracey**

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**From:** Helps, Tracey on behalf of WWW: Licensing  
**Sent:** 06 August 2020 12:38  
**To:** [REDACTED]  
**Subject:** RE: objection to new brewery near Twyn School  
**Attachments:** Reply from Applicant pdf.pdf

Good afternoon Mrs Brightman

I acknowledge receipt of your email in respect of the above premises which has been accepted as a relevant representation.

I attach for your information suggestions submitted by the applicant after previous similar representations were submitted to him.

I will inform you when the hearing will take place, given the current circumstances, this is likely to be a remote video hearing.

Tracey Helps  
 Swyddog Trwyddedu | Licensing Officer  
 Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** 05 August 2020 11:53  
**To:** WWW: Licensing  
**Subject:** objection to new brewery near Twyn School

Hi,

I'd like to make a formal objection to the proposals for a brewery to be established near Plumb Save in Caerphilly town centre. I live around the corner in Castle Park with my 5 year old and husband. Our son attends Twyn school and we love living here. We also use the council run cafe just up the road a lot.

In my experiences of breweries they smell really badly, especially in warm weather. I am fearful that my 5 year old will be put off wanting to go to school because it will be so uncomfortable for him and all the other children. I would expect that brewery smells would also make it's way to my home, a smell that would stop us using the cafe and other businesses like this in the town centre.


I also have friends living adjacent to the proposed business site, all with young children. Unsociable hours, noise pollution and the increased risk of vermin will massively affect their wellbeing and I don't think this is fair. There is also the inevitable increase in litter and also potential increase of the use of cannabis near the school a people are attracted to use the pub /

brewery. It's hard to walk around Caerphilly without smelling cannabis in current days and I wouldn't want this to be near my son's primary school.

I am a small business owner in Caerphilly and was born here so I care for the area very much. This is the first objection I've ever made. It's amazing to see new businesses here and I will always support local, I just think with all the surrounding areas and business parks a brewery would be better suited away from the town centre due to its antisocial effects.

Thankyou for the opportunity to object. I sincerely hope the proposal doesn't go ahead as it will potentially make us look at moving from the immediate area and if the smell is so bad possibly changing schools.

Yours sincerely,

Kelly and Mark Brightman  


**Helps, Tracey**

---

**From:** Tracy Walker [REDACTED]  
**Sent:** 05 August 2020 22:32  
**To:** WWW: Licensing  
**Subject:** Objection to bar/brewery in Caerphilly

Dear sir/madam,

I am writing to you to object against planning permission to build a bar/brewery next to Twyn school. My son attends this school and I think this will have a negative effect on the school children.

1. Air pollution from smokers outside the premises
2. Broken glass or rubbish from the punters on or near where the children play
3. Drunken behaviour setting a bad example for the children to see

I'm sure there are many other areas of Caerphilly you could choose to put this establishment without putting it next to a school.

Yours sincerely,

Tracy Walker

**Helps, Tracey**

---

**From:** Nour Dulaimi [REDACTED]  
**Sent:** 05 August 2020 14:53  
**To:** WWW: Licensing  
**Subject:** Objections to bar/brewery at Lon-Y-Twyn

Dear Sir/Madam,

I am writing to express my concerns at the proposal of a new bar and brewery opening at Lon-Y-Twyn, next to the Twyn School. I am a mother of two young children who attend the Twyn School, and I am surprised and saddened that it is being considered to allow a bar that opens from midday to be opened so close to a primary school. As a parent, I do not believe it is in the best interests of the young children who attend the school to be exposed to the premises so close to their school, and that they may be made to feel uncomfortable, distracted and disturbed by the noise and behaviour and the smell. Customers from the bar will be also most likely looking for somewhere to smoke outside. The children will be having playtime outside in the school grounds after midday and the bar will be open. Can you guarantee that there will be no trouble from the customers who will be under the influence of alcohol so close to a primary school?

There are many places that a bar can open on Market Street, Cardiff Road etc, and there are bars/pubs/restaurants already there, however a bar right in front of a primary school is entirely inappropriate and I hope it will be reconsidered for the sake of our children. In fact, I believe parents and the school should have been consulted about this matter and I am disappointed.

Thank you very much,

Kind regards,

Nour Dulaimi

**Helps, Tracey**

---

**From:** Salah Al-khdairy [REDACTED]  
**Sent:** 05 August 2020 15:30  
**To:** WWW: Licensing  
**Subject:** Objecting to the bar on Lon-Y-Twyn

Dear Sir/Madam,

I am writing to express my disappointment and concerns at the proposal of a new bar/brewery opening next to the Twyn School. I am a parent of young children attending the Twyn School, and I am shocked and saddened that it is being considered to allow a bar that opens from noon, to be opened very close to a primary school.

I do not believe it is in the best interests of the young children who attend the school to be exposed to the premises so close to their school, and that they may be made to feel uncomfortable, distracted and disturbed by the noise and behaviour and the smell. Customers from the bar will be also most likely looking for somewhere to smoke outside (passive smoking reaching the children, cigarette butts thrown outside of the school). The children will be having playtime outside in the school grounds after midday and the bar will be open.

I am concerned that it is not being looked at from a safety perspective, and that the safeguarding of our young children is being compromised (examples include: drunk and disorderly behaviour, car accidents, fights, strangers who can monitor the school and children from outside for hours). Will the council be held responsible if any child from the Twyn School has any trouble/problem from any of the customers from the bar?

There are many other places that a bar can open in Caerphilly, however a bar right in front of a primary school is entirely inappropriate and I hope it will be reconsidered for the sake and safety of our children.

---

Yours faithfully,

Salah Al-khdairy

Caerphilly

6<sup>th</sup> August 2020

Dear Sirs,

**Re: Application for a Premises Licence,  
Brew Monster Brewing Company, Unit 1, Lon y Twyn, Caerphilly, CF83 1NW**

We object to the above application for the following reasons:

**Position of Premises**

The premises are on a residential street facing us, and backing directly onto seven houses, situated alongside on Lon y Twyn, East View, Southern Street and North Terrace plus other properties within close proximity to those directly adjacent. If licence is granted, there will be increased access and use of the street and surrounding area by proposed brewery staff and customers in what is a quiet residential area the majority of the time, thus affecting access for residents. Within a 100 metre radius of the site, there are already SIX other licensed premises for onsite sale/provision of alcohol and food, there is no need for further ingress into the neighbourhood, the position of these premises is taking licensed businesses off the 'high street' and into residential areas. Public access to premises is directly off the street on a narrow path, if people congregate at this point (ie smoking) then pedestrian flow is affected.

---

**Unsociable Hours and frequency of business**

We do not want a licensed premise on the street. The application is for 11 hours of alcohol sales/drinking onsite per day, 7 days per week which is extremely excessive within a residential area, never mind proposal until 2am on Christmas Eve and New Year's Eve. In addition, proposed timings also impact upon the area where the very close proximity of the Twyn School means children are passing by these premises throughout the day and for after-school access. This area gets very busy due to the one way system around the split site of the 500 pupil Twyn School on East View and Southern Street, additional people/vehicles will add to this.

**Parking**

Intensified use of the area will lead to increased travel into a vicinity which has extremely limited parking facilities (1 hour controlled parking on Lon y Twyn and East View) and already has problems of access and parking for residents being close to the town centre and the school. Access to the area is predominantly private vehicles, as public transport is limited at the times of the proposed licensing hours. Within the past week since Brew Monster began to install materials onsite, parking has increased as other business users have vacated the empty piece of land. Access, particularly to rear parts of properties is already affected by people parking illegally on lanes and public paths. Currently, at peak school times, roads become gridlocked with parents picking up/dropping off children at the school. These parents disregard many road markings and highway disciplines and vehicles frequently pass the wrong way up the street to



escape the gridlock. If any surveys have been undertaken at time of the application, the impact of the COVID-19 virus will give a false impression of 'usual' access with the school closed.

### **Increased Noise/Litter/Nuisance**

Licensed premises will bring increased noise with people entering and exiting premises as well as the proposal for playing of recorded music inside the premises. Noise in this area carries a long way due to acoustics of the surrounding buildings and the natural landscape. As well as noise pollution there is an increased likelihood of public nuisance and possible crime/disorder which could affect public safety and adjoining properties. The opening in the last year of a new business (ACT Training) which backs onto Lon y Twyn/East View, immediately resulted in disorder/criminal access as in the first week police were called to adjoining properties with an individual illegally entering one house and several gardens causing criminal damage. As members of Caerphilly Street Pastors we are well aware of the night-time economy and the noise, conversations, car doors, and anti-social/public disorder issues caused around licensed premises within Caerphilly, and do not want further extension of these problems into surrounding residential areas. In addition there is likely to be an increase in the levels of litter around the premises, not only from customers but also from the site itself as had occurred at the brewery's previous site in Torfaen. We are also concerned at the lack of privacy, both in our home and garden, as well as to other adjacent properties, as these premises are directly opposite. Any usage of on-street CCTV would be an imposition.

### **Surrounding Amenities**

Whilst possibly not directly related to the licence application but rather linked to use of the site, has any consideration been given by the council of additional strain on public amenities within the area? The drainage system has several times been affected by rainwater overflow, the amount of water being utilised by the brewery may well affect a poor drainage system which is already failing to cope with its current usage. How will the council address this problem?

We strongly object to this licensing premises application and request the application be rejected in its entirety rather than any consideration of reduced hours/usage etc. In addition to the licencing application is there any council involvement i.e. planning regarding the use of premises? As local residents we have had no consultation in the change of use of the premises, the siting of a brewery within a residential area in itself brings additional issues such as noise, smell and rat infestation.

Please forward a copy of our objection to our local councillors for their consideration and feedback.

Yours sincerely,

Dr. Paul Brown & Mrs. Brigid Brown

**Dicks, Annette**

---

**From:** DONOTREPLY@caerphilly.gov.uk  
**Sent:** 06 August 2020 13:26  
**To:** WWW: Licensing  
**Subject:** Website Contact --- Licensing and permits

**Name -**  
Kirsty Luff

**Email Address -**  
[REDACTED]

**Phone Number -**  
[REDACTED]

**Date Submitted -**  
06/08/2020 13:26:09

**Message -**

I would like to object to the proposed Brew Monster pub in Lon y Lyn. As a resident of [REDACTED] I am concerned about the levels of noise and anti-social behaviour which will be right behind my house. It is also very close to Twyn School, and school children will have to see drunk people milling outside when coming out of school, which is totally unacceptable. Yours sincerely, Kirsty Luff, [REDACTED]

---

**Reference -**

**NB** This is an automated email sent to inform you of a contact made via the website. Please do not reply to this email.

**Morgan, Lee**

---

**From:** Emma Blewden [REDACTED]  
**Sent:** 09 August 2020 23:00  
**To:** WWW: Licensing  
**Subject:** Re: Premises Licence Application-Brew Monster Brewing Company Ltd, Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Dear Sir / Madam

I would like to raise my objections to the Planning outlined for the change in operation of 1 Lon-Y-Twyn from Plumbsave to Brew Monster.

Firstly as a parent of children attending Twyn School, I would like to raise my concerns regarding the traffic and parking problems that already exist at the location. Lon-Y-Twyn and Eastview are always problematic where parking is concerned, this is throughout the working day, but considerably worse between the hours of 8am and 9.30am and again from 2pm to around 3.45pm. During these mentioned times, the traffic and parking is such a problem that there have been major safety concerns brought to the school's attention as well as the police. Many parents park on double yellows on both sides of the road causing obstructions. They also take up residents parking slots regardless of them being permitted only bays. I have personally witnessed an incident where a delivery lorry had huge issues turning out of Lon-Y-Twyn into Eastview and then from Eastview onto Southern Street. The lorry driver had to get out of the cab and attempt to search for a number of parents who had parked and were causing an obstruction. I personally feel that this issue should be addressed in the first instance before consideration given to opening a brewery where there will likely be several deliveries each week. Does it really need to take an accident or injury to a child before this problem is considered?

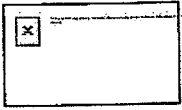
My second concern is that of the safety of the children at the school. There are already a plethora of public houses and restaurants within Caerphilly town and several in the immediate vicinity. Having witnessed first hand, some of the disorderly behaviours of customers of these public houses, I am concerned that this will set the wrong example to my children and other young children at the school. Having also witnessed posts relating to other brewmonster sites, encouraging excessive alcohol consumption, it raises further concerns regarding anti-social and irresponsible behaviours both on brew monsters' part and of their customers. I also worry it has significant potential to become a safeguarding issue given the proximity and view of the school playground. Do we really need a pub that is close to the school with direct line of sight? A place where potential predators can observe? It genuinely is a worry!

My third concern is that of second hand smoke. Young children will be walking past the potential site from 3pm until as late as 6.10pm (when the after school club finishes). Whilst the bar suggests they will be open to the public from 5pm, they still plan to run corporate events from midday onward and will still require an outdoor smoking area.

My final concern is that of the residents. I have read the noise assessment and don't feel this is a good enough report. It states in the report that further direction was sought from the council in terms of this, but that no one was available. As such a basic noise assessment has been carried out. I would like to request that a thorough assessment be carried out prior this going ahead. I also feel that a full environmental health assessment should be carried out since the change in business premises will now include a brewery as opposed to just a bar.

I feel quite irritated that these plans were not placed on CCBC website earlier, or that parents of children at the schools were given ample notice to raise their objections. I also feel irritated that brew monster clearly have confidence that this will be going ahead since they have already begun taking delivery of vats, kegs and brewing equipment alongside claiming the address and registering this business with google. It gives me the impression that they have already been given a "nod" to go ahead with their plans!

I look forward to hearing your response  
Emma Blewden  
Managing Director



[Redacted]  
[Redacted] Caerphilly, CF833ED  
[Redacted]  
[Redacted]

On Fri, 7 Aug 2020 at 07:53, WWW: Licensing <[LICENSING@caerphilly.gov.uk](mailto:LICENSING@caerphilly.gov.uk)> wrote:

Dear madam

Thank you for your message of 6<sup>th</sup> August 2020 regarding the above.

I would be much obliged if you could submit your representations/objections in writing by email/letter by 10<sup>th</sup> August 2020 to the licensing department.

Your representations/objections must relate to one of the four licensing objectives, being prevention of crime and disorder, public safety, prevention of public nuisance or protection of children from harm.

Regards.

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 866750

✉ [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk) [licensing@caerffili.gov.uk](mailto:licensing@caerffili.gov.uk)

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Gallwch ohebu mewn unrhyw iaith neu fformat. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.  
Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

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Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhowch wybod i reolwr eich system. Nodwch fod

**Helps, Tracey**

---

**From:** DONOTREPLY@caerphilly.gov.uk  
**Sent:** 05 August 2020 13:20  
**To:** WWW: Licensing  
**Subject:** Website Contact --- Licensing and permits

**Name -**  
Kate Smith

**Email Address -**  
[REDACTED]

**Phone Number -**  
[REDACTED]

**Date Submitted -**  
05/08/2020 13:19:45

**Message -**

I would like to raise an objection to the alicense/permit application and development of the brewery and bar at Lon-y-Twyn in Caerphilly. I am not happy with the location as it is close to the primary school which my son attends, and I do not think it is an appropriate location for a new brewery to be located. Some of the things that come to mind are an increase in rubbish and bottles, along with people visiting this establishment during school hours. It is a residential area, rather than part of the main part of town, which seems a strange place to choose to locate a bar.

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I'm also not happy that this has been pushed through whilst the schools are not open and are already having to put their limited resources elsewhere into dealing with the effects of the Covid-19 pandemic. Yours sincerely, Kate Smith

**Reference -**

**NB** This is an automated email sent to inform you of a contact made via the website. Please do not reply to this email.

**Morgan, Lee**

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**From:** Charlotte Ford <[REDACTED]>  
**Sent:** 07 August 2020 15:34  
**To:** WWW: Licensing  
**Subject:** Premises Licence Application-Brw Monster Brewing Company Ltd, Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Dear sir/madam,

I would like to put in writing my objection to the proposed licence for the Brew Monster Brewing Company at Unit 1 Lon y Twyn for the reason of protection of children from harm.

As a mother of two children at Twyn Primary School I object to the licence being granted.

I believe that allowing a brewery/bar so close to the Twyn Primary School could allow anti-social behaviour in full view of the children at the Twyn School. Children could be subjected to adults drinking during the day and the potential behaviours that comes with that scenario. For example inebriated people passing the school yard whilst children are at play, potential foul language, loudness, rowdiness and general behaviour that is scary to children (and quite frankly adults too). Inebriated people could also attempt to approach/talk to the children as they are in such close proximity. The school perimeter is made from metal bars and so there is no barrier to viewing, listening to, being approached or even physically touched by people frequenting the brewery/bar which is so close by. Children should be protected from not subjected to this.

In addition the proposed brewery/bar will in all likelihood lead to more litter in the streets near the school. Aside from the usual rubbish from a licenced venue it could also encourage users of recreational drugs and the rubbish that is associated with such behaviour. Children attending the Twyn School should not be subjected to this.

Finally I have concerns over strong nuisance smells that a brewery will surely emit. How are children supposed to learn or play if their air quality is affected? Such odours can cause headaches or nausea. Again, children should be protected from not exposed to this.

Kind regards,  
Charlotte

-  
Charlotte Ford  
Manager  
MCM, FIAM

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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Note: [REDACTED]

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**Morgan, Lee**

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**From:** Clive Newbury [REDACTED]  
**Sent:** 10 August 2020 00:14  
**To:** WWW: Licensing  
**Subject:** Objections to application by Brew Monster Brewing Co.Ltd re. Unit 1 Lon Y Twyn  
 Caerphilly  
**Attachments:** Monster App CCBC.docx

**Re: Licensing application from Brew Monster Brewing Co.Ltd for Unit 1, Lon Y Twyn,  
 Caerphilly CF83 1NW**

Dear Sirs,

We wish to strongly object to the above application on the following grounds.

1. Public nuisance – customers leaving at 11pm (2am on Christmas and New Years days) often do so with excessive noise and no consideration for residents in the surrounding area. This is already the case from the existing pubs and clubs in the Caerphilly town area. It also brings with it a litter problem.

The Town Centre, in particular the area surrounding the cenotaph and the bandstand, is the subject of regular dispersement orders for young people. As this is a retail outlet I have no doubt that these issues will be exacerbated by alcohol consumption. After all it will be quite easy for an 18 year old within this environment to purchase alcohol for distribution to all ages

2. Noise pollution – Music is to be played from opening time until closing at 11pm (2am on Christmas and New Years days). This is totally unacceptable. Residents of North View Terrace, in particular, are already subject to this from the [REDACTED] situated on the corner of the road and have been for many years. Even tonight I could have marked my own bingo card from the games being played within the [REDACTED] with all windows open and the doors left ajar the noise carries significantly. Last night [REDACTED] was being told to go home as she had to 'pick up the kids in the morning' – this screamed from the entrance to the Club down the road. Several older males were discussing their drinking prowess and this is only the repeatable stuff we hear most nights. Not to mention the car driven by someone over the limit leaving the club into our front wall or the gentlemen who smashed into the power pole bringing it crashing down across the front of our houses and leaving us without power from several hours. Gates have been removed and left in the middle of the road along with numerous plant pots big and small! Thank goodness no one was killed or injured in either event. You should be more responsible and promote other activities than imbibing alcohol! As far as we are aware there is no reminder to respects residents and keep the noise down, nor is this a concern or policed by any of the establishments. We have no faith that the situation will remain unchanged by any new establishment Even more so since the reopening after Lockdown when, every day of the week, excessive noise/music can be heard from the 'outdoor garden area'.

3. Location - The planned pub will overlook some properties on East View and ALL the North View Terrace properties. It is also within 100 yards of these properties and also two other drinking establishments, the Municipal Club ( the old Boars Head) and The Stable on the corner of Van road (the old Wheatsheaf). Youths congregate in the back lane to North View Terrace which is private property owned by the 5 houses there for a variety of things eg drugs, sex and opening of stuff nicked from the Castle Court shops, and our properties and cars have been damaged on regular basis. Who will police this?

Caerphilly also has at least nine other pubs, four of which (the Kings Arms, the Court House, the Piccadilly and the Cwtch) are within 2/300 yards of the proposed pub. Does Caerphilly really need another public house?!-especially with an off-license facility promoting on-street drinking.

Twyn Primary school and pre-school are close by (50 yards) and a new child care facility has already been approved in the same location 200 yards away. This makes the application totally unacceptable in our eyes.

Further to the above I find it disheartening that the applicant has already filled the properties' small car park with brewing equipment and barrels. Smacks of a done-deal to us!

There has also been an 'article' (free advertising) in the Caerphilly Observer containing the words 'opening soon' '£3 a pint –come and drink us dry'. While at the same time saying how it's going to help regenerate things for young people post-covid. Very classy establishment this will be.

Caerphilly County Borough Council please, please do something for the Caerphilly tax payers for a change and not for the CCBC coffers!

Regards

Clive and Kim Newbury Owner/occupiers since [REDACTED]  
Caerphilly [REDACTED]

Tel. [REDACTED]

Sent from [Mail](#) for Windows 10



**Morgan, Lee**

---

**From:** Sue Gulwell <[REDACTED]>  
**Sent:** 07 August 2020 19:40  
**To:** WWW: Licensing  
**Subject:** Objection to brewery caerphilly

Dear Sir/Madam

I would like to object to the proposal of a new brewery establishment where plumbsave was located in caerphilly town centre.

The reasons for my objections are:

The establishment would be too close to the school- The Twyn

The traffic congestion due to the school and businesses already located is high and deliveries and patrons would exasperate the issue.

There are numerous drinking establishments already in caerphilly and a lot close by the location. There is no need for such another establishment.

Anti social behaviour and mess as seen from other such establishments would be bad for the children and residents of the area.

Many thanks  
Suzanne Gulwell

**Morgan, Lee**

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**From:** Caroline Holbrook [REDACTED]  
**Sent:** 07 August 2020 16:09  
**To:** WWW: Licensing  
**Subject:** Objection

I wish to object against the planning application for a licenced brewery at Unit 1, Lon y Twyn, Caerphilly CF83 1NW.

I wish to object on the ground that it is too close to the Twyn nursery, infants and junior school. I am worried about any harm that may come to them through drunken behaviour. I also feel it gives the wrong impression to the children. They could witness inappropriate and abusive behaviour.

Yours faithfully

Mrs C Holbrook  
[REDACTED]

**Morgan, Lee**

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**From:** Jan Ford [REDACTED]  
**Sent:** 10 August 2020 00:26  
**To:** WWW: Licensing  
**Subject:** Application for Licence to premises Brew Monster Brewing Company, Unit 1, Lon y Twyn, Caerphilly. CF83 1NW

Without prejudice

Dear sir/madam

I would like to put in writing my objection to the proposed licence for Brew Monster Brewing Company, Unit 1, Lon y Twyn, Caerphilly. CF83 1NW on the following basis:

1. safeguarding the children who attend the school
  2. children on their way home from school witnessing adults drinking in the afternoon giving the impression that to enjoy life as an adult alcohol is necessary
  3. if children attending the school feel that witnessing any bad behaviour during their childhood effected them negatively (flashbacks etc) in any way they can sue up until 3 years after their 18th birthday. As a ratepayer I object to anything that could negatively effect the local authority, as it would be CCBC's fault as they have the power to refuse the licence.
  4. Outside all pubs there is a greater incidence rate of pollution from recreational drugs, litter, spilled beer, vomit, noise, lewd behaviour, foul language, rowdiness and general anti social behaviour.
- 
5. Pollution from a brewing process in an already highly polluted area. Recently it was proposed to close Mountain Road for 6 months to lower the pollution levels between the Cenotaph, White Street, the beginning of Bartlett Street and the base of Mountain Road as when traffic accelerates to navigate these hills a higher rate of pollution is expelled via all exhausts.
  6. There is already an overload of licenced premises in that area, ie The Muni, Caerphilly Social, Bar 57. The result is that parents who don't want their children to pass licenced premises on their way home from school will face difficulty, as at the moment they can walk down Lon y Twyn and cross over into the car park, thus avoiding The Muni, Bar 57 etc.
  7. Parking is already a problem in this area and whilst drinkers shouldn't drive, they can drive to a pub, park their car and then if they drink in excess of the legal limit get transport home and pick up their car the following day, increasing the parking problem.

Regards

Janet Ford

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Sent from my iPad

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**Morgan, Lee**

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**From:** James Harris [REDACTED]  
**Sent:** 09 August 2020 19:24  
**To:** WWW: Licensing  
**Cc:** James Harris  
**Subject:** Objection to Application for a Premises Licence by Brew Monster Brewing Company  
Unit 1 Lon y Twyn Caerphilly CF83 1NM

Mr & Mrs J A Harris

[REDACTED]  
Caerphilly  
[REDACTED]

6<sup>th</sup> August 2020

Dear Sirs,

**Re: Application for a Premises Licence,  
Brew Monster Brewing Company, Unit 1, Lon y Twyn, Caerphilly, CF83 1NW**

We strongly object to the above application for the following reasons:

1

**Position of Premises**

~~The premises are on a residential street facing us, and backing directly onto seven houses, situated alongside on Lon~~  
y Twyn, East View, Southern Street and North Terrace plus other properties within close proximity, in particular The Twyn Junior Infants school, to those directly adjacent. If licence is granted, there will be increased access and use of the street and surrounding area by proposed brewery staff and customers in what is a quiet residential area the majority of the time, thus affecting access for residents. Within a 100 metre radius of the site, there are already SIX other licensed premises for onsite sale/provision of alcohol and food, there is no need for further ingress into the neighbourhood, the position of these premises is taking licensed businesses off the 'high street' and into residential areas. Public access to premises is directly off the street on a narrow path, if people congregate at this point (ie smoking) then pedestrian flow is affected.

2

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**Unsociable Hours and frequency of business**

We do not want a licensed premise on the street. The application is for 11 hours of alcohol sales/drinking onsite per day, 7 days per week which is extremely excessive within a residential area, never mind proposal until 2am on Christmas Eve and New Year's Eve. In addition, proposed timings also impact upon the area where the very close

proximity of the Twyn School means children are passing by these premises throughout the day and for after-school access. This area gets very busy due to the one way system around the split site of the 500 pupil Twyn School on East View and Southern Street, additional people/vehicles will add to this.

3

### **Parking**

Intensified use of the area will lead to increased travel into a vicinity which has extremely limited parking facilities (1 hour controlled parking on Lon y Twyn and East View) and already has problems of access and parking for residents being close to the town centre and the school. Access to the area is predominantly private vehicles, as public transport is limited at the times of the proposed licensing hours. Within the past week since Brew Monster began to install materials onsite, (Please refer to pictures enclosed ) obviously in expectation of supply to the public, with this parking has increased as other business users have vacated the empty piece of land. Access, particularly to rear parts of properties is already affected by people parking illegally on lanes and public paths. Currently, at peak school times, roads become gridlocked with parents picking up/dropping off children at the school. These parents disregard many road markings and highway disciplines and vehicles frequently pass the wrong way up the street to escape the gridlock. If any surveys have been undertaken at time of the application, the impact of the COVID-19 virus will give a false-impression of 'usual' access with the school closed.

4

### **Increased Noise/Litter/Nuisance**

Licensed premises will bring increased noise with people entering and exiting premises as well as the proposal for playing of recorded music inside the premises. Noise in this area carries a long way due to acoustics of the surrounding buildings and the natural landscape. As well as noise pollution there is an increased likelihood of public nuisance and possible crime/disorder which could affect public safety and adjoining properties. The opening in the last year of a new business (ACT Training) which backs onto Lon y Twyn/East View, immediately resulted in disorder/criminal access as in the first week police were called to adjoining properties with an individual illegally entering one house and several gardens causing criminal damage. As members of Caerphilly Street Pastors we are well aware of the night-time economy and the noise, conversations, car doors, and anti-social/public disorder issues caused around licensed premises within Caerphilly, and do not want further extension of these problems into surrounding residential areas. In addition, there is likely to be an increase in the levels of litter around the premises, not only from customers but also from the site itself as had occurred at the brewery's previous site in Torfaen. We are also concerned at the lack of privacy, both in our home and garden, as well as to other adjacent properties, as these premises are directly opposite. Any usage of on-street CCTV would be an imposition.

2

**Surrounding Amenities**

Whilst possibly not directly related to the licence application but rather linked to use of the site, has any consideration been given by the council of additional strain on public amenities within the area? The drainage system has several times been affected by rainwater overflow, the amount of water being utilised by the brewery may well affect a poor drainage system which is already failing to cope with its current usage. How will the council address this problem?

We strongly object to this licensing premises application and request the application be rejected in its entirety rather than any consideration of reduced hours/usage etc. In addition to the licencing application is there any council involvement i.e. planning regarding the use of premises? As local residents we have had no consultation in the change of use of the premises, the siting of a brewery within a residential area in itself brings additional issues such as noise, smell and rat infestation.

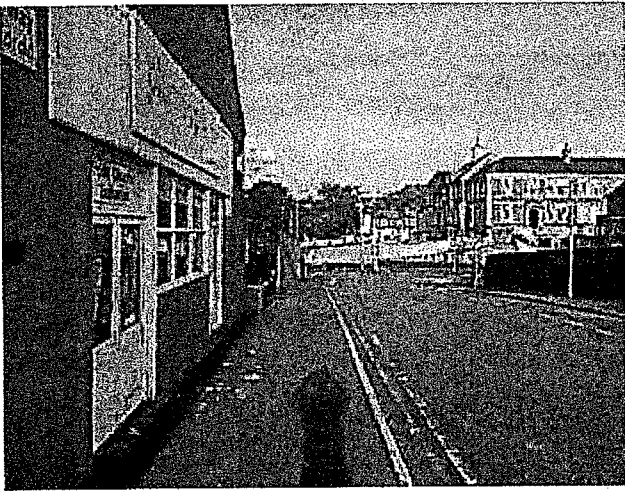
Please forward a copy of our objection to our local councillors for their consideration and feedback.

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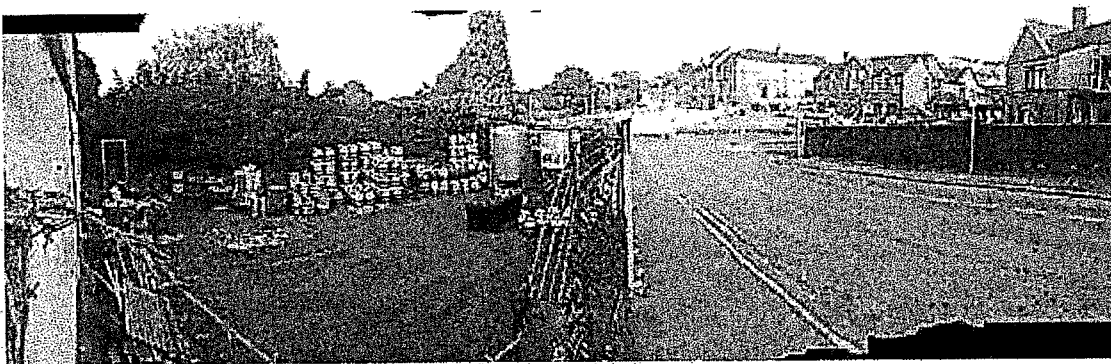
Yours sincerely,

Mr J A Harris & Mrs A C Harris

Proposed premises overlooks school, adjacent to and overlooking residential property to the right East View residents.



In expectation of supply to public.  
Storage facility of kegs without legal right





Already unsightly unsanitary strewn litter has appeared on the premises from emptied bins. Attracting rats etc.



Sent from [Mail](#) for Windows 10



**Morgan, Lee**

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**From:** Cllr. Kent, Stephen  
**Sent:** 10 August 2020 13:08  
**To:** WWW: Licensing  
**Cc:** Hopkins, Kathryn; Morgan, Lee  
**Subject:** Brew Monster. 1 Lon Y Twyn

I'd like to register my objection against the Brew Monster application for a premises license at 1 Lon Y Twyn, Caerphilly.

I've received numerous phone calls and emails on this matter and all are concerned with the problems associated with having a Licensed premises so close to Twyn School and adjacent residential properties. As Chair of Governors at the school, I have spoken to the Head Teacher about this, he agrees that a bar this close to the school does not seem like the best place. I would love to see a micro-brewery and bar in Caerphilly Town but knowing the link between alcohol and ASB, I feel in this instance the wellbeing of neighbouring residents and the school should be prioritised. If the application were to be granted and problems began to appear, it would be more difficult to deal with any issues.

Kind regards  
 Steve

**Cllr Stephen Kent**

Cynghorydd Sir - Martin Sant | County Councillor - St Martins  
 Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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✉ [kents@caerphilly.gov.uk](mailto:kents@caerphilly.gov.uk) [kents@caerffili.gov.uk](mailto:kents@caerffili.gov.uk)

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Gallwch ohebu mewn unrhyw iaith neu fformat. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

Correspondence may be in any language or format. Corresponding in Welsh will not lead to any delay.

**Morgan, Lee**

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**From:** Cllr. Elsbury, Colin  
**Sent:** 09 August 2020 15:36  
**To:** WWW: Licensing  
**Subject:** FW: 1 Lon Y Twyn Caerphilly CF83 1NW  
**Attachments:** Brew Monster Advert.jpg; Brew Monster Facebook status.docx

I am forwarding attachments from a resident I relation to a licensing application by Brew Monster in relation to 1 Lon Y Twyn.

I am formally against the application.

I do not think that the building is suitable for a bar/entertainment venue, it's made of corrugated tin and any noise from it is amplified.

The building is less than 10metres from houses/a residential area and would have a detrimental impact on the locality. It is not in-keeping with the surrounding area.

It is less than 20metres from a Primary School and due to a new road closure agreed by local members, Lon Y Twyn will be the only access to that area. There already exist major problems with parking and congestion. Deliveries to and from the proposed site will only make this worse.

Given the wording of the Facebook attachment herein I do not believe that the proprietors of Brew Monster exhibit the type of behaviour that warrants granting of a license. The drink till you drop attitude beggars belief, it encourages binge drinking. This lead to anti-social behaviour and has lasting long term effects on people's health. How can CCBC honestly grant a license knowing that this is the type of behaviour Brew Monster promote?

Regards,

**Cllr Colin Elsbury**

Cynghorydd Sir - Martin Sant | County Councillor - St Martins  
 Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** Kathryn Jordan [mailto:kathryn.jordan@caerphilly.gov.uk]

**Sent:** 08 August 2020 22:21

**To:** WWW: Licensing; Cllr. Elsbury, Colin; Cllr. Fussell, James E; Cllr. Bevan, Phil J; Cllr. Kent, Stephen; Powell,

Carwyn; Martin Williams

**Subject:** 1 Lon Y Twyn Caerphilly CF83 1NW

Good evening

I am writing on behalf of my mother, Mrs. Marjorie Tilley, of [REDACTED] Caerphilly.

Tonight on their Facebook page, Brew Monster have announced that they are leaving their current premises and will soon be opening "a brewery and microbar at 1 Lon Y Twyn Caerphilly CF83 1NW." (see attached photo).

I am furious that this company has the arrogance to assume their license and planning application will be approved. Have they had information that their application will be approved? I can only assume they have been told by somebody that this will definitely go ahead, as otherwise I am incredulous at their presumption.

My 83 year old mother will be right next door to this brewery and microbar (the application I have previously seen mentions nothing about a brewery). The smell, noise, disruption and inconvenience will be intolerable. It is not the right location for a bar or brewery. There is a very real possibility of an increase in crime and disorderly behaviour in this quiet residential area. The location opposite Twyn Junior School is entirely inappropriate.

The applicant responded to residents' initial objections to say they were determined to have a good impact on the area. This is clearly nonsense as they have done everything possible to push their agenda, paying scant regard to county protocol. The applicant's response to our initial objections was to claim that their bar attracted a more discerning clientele and they sold beer at significantly higher prices than the local Wetherspoons, so therefore any antisocial and drunken behaviour would not occur. Their Facebook posts prove different.

In a Facebook post on 20th March, Cardiff residents were urged to "drink the bar dry" on beer that was reduced to £3. Customers were urged to come down to drink everything at significantly reduced prices. A customer asked when would they shut? Their response was "when the bar has been drunk dry". What is to stop them doing this in Caerphilly if their license and planning application is approved?  
I have attached their Facebook posts.

The company is making statements of fact about their business opening soon at the Caerphilly address. No residents to my knowledge have even received a formal notice of application. Something has gone very badly wrong here and on behalf of my mother and other residents, I urge this application to be denied.

Kind regards  
Kath Jordan

**Thomas, Joanne**

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**From:** [REDACTED]  
**Sent:** 16 July 2020 21:42  
**To:** WWW: Licensing  
**Cc:** Morgan, Lee; Hopkins, Kathryn  
**Subject:** Re: Licensing Act 2003 – Application for a Premises Licence-Unit 1, Lon y Twyn, Caerphilly, CF83 1NW

Hi Tracey

Thanks for sending these across. We are determined to have a positive impact on the town centre and surrounding area, and to be a good neighbour to all the local residents. I have read through all the comments and would like to propose a number of amendments and clarification which I hope will address the concerns raised.

We would be happy to reduce our opening hours to remove Sundays and bank holidays as requested by the planning department to address their concerns.

We would also be happy to reduce our weekday opening hours to only serve alcohol after 4pm to avoid any alcohol being served/consumed while children are in attendance at the local school.

I would note that noise is something we are very conscious of and have appointed a specialist noise consultant to survey the site and local area and they will be producing a report that will form part of a planning application for the site. The bar areas will be fully insulated as part of the refurbishment of the property which will substantially reduce any noise pollution from the venue. In addition the noise consultants will be supplying us with recommendations on how to mitigate any noise and we will endeavour to implement these recommendations.

We would point out that there are several other licensed venues in very close proximity to our venue, most notably the municipal club, and this venue operates an outdoor beer garden, karaoke nights and is open until 11:30pm on some days. The incremental impact of our venue in terms of noise, which is entirely contained indoors and will be fitted out to modern insulating standards, will be negligible in comparison.

No alcohol will be consumed outdoors and therefore we do not believe there is any risk of litter in the surrounding area. Alcohol sold as off sales will be as takeaway sales for consumption at home. The products we will be selling for takeaway (off sales) will be premium products with high prices (as much as £5-£6 per 440ml can). Therefore we consider it extremely unlikely that this activity would result in street drinking in the local area which could result in litter. All waste generated within the bar will be stored safely in the adjacent yard and removed weekly.

Claims that our venue will generate unsociable behaviour are completely unfounded. We operate several bars and have never had any instances of anti social behaviour or violence across any of our venues. Our venues are aimed at attracting clientele that, on average, consume fewer units of alcohol and occupy the venue for shorter periods of time compared to pubs such as Wetherspoons who serve lower quality beer at significantly lower prices.

Our request for extended hours on Christmas Eve and New Year's Eve represents less than 1% of the total days the venue will be open across the year. We would be willing to forego the extended hours on Christmas Eve and just seek the extended hours on New Year's Eve as a compromise.

I do not believe that parking is an area of relevance to Licensing, however this is also something that we are very conscious of and have taken steps to address. We have already engaged a specialist transport consultant to review our plans for the site and the local area, and these findings will be submitted in the form of a report alongside a planning application for the premises. We anticipate that the report will show that the venue will have a very minimal impact on traffic. We will also of course endeavour to implement any recommendations in the traffic report that would serve to reduce any impact we may have on the area. We will encourage and expect that customers will

travel to our venue by foot or public transport due to the consumption of alcohol, and staff will be required to park in the adjacent yard or travel by foot/public transport so as not to generate any incremental parking on the street.

To address the specific concern raised by a resident about urination in a nearby lane. We will of course have toilets available in the premises for the use of all customers and we will install outdoor CCTV (subject to obtaining any necessary permissions). I would also reiterate that the nature of customer that we will attract are highly unlikely to conduct such behaviours in the vicinity of the premises.

Also, following discussion with a member of the police licensing team, we plan to join the local Pubwatch scheme as an additional measure to prevent anti social behaviour.

I would be more than happy to speak/meet with any concerned residents or responsible authorities to address their specific concerns and to give them a greater understanding of our business' values and the nature of Licensed premises we operate.

Thank you

Glenn White  
Managing Director  
Brew Monster Ltd

On 16 Jul 2020, at 4:38 pm, WWW: Licensing wrote:

Good afternoon Mr White

I refer to your application of 13<sup>th</sup> July, 2019 for a Premises Licence in accordance with the above Act. I would advise you that representations have been received from other responsible authorities and residents under the above Act. Copies of these representations are attached.

Please note that the representations from other responsible authorities and a number from residents of which, some personal information has been redacted, however, we would draw your attention to the following:

Data Protection Act 1998:

The Council has gained consent from those individuals who have made representations regarding your licence application to supply their representations to you. We would remind you that you must treat personal data of these individuals confidentially, and that legal action may be taken against you if you were to breach the Data Protection Act. Further information on the Data Protection Act can be found at: <https://ico.org.uk/for-organisations/business/>.

Unless the representations from other responsible authorities and residents can be mediated, the Licensing Authority will have to convene a hearing of the Licensing and Gambling Sub Committee. You are advised to consider how you may address the concerns of the residents and responsible authorities and return your comments to me at your earliest convenience in order that they can be forwarded to the parties.

Should you have any queries in relation to the above, then please do not hesitate to contact me.  
Regards.

**Tracey Helps**

Swyddog Trwyddedu | Licensing Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhowch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdur yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddifrod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn.

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We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.

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**1. Introduction and Background**

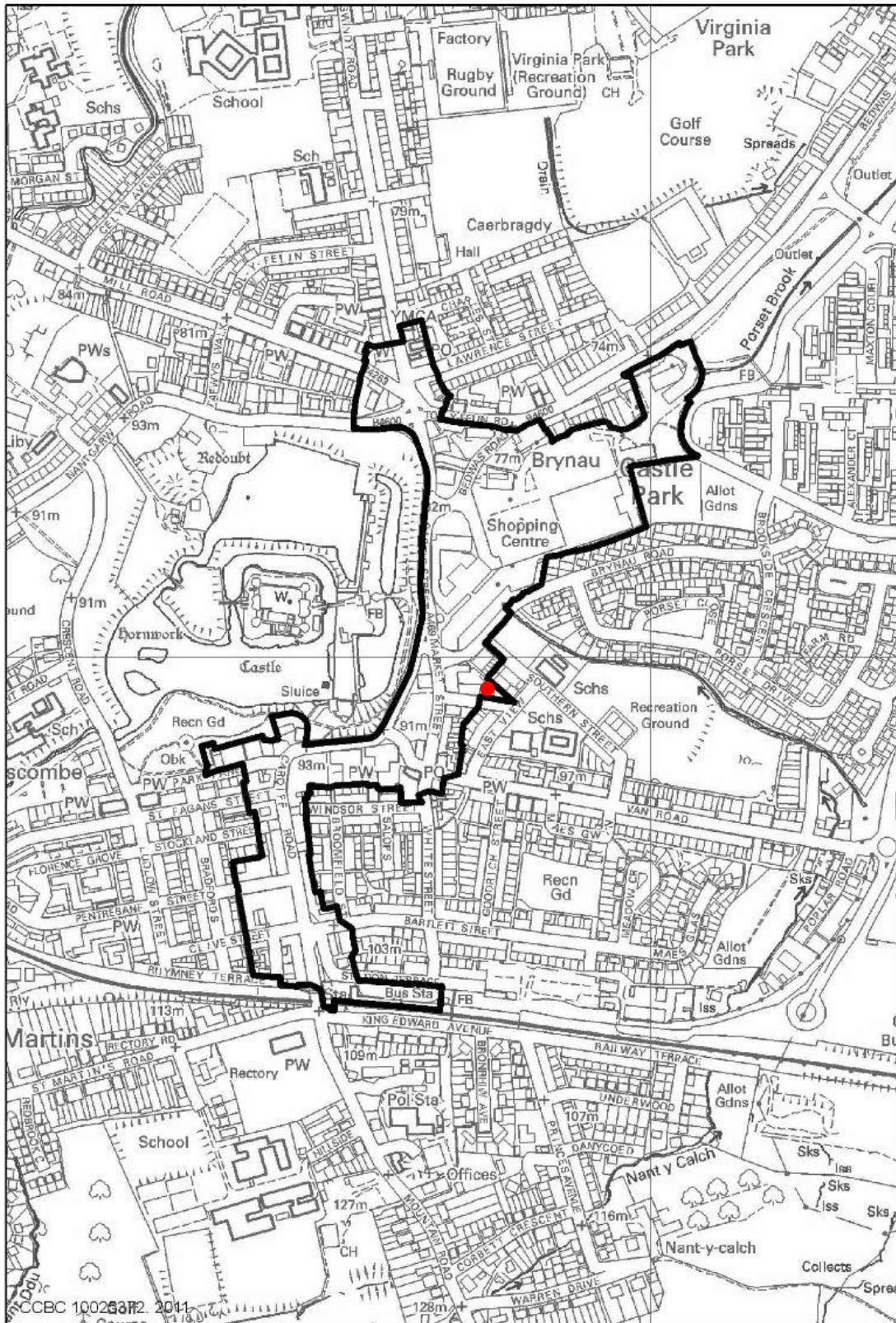
**1.1 Report Author**

This report has been produced in its entirety by Glenn White, director and shareholder of Brew Monster Group and proposed Designated Premises Supervisor (DPS) for the site in question.

Whilst we at Brew Monster could have engaged a specialist licencing consultant or legal experts to compile this report and to represent the company at the Licencing Committee hearing, we believe in honesty and transparency, and for this reason we have compiled the report ourselves and we remain committed to working with local residents and interested parties to address their concerns and ensure our business can exist without having a detrimental impact on the surrounding areas.

**1.2 Site Location**

To clarify an assumption made by several respondents that the property is located in a residential area. This is not the case, the property is located inside the Caerphilly Principal Town Centre Boundary as shown on the following map taken from the Local Development Plan. Whilst this does not mitigate the concerns raised, it is an important point to be noted and the application should be considered within this context.





### **1.3 Storage of Brewing Equipment on Site**

Several respondents noted that some brewing equipment had already been moved to the site, and interpreted this action as us having already received some kind of confirmation from the council that we will get the licence. To clarify this is certainly not the case. We have made efforts to keep in close contact with the council over the past 2 months since we first starting planning this project, including the licencing team and planning team, but no such assurances have ever been given. We remain subject to the same level of scrutiny (arguably more due to the high level of objections received and publicity given to the project) as any other applicant.

The reason behind the moving of equipment to the site is simply that we were required to vacate our previous brewery site in Cwmbran when the lease expired on 31 July 2020. We had the option to extend the lease on the Cwmbran property for another 3 years, but given our commitment to moving the business to Caerphilly, we opted to hand back the keys and move the remaining equipment to the new site on Lon Y Twyn. To date the site has been purely used to store the equipment. No brewing or sales of alcohol have taken place at the site to date, and we do not intend to commence these activities until all necessary permissions are granted.

## 2. Summary of Objections Raised

The objections raised by respondents covered 15 specific concerns, as summarised in the table below. Each of the concerns are addressed in the next section of this report.

Respondents	Concerns Raised in Representations														
	Noise	Proximity to School	Litter	Anti-Social Behaviour	Parking / Traffic	Child Safety	Opening Hours	Smell	Smoking	Proximity to Residents	Public Urination	Drug Use	Pest Control	CCTV / Privacy	Drainage / Utilities
Blewden	Y				Y	Y			Y						
Booth	Y		Y			Y	Y								
Brightman	Y		Y				Y	Y				Y	Y		
Brown	Y	Y	Y		Y		Y							Y	Y
Dulaimi		Y							Y						
Ford, J	Y		Y	Y	Y	Y		Y				Y			
Ford, C		Y	Y	Y				Y				Y			
Gulwell		Y		Y	Y										
Harris	Y	Y	Y	Y	Y		Y	Y					Y	Y	Y
Helps	Y								Y		Y				
Holbrook		Y				Y									
Jackson	Y			Y						Y					
Jordan	Y	Y						Y		Y					
Khdairy	Y	Y		Y		Y		Y							
Luff	Y	Y		Y											
Newbury	Y	Y	Y												
Newhouse	Y				Y		Y			Y					
Robinson	Y		Y							Y	Y				
Smith		Y	Y												
Swales	Y	Y		Y	Y						Y				
Tilley	Y		Y	Y		Y	Y								
Walker		Y	Y	Y					Y						

### 3. Responses to Objections Raised

#### 3.1 Noise

One respondent suggested that we intend to hold open mic nights at the premises, based on their research conducted on the Brew Monster Facebook page. To clarify, we have no intention of holding open mic nights or live music and this has not been included within the licencing application.

2 respondents objected on the grounds of noise due to the premises being an old warehouse building with little/no sound insulation. It is true that the property in its current state is in poor condition and sound would emanate from the premises and impact on residents. However, we have and continue to work very hard with our architect, noise consultant and relevant authorities (e.g. building control) to ensure that our designs and plans will substantially improve the functionality of the building and prevent any noise egress that would impact upon residents. Specific features have already been added to our designs following recommendations from the noise consultant, such as an “air lock” or porch entrance to the bar which ensures that the bar area does not open directly onto the street allowing noise to escape from inside the bar. In addition, the full bar area will be insulated to the required building regulations ensuring noise is contained within the building.

#### Noise Assessment Conducted by Independent Experts

Inacoustic, an independent third party, were commissioned to assess the impact of potential noise arising from the proposed micro-brewery and tap house. The following is a summary taken from the report:

*The assessment considers the potential noise generation from the Proposed Development, with respect to existing sound levels in the area. The assessment methodology contained in British Standard 4142: 2014+A1: 2019 Method for rating and assessing industrial and commercial sound has been used in conjunction with supplementary acoustic guidance.*

*The assessment identifies that plant associated with the Proposed Development will give rise to rating noise levels that are substantially below the measured background sound level in the area, at the assessed residential receptors, thus giving rise to a Low Impact.*

*The assessment also identifies that no significant change in ambient sound level will be engendered as a result of the Proposed Development in its proposed and assessed form, at residential receptors.*

*The potential effects of deliveries to/from the Proposed Development, as well as potential worst case noise escape from the tap room element have also been considered and demonstrated to be of a low impact.*

*Since the Proposed Development conforms to British Standard and other relevant requirements, it is recommended that noise should not be a considered constraint to the approval of this Planning Application, subject to the measures described in this report.*

A copy of the full report can be obtained by contacting Glenn White at [glennwhite@brewmonster.co.uk](mailto:glennwhite@brewmonster.co.uk)

#### 3.2 Proximity to Twyn School

Our previous brewery unit in Cwmbran which also had a bar was also very close to a primary school, in fact closer than the proposed site is to Twyn School. No concerns were ever raised by the school or parents of children attending the school and we have never had any instances of anti-social behaviour, or complaints about noise at the bar.

### **3.3 Litter**

At no time will we serve beer in open containers for consumption outdoors (i.e. street drinking). Signage to this effect will be in place near the entrance/exit to explain that no beer may be taken outdoors, and staff will be trained to speak to anyone that does not follow these rules. Where necessary, staff will be empowered to refuse service or refuse entry to those customers who break the rules. As no alcohol will be consumed outdoors we do not believe there is any risk of litter in the surrounding area from on-site alcohol consumption.

As a business we believe that the best place to enjoy a beer is in the company of friends/family at a friendly pub/bar. But we know this isn't always convenient, and that many people enjoy consuming beer at home. It is for this reason that we seek permission for off-sales to allow people to purchase packaged beer (cans, bottles, microkegs) for consumption at home. The products we will be premium products with high prices (as much as £5-£6 per 440ml can). Therefore we consider it extremely unlikely that this activity would result in street drinking in the local area which could result in litter. Street drinking is generally associated with lower priced products as sold through supermarkets, off licences etc. We are a very different type of establishment to these businesses.

All waste generated within the bar will be stored safely in the adjacent yard and removed weekly.

### **3.4 Anti-Social Behaviour**

Claims that our venue will generate unsociable behaviour are completely unfounded. We operate several bars and have never had any instances of anti-social behaviour or violence across any of our venues. Our venues are aimed at attracting customers that, on average, consume fewer units of alcohol and occupy the venue for shorter periods of time compared to pubs such as Wetherspoons who serve lower quality beer at significantly lower prices.

Also, following discussion with a member of the police licensing team, we plan to join the local Pubwatch scheme as an additional measure to prevent anti-social behaviour.

Staff will be trained and empowered to refuse service or entry to the venue to anyone that exhibits anti-social behaviour. As a business we are determined to maintain high standards within our venues and would not allow a small minority of trouble-makers to undermine our reputation and business.

### **3.5 Parking / Traffic**

I do not believe that parking is an area of relevance to Licencing, however this is also something that we are very conscious of and have taken steps to address. We have already engaged a specialist transport consultant to review our plans for the site and the local area. We will also of course endeavour to implement all recommendations in the report that would serve to reduce any impact we may have on the area. We will encourage and expect that customers will travel to our venue by foot or public transport due to the consumption of alcohol, and staff will be required to park in the

adjacent yard or travel by foot/public transport so as not to generate any incremental parking on the street.

A Technical Note was prepared by Asbri Transport Ltd to support our proposed redevelopment of 1 Lon-Y-Twyn, Caerphilly. The report provided information on the trip generation and parking requirement which could be associated with the proposed development. The following is a summary of the conclusions taken from the report:

- 1) The site has a large residential catchment of around 24,000 residents within 2km walking distance.*
- 2) The site is highly accessible by all modes of sustainable transport including on foot, by bicycle, by bus and by rail.*
- 3) The site has good parking provision within the vicinity of the site for both staff and customers.*
- 4) The site can accommodate all servicing within the adjacent servicing yard which can be accessed safely.*
- 5) It is likely that many of the trips associated with the site will be either linked, pass-by or diverted trips that are already present on the local highway network.*

A copy of the full report can be obtained by contacting Glenn White at [glennwhite@brewmonster.co.uk](mailto:glennwhite@brewmonster.co.uk)

As is evident from the summary included above, it was concluded that the proposed use of 1 Lon Y Twyn will not have a detrimental impact on the location from its proposed use as a brewery and bar.

### **3.6 Child Safety**

We will be operating very strict age controls to ensure that no one under the age of 18 is able to obtain alcohol from our premises. The Child Protection Officer for the county has requested specific conditions and we have already accepted all of those conditions and will adhere to them vigilantly.

It should be noted that the children attending the nearby Twyn School are significantly younger than the legal drinking age of 18, and therefore it is highly unlikely that any pupils of the school would attempt to visit the premises to obtain alcohol.

As we are not seeking a licence for any outdoor space, and given the layout of the premises (very small frontage relative to the size of the premises and inclusion of an air lock / porch entrance), it is unlikely that any children travelling to/from the school would come into contact with any of our customers.

### **3.7 Opening Hours**

We have previously offered to restrict our opening hours in an attempt to address the concerns of residents and interested parties, however this was rejected by those parties. We remain open to constructive conversations regarding opening hours, and we will keep opening hours under constant review if and when we are granted a licence to ensure that we do not have any adverse impact on local residents and pupils/parents attending the school.

### **3.8 Smell**

Due to the small size of our brewing equipment (750 litres) and the fact the brewing equipment is high specification and fully sealed, there is very little escape of odour from the process. Any odour that escapes would be contained within the production area of the premises.

### **3.9 Smoking**

We will adopt a very strict no smoking policy inside the premises, and a smoking shelter will be provided in the adjacent yard for those customers that wish to smoke. We are strongly against anyone smoking directly outside our premises on the public footpath.

The Municipal Club that backs onto our property have adopted a similar approach and their smoking shelter is only several metres from our venue and the proposed location for our smoking shelter.

Customers will not be permitted to take drinks outside to the smoking shelter.

### **3.10 Proximity to Residential Properties**

2 of our 3 existing bars have residential properties directly above them. One of the bars is a 4 storey period property in central Cardiff, with our bar on the ground floor and flats directly above. The other bar is on the ground floor of a large residential block of flats with flats directly above. Those bars open longer hours and have larger capacities than the proposed bar at Lon Y Twyn and yet we have never had any complaints of noise, anti-social behaviour, or any complaints of any nature. The proposed bar will be insulated to a better standard (more modern materials and better layout design e.g. airlock entrance) than the current building at 1 Lon Y Twyn and our other bars, and is separated by a minimum of 20m+ from residential properties.

### **3.11 Public Urination**

To address the specific concern raised by a resident about urination in a nearby lane. We will of course have toilets available in the premises for the use of all customers and we will install outdoor CCTV (subject to obtaining the necessary permissions). I also reiterate that the nature of customer that we will attract are highly unlikely to conduct such behaviours in the vicinity of the premises.

### **3.12 Drug Use**

As previously referenced, the nature of customers that we intend to attract to our venue are unlikely to use drugs. Staff will be trained to identify and deal with any potential use of drugs and we will operate a zero tolerance policy with regards any individuals that break our rules on drug use. We have never had any issues with drug use at our existing venues.

### **3.13 Pest Control**

Full pest control procedures and controls will be in place at the venue, including a maintenance contract with a specialist pest control company. This will form part of our HACCP and operating procedures.

### **3.14 CCTV / Privacy**

As part of our proposed conditions for the licence we proposed installing CCTV that will cover all areas indoors (excluding the toilets). We are also proposing to cover the area immediately outside our premises as a deterrent against crime or anti-social behaviour. No CCTV would be directed towards residential properties in order to ensure residents' privacy is not compromised.

### **3.15 Drainage / Utilities**

Some respondents were of the belief that our brewery would be disposing of high volumes of liquid into the drainage system. This isn't the case. We have very little wastage from the brewing process, and as a result the volume of beer going into the drainage system will be very low. Some water and cleaning product will enter the drainage system during the cleaning process.

#### **4. Actions we will take to uphold the Licencing Objectives/Conditions**

Several respondents questioned our motives and ability to “police” the actions of customers attending our establishment. To be clear, if we were to experience issues such as public urination, litter, anti-social behaviour from customers leaving the venue, we would initially speak to those customers to urge them to respect local residents and to uphold our rules. If customers continued to flaunt the rules, then we would ban them from the premises.

Of course we are a commercial enterprise and it is necessary for us to generate income through sales of beer in order for the business to survive. However, we are taking a long term view and would put the amenity of local residents and our reputation in the town (as a good neighbour / drinking establishment) above short term profitability. Therefore any suggestions that we would not adhere to the conditions of our licence (if granted) and/or seek to sell cheap beer in an attempt to drive short term profitability are totally unfounded. I would also add that this is not just my personal view as director of the company, but is also the culture of our business. I have witnessed first-hand how our staff adhere to these same principles in our other venues.

As I have previously communicated to respondents, I remain ready and willing to speak directly to any concerned residents or interested parties about their concerns. This will continue in the future if and when a licence is granted, and any local residents are very welcome to contact me directly to report any issues that arise in the vicinity of the venue and I offer a personal promise to act on those reports.