



## LICENSING AND GAMBLING SUB COMMITTEE

MINUTES OF THE DIGITAL MEETING HELD VIA MICROSOFT TEAMS ON MONDAY 26TH  
OCTOBER 2020 AT 10.00 A.M.

PRESENT

Councillor D.W.R. Preece – Chair

Councillors:

W. David, J.E. Roberts

Together with:

L. Morgan (Licensing Manager), R. Furnage (Licensing Officer), T. Rawson (Solicitor),  
R. Barrett (Committee Services Officer)

### **Representing the Applicant**

Mr W. Brinkley (on behalf of Wattsville Community Group)

### **Representing Gwent Police**

PC D. Allen

### **Representing the Licensing Authority**

A. Dicks (Assistant Licensing Manager)

### **Representing Trading Standards**

T. Keohane (Senior Trading Standards Officer)

### **Representing Other Persons**

Mr S. Latham & Mrs R. Latham (Local Residents)

## **INTRODUCTION AND RECORDING ARRANGEMENTS**

The Chair welcomed all those in attendance and introductions were made. The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View](#)

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from K. Jennings (Environmental Health).

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the beginning or during the course of the meeting.

**3 DETERMINATION OF PREMISES LICENCE APPLICATION - SPORTS GROUND PAVILION, WATTSVILLE RECREATIONAL GROUND, ISLWYN ROAD SOUTH LANE, WATTSVILLE, CROSSKEYS NP11 7QH**

The Legal Advisor to the Sub Committee outlined the procedure for the meeting, including the order of representations and the opportunities for all parties to ask questions.

Mr Lee Morgan (Licensing Manager) presented the report and outlined the application submitted by Wattsville Community Group for a new premises licence located at the Sports Ground Pavilion, Wattsville Recreational Ground, Islwyn Road South Lane, Wattsville, Crosskeys, which sought to permit the following Licensable Activities:-

**Supply of Alcohol (on sales only)**

Monday, Tuesday, Thursday and Friday, 19:00 to 23:00; Wednesday, 19.00 to 23.00; Saturday, 12.00 to 23.00; Sunday, 12.00 to 20.00.

**Recorded Music (indoor only)**

Monday, Tuesday, Thursday and Friday, 19:00 to 23:00; Wednesday, 17.00 to 23.00; Saturday, 12.00 to 23.00; Sunday, 12.00 to 22.00.

A number of steps had also been volunteered by the applicant as part of the Operating Schedule, to promote the Licensing Objectives, and were set out in the report.

It was noted that during the consultation process, representations were received from Gwent Police, Licensing Authority in their role as Responsible Authority, Trading Standards and the Environmental Health Officer Noise Team, who advocated conditions which were subsequently accepted by the applicant, and were essentially satisfied with the applicant's ability to promote the Licensing Objectives. No representations were received from the Fire Authority. Relevant representations were also received from two households who were objecting to the licence being granted, and full details were appended to the Officer's report.

Attention was drawn to the local policy considerations as set out in the report and to the way in which the Sub-Committee would deal with the application. Members were referred to the recommendation set out in the Licensing Manager's report, which recommended that the application for a premises licence be granted subject to conditions, given the lack of objections to the application from Responsible Authorities.

All parties present were afforded the opportunity to ask questions of the Licensing Manager and representations were then invited from the applicant, Mr Wayne Brinkley (representing Wattsville Community Group)

Mr Brinkley summarised the nature of the application and explained that the licence had been applied for by the trustees of the Wattsville Community Group in order to allow them to hold events at the pavilion, such as children's parties and post-football functions on Saturdays.

All parties present were afforded the opportunity to ask questions, and representations were then invited from Responsible Authorities.

PC Dan Allen confirmed that Gwent Police had made representations as set out in the meeting papers, which would assist in the promotion of the 4 Licensing Objectives, and that the applicant had agreed to all conditions proposed by Gwent Police.

All parties present were afforded the opportunity to ask questions, and PC Allen responded to a query from the local residents present on the responsibilities of the licence holder in respect of customer management.

Representations were then invited from the Licensing Authority as a Responsible Authority. Mrs Annette Dicks (Assistant Licensing Manager) confirmed that the Licensing Authority had

advocated a number of conditions as set out in the meeting papers to promote the Licensing Objectives, in particular the prevention of public nuisance, and these conditions had been agreed by the applicant.

There were no questions received for the Licensing Authority and representations were then invited from Trading Standards.

Mr Tim Keohane (Senior Trading Standards Officer) confirmed that Trading Standards had suggested the addition of conditions relating to staff training to prevent underage sales in order to improve the operating schedule and meet the Licensing Objective relating to the Prevention of Children of Harm. It was noted that these conditions had been accepted by the applicant and there were no questions received for Trading Standards.

The Sub Committee noted that Environmental Health had given apologies for the meeting, and noted the details of their representation as set out in the meeting papers

Representations were then invited from local residents Mr and Mrs Latham, who summarised their objections to the application, which included concerns around the potential for loud music to be heard from the pavilion and possible anti-social behaviour as a result of events held at the premises. They explained that they had concerns around the management and control of the premises and also had queries around the usage of the pavilion and the number of days applied for.

Mr Brinkley responded to the concerns raised by Mr and Mrs Latham and explained that any music would usually be played through a CD player so should not be audible from their property, and that for instances where a DJ was hired for parties, the volume would be kept at a manageable level. He also confirmed that contact details for the trustees would be made available via the community group's Facebook page, and offered to send the list to Mr and Mrs Latham following the meeting.

The Licensing Manager highlighted the responsibility of the licence holder to manage the premises in a suitable way and drew the Sub Committee's attention to the legislation surrounding the licensable activities and the avenues available to concerned parties to mitigate any potential issues.

In response to queries from the Sub Committee, Mr Brinkley confirmed that there would be 1 or 2 members of staff on duty for each event and that CCTV had been installed at the premises.

The Sub Committee also noted the written representation from another local resident as set out in the meeting papers.

All parties were afforded the opportunity to sum up before the Licensing and Gambling Sub Committee retired to make its decision. The Licensing Manager, Responsible Authorities, local residents and Mr Brinkley summarised their representations to the Sub Committee.

The Legal Advisor informed all parties present that the Sub Committee would retire to consider the representations made at the meeting and they would be informed in writing of the decision in the next 5 days.

The Sub Committee retired at 10.35 a.m. to make its decision and all other parties left the meeting.

Following consideration of the application for the grant of a new premises licence for the Sports Ground Pavilion at Wattsville Recreational Ground, Islwyn Road South Lane, Wattsville, Crosskeys, and having regard to the Licensing Manager's report and all the representations made, the Licensing and Gambling Sub Committee unanimously

RESOLVED that the application be granted in accordance with the operating schedule set out at section 1.3 of the Licensing Officer's report and subject to the conditions set out at section 1.10 of the Licensing Officer's report. For ease of reference, these are appended to the minutes.

In making their decision, the Sub Committee considered all four Licensing Objectives, the Licensing Act 2003, revised Home Office Guidance and Caerphilly Council's Licensing Policy.

The Sub Committee gave weight to the lack of objection from any of the Responsible Authorities and the proposed conditions appeared sufficient to the committee to address the concerns touching on the prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm. The Sub-Committee accepted that the proposed conditions, based on the consultation between the Responsible Authorities and the Applicant were proportionate.

The Sub Committee considered the written and verbal submissions made on behalf of the objecting local residents. Whilst the Sub Committee accepted that the various concerns raised are of importance to the residents, the majority of the objections did not touch on the four pillars (prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm) which are pivotally relevant to determining the application. The Sub Committee took into consideration that the licensable activities are a new use of the building subject of the application and that concerns as to problematic behaviour is largely speculative.

The Sub Committee were satisfied that the conditions proposed within the report adequately safeguard the resident's concerns within the remit of the Licensing Act 2003. In reaching such decision the Sub-Committee took into account the statutory guidance and Caerphilly County Borough Council's Licensing policy. The Sub Committee were satisfied that any issues arising beyond the remit of the Licensing Act 2003, which were a concern to the objecting residents, would be adequately protected via other legislation, Council departments and the police.

The decision notice advised that any person aggrieved by the decision had the right to appeal to the local Magistrates Court within 21 days from the date of written notification of the decision.

The meeting closed at 11.10 a.m.

### Section 1.3 of Licensing Report - Operating applicable to licence

- **Supply of Alcohol (on sales only)**  
Monday, Tuesday, Thursday and Friday, 19:00 to 23:00  
Wednesday, 19.00 to 23.00  
Saturday, 12.00 to 23.00  
Sunday, 12.00 to 20.00
- **Recorded Music (indoor only)**  
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Wednesday, 17.00 to 23.00  
Saturday, 12.00 to 23.00  
Sunday, 12.00 to 22.00

### Section 1.10 of Licensing Report – Conditions applicable to licence

- CCTV shall be in use at the premises.  
Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed, it shall be fully operational by the grant of the licence.  
The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place;  
  
The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority;  
  
The correct time and date will be generated onto both the recording and the real time image screen;  
  
If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified;
- The premise licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;
- There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.
- An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation.
- The premises supervisor, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.

- Children must be accompanied by a responsible adult.
- All children shall vacate the premises by 22:00 hours & notices to be displayed to this effect.
- Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour they will be told move away from the vicinity. Notices will be displayed to this effect.
- No bottles, cans or glasses are to be taken outside & notices to be displayed to this effect.
- No waste or bottles should be moved to external areas between 23:00 and 08:00.
- All staff/members who serve alcohol to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, 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.
- 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.
- The premises licence holder shall ensure that an 'incident / refusals' logbook in a bound book is kept, in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.
- 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.
- The premises licence holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste.