

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 Gwener, 2 Gorffennaf 2021

Annwyl Syr/Fadam,

Bydd cyfarfod o'r **Is-bwyllgor Trwyddedu a Gamblo** yn cael ei gynnal trwy Microsoft Teams ar **Dydd Iau, 8fed Gorffennaf, 2021** am **10.00 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 cyfieithu ar y pryd yn cael ei ddarparu ar gais.

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 yr 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

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.

Atgoffi'r Cyngorwyr 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 Cyngorwyr a Swyddogion.

A greener place Man gwyrddach



I dderbyn ac ystyried yr adroddiad canlynol:-

- 3 Penderfynu ar Gais am Drwydded Safle - Holistic-Services, Huntermoon, tu ôl i Dynevor Terrace, Nelson CF46 6PD.

1 - 70

Cylchrediad:

Cynghorwyr W. Williams (Is Gadeirydd Llywyddu), P.J. Bevan a Mrs D. Price

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. 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 neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio griffd2@caerffili.gov.uk neu ffoniwch 01443 863028.



LICENSING AND GAMBLING SUB COMMITTEE – 8TH JULY 2021

SUBJECT: DETERMINATION OF PREMISES LICENCE APPLICATION

REPORT BY: LEE MORGAN LICENSING MANAGER

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1. Application Details –

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Nicola Richardson Anderson	Huntersmoon Holistic Services r/o Dynevor Terrace Nelson CF46 6PD	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&1a**.

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

Photographs of the Premises are reproduced for Members as **Appendix 2a**.

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 Sunday, 08:00 to 23:00.

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. No tolerance of anti social behaviour.
2. Join Pub Watch scheme.
3. Operate a Challenge 25 policy.
4. Ask clients to leave quietly on time.
5. Monitor level of alcohol units.
6. If drunk and disorderly refuse serving.
7. Correct training for staff.

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:

The following responsible authorities have indicated that they have no representations in respect of the proposed new premises licence:-
Fire & Rescue Service, Planning, Environmental Health (Commercial Safety Officer) and Public Health Wales.

Trading Standards

Document	Date Received	Appendix Reference
Initial Representation	05/05/2021	Appendix 5

Children's Services

Document	Date Received	Appendix Reference
Initial Representation	17/05/2021	Appendix 6

Environmental Health

Document	Date Received	Appendix Reference
Initial Representation	01/06/2021	Appendix 7

Police

Document	Date Received	Appendix Reference
Initial Representation	04/06/2021	Appendix 8

Licensing Authority in role as Responsible Authority

Document	Date Received	Appendix Reference
Initial Representation	11/06/2021	Appendix 9

1.5.2 Other Persons:

Residents

Document	Date Received	Appendix Reference
Resident A Representation	08/06/2021	Appendix 10a
Resident B Representation	08/06/2021	Appendix 10b
Resident C Representation	26/05/2021	Appendix 10c
Resident D Representation	28/05/2021	Appendix 10d
Resident E Representation	05/06/2021	Appendix 10e
Resident F Representation	08/06/2021	Appendix 10f
Resident G Representation	10/06/2021	Appendix 10g

1.6 SUMMARY OF REPRESENTATIONS

Trading Standards have proposed that staff/members who serve alcohol are trained in the prevention of underage sales and that training be updated when necessary and documentation of said training be available for inspection by an authorised Licensing Officer or constable. The Trading Standards Officer advocates that a 'Challenge 25' policy to be in place and that Staff be vigilant regarding proxy sales.

The Child Protection Officer, like Trading Standards have proposed conditions requiring staff/members who serve alcohol are trained in the prevention of underage sales and that training be updated when necessary and documentation of said training be available for inspection by an authorised Licensing Officer or constable. The Child Protection Officer advocates 'Challenge 25' policy to be in place and Staff to be vigilant regarding proxy sales.

Environmental Health (Pollution Team) have proposed that disposal of bottles and recyclable materials should only take place between 09.00 and 22.00 and no consumption of beverages in the outside areas after 22.00.

Gwent Heddlu Police have proposed a condition to prevent consumption of alcohol to outside the front of the main building. The Police advocate CCTV to be in use at the premises which covers the outside areas and specify coverage of the system in place and the ability of staff to download images at the request of any authorised officer of the Licensing Authority or a constable. Clear signage must be in place regarding CCTV.

The Police propose conditions to prevent Glass bottles to be taken from persons leaving the premises and no consumption of beverages in outside area after 22.00 with notices displayed to this effect, the exception being smokers using the outside area.

The Police advocate that the premises supervisor, manager or other competent person shall manage any the outdoor areas to ensure that customers do not behave in a noisy, rowdy, or offensive manner and a requirement for Notices displayed asking customers to leave premises quietly. Furthermore, the Police have advocated an Incident/refusals book to be kept with details of incidents recorded. The records shall be kept for a period of 12 months.

The Licensing Authority have proposed that the premises be cleared of customers within 30 minutes of the last supply of alcohol.

Resident A (and residents below) oppose the application and expresses a view that a licence for the sale of alcohol between the hours of 08.00 – 23.00, 7 days a week is a contradiction of what the surrounding area is for. Reference is made to the entrance to the property being shared with 2 residential properties and an all-day alcohol sales licence does not fit with a residential area.

Resident B expressed a concern that a new licensed premise may increase public nuisance for residents and a risk of public disorder from intoxicated members leaving the premises. Furthermore, access to a private driveway, an increase of footfall and traffic to a quiet area resulting in parking issues and an increase of refuse will increase in an increase of pests.

Resident C commented that the licensing objectives could not be promoted by granting a licence to this premise, in particular the prevention of crime and disorder. Concern is expressed about existing noise nuisance, littering and anti-social behaviour. Comment is made about the applicant's intention to sell alcohol 8.00 to 23.00, 7 days a week at the premises, which the resident alludes would be detrimental to its aims and objectives.

Resident D detailed concerns that if a licence is granted it will result in excessive noise and disturbance during the evening being detrimental to sleep and the Public right of way/lane being used as a toilet. Comment was expressed that Holistic Services (healing services) being in 'opposition' to the sale of alcohol.

Resident E feels that enabling this premise to sell alcohol would be detrimental to the licensing objectives, and would add additional crime and disorder, noise, littering and anti-social behaviour. The resident expresses concern in respect of opening hours and urges council to refuse licence.

Resident F commented upon the proximity of this premises to their property which could increase public nuisance and possibly put childrens' safety at risk as they play in the lane adjacent to the property.

Resident G raised a concern about public safety in relation to joint usage of the driveway leading to the premises and access to emergency vehicles.

1.7 APPLICANT RESPONSE

Document	Date Received	Appendix Reference
Response to Resident c	28/05/2021	Appendix 11a
Response to Resident d	03/06/2021	Appendix 11b

Response to Resident b	17/06/2021	Appendix 11c
Response to Resident e	17/06/2021	Appendix 11d
Response to Resident a	29/06/2021	Appendix 11e
Response to Resident g	29/06/2021	Appendix 11f

The applicant has responded to a number of the resident representations. In responding to resident c, the applicant details the success with businesses setting up such as Yoga, Thai Spa, Education Spiritual events etc during the pandemic and details that they wish to offer Conference room Meetings, Local Farm Style Cafe Shop, Activities and events such as Psychic fares, Social groups Christmas parties and Fine Ale or wine with meal as opposed to being a walk in pub.

Responding to resident d the applicant comments that there are no intentions to revert the use of the premises back to a social club.

The applicant responded to Resident b's concerns on 17th June 2021. In this response, the applicant detailed that she would adhere to all objectives put forward by the responsible authorities. The applicant detailed that the property has been upgraded to what was a very run down premises and believes that this has added value to other properties. The applicant comments on the location of the Wellness centre not being in a cul-de-sac and detailed that there was approximately 60 meters of land between the business and resident B's property.

The applicant indicated that Public disorder issues will be dealt with as per objectives put forward and in accordance with the law. The applicant acknowledged an increase in traffic but that guidance from highways/planning was being adhered to. The applicant indicated that no issues had been reported, the premises is located within its own boundaries. The applicant stated she had sought legal advice and detailed that she is the owner of the land and allows resident B the right of way access only, resident B has a responsibility to contribute to the maintenance of access allowed to them. The applicant states that a fire risk assessment/fire evacuation will be carried out by a competent person to conform to fire regulatory reform (fire safety) order 2005.

Responding to Resident e, the applicant indicated that the premises would not be a public house, the alcohol consumption will be an option for the Spa area as well as conference and retreat area along with cafe. The same comments are made to Resident a, together with an offer to visit the premises to view the same. The applicant indicates that there are no plans to return the premises to that resembling activities of former social club.

Responding to Resident g, reference is made to the site being a wellness centre and responds to concerns in relation to access to the site and rear lanes to neighbouring premises.

The Applicant has responded and agreed to the proposed conditions by the Police, Licensing Authority in role as a responsible authority, Environmental Health, Trading Standards 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, (Pollution Team), Trading Standards and Child Protection Officer have all advocated conditions, which have been agreed by the applicant.

The Fire Authority offered no representation comments in relation to the application and therefore appear to be satisfied for the purpose of access to the premises. (Access to emergency vehicles being an issue raised by objectors)

The Responsible Authorities (RA's) therefore appear to be 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.

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.

Representations making objections to the granting of the premises licence have been received from 7 residents. National Guidance at paragraph 9.9 states *'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.'*

Paragraph 28.21 of the council's licensing policy details *'Relevant representations about applications can also be made by any other person, regardless of their geographical position in relation to the relevant premises. However the Licensing Authority will usually give greater weight to representations that are made by people who can demonstrate that they would be directly affected by the carrying on of licensable activities at the premises concerned.'*

However, Paragraph 14.5 of the council's licensing policy provides advice to Members when considering representations and states *'Unreasonable, frivolous and vexatious representations will be disregarded. Representations that have been made and considered elsewhere, for example as an objection to a planning application, may also be disregarded where consideration of such representations would be duplication.'*

Paragraph 16.2 of the council's licensing policy also states *'Therefore, any person is able to make representations in relation to certain types of applications as an "Other Person" However; all representations must relate to the licensing objectives and may not be frivolous or vexatious.'*

Whilst reference is made to the number of licensed premises already in the vicinity of the village, 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. Paragraph 6.1 of the council's licensing policy supports this and states *'The commercial demand for additional premises licences (as distinct from cumulative impact) will not be a matter for the Licensing Authority. These matters would be a specific consideration for the local Planning Authority taking into account the demands of the licensed trade and market demands.'*

Whilst crime and disorder concerns have been raised by residents, the Police have made no objection to the application and have instead sought, a number of conditions, that would be attached to a licence (if granted).

Concerns have been raised in respect of possible noise nuisance that could arise if a licence were to be granted, it is noted that the location of the premises lies within a mix of existing commercial and residential premises accessed by a main road. The Environmental Health Officer has made no objection and has sought only conditions having considered the application. It is noted that the Police have advocated the restriction on use of the outside area for the consumption of alcohol after 22.00hrs which has been accepted by the applicant.

Whilst it is understood that residents will be concerned by the potential for increased traffic and the lack of parking it will not be a consideration for Members of the Sub-Committee, as they are not considerations under the Licensing Act 2003.

A number of resident 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.

Advice is offered in this respect 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.*

The premises historically, a former social club however has not been licensed since the introduction of the Licensing Act in 2005 and converted into domestic usage. The applicant in her responses to residents as part of the application alludes to usage connected to persons attending the wellbeing centre, conference facility and on-site separate café as opposed to usage as a pub.

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 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.

1.10 RECOMMENDATION

Having had regard to and considered the position of the Responsible Authorities and all comments received by residents, it is recommended that the application for a Premises Licence be **granted subject to the conditions as set out Appendix 12.**

In reaching this conclusion it is noted that there are no objections to the application from Responsible Authorities.

Whilst there are objections from members of the public which give rise to concerns, as identified above, some of the concerns are in the main either outside of the control of applicant or outside of the scope of the Licensing Act regime. It is considered that any potential conflicts with the promotion of the Licensing Objectives may be adequately controlled by the recommended conditions set out in **Appendix 12.**

Background Papers:

[Statutory Guidance issued under S182 of the Licensing Act](#)
[Caerphilly CBC Statement of Licensing Policy](#)

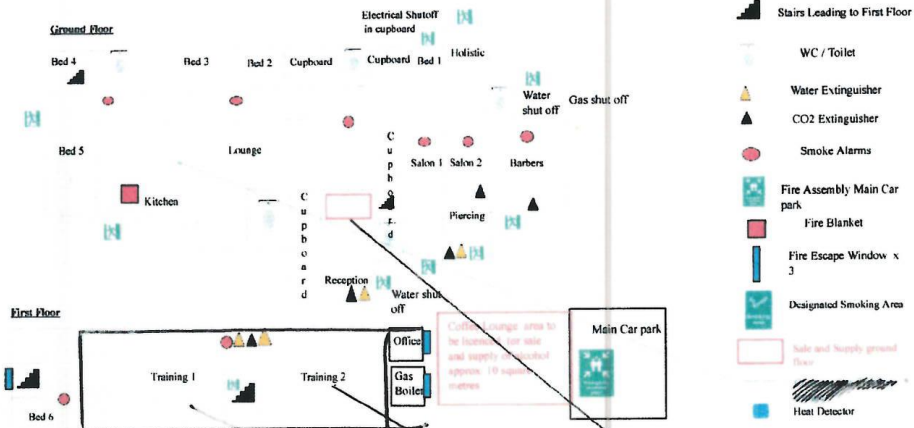
Date of this report: 29th June 2021

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https://mail.anoada.com/mail/u/2/?pbj#inbox?projector=1

04/05/2021

Holistic Services Fire Plan



Key

- Fire Exit
- Stairs Leading to First Floor
- WC / Toilet
- Water Extinguisher
- CO2 Extinguisher
- Smoke Alarms
- Fire Assembly Main Car park
- Fire Blanket
- Fire Escape Window x 3
- Designated Smoking Area
- Sale and Supply ground floor
- Heat Detector

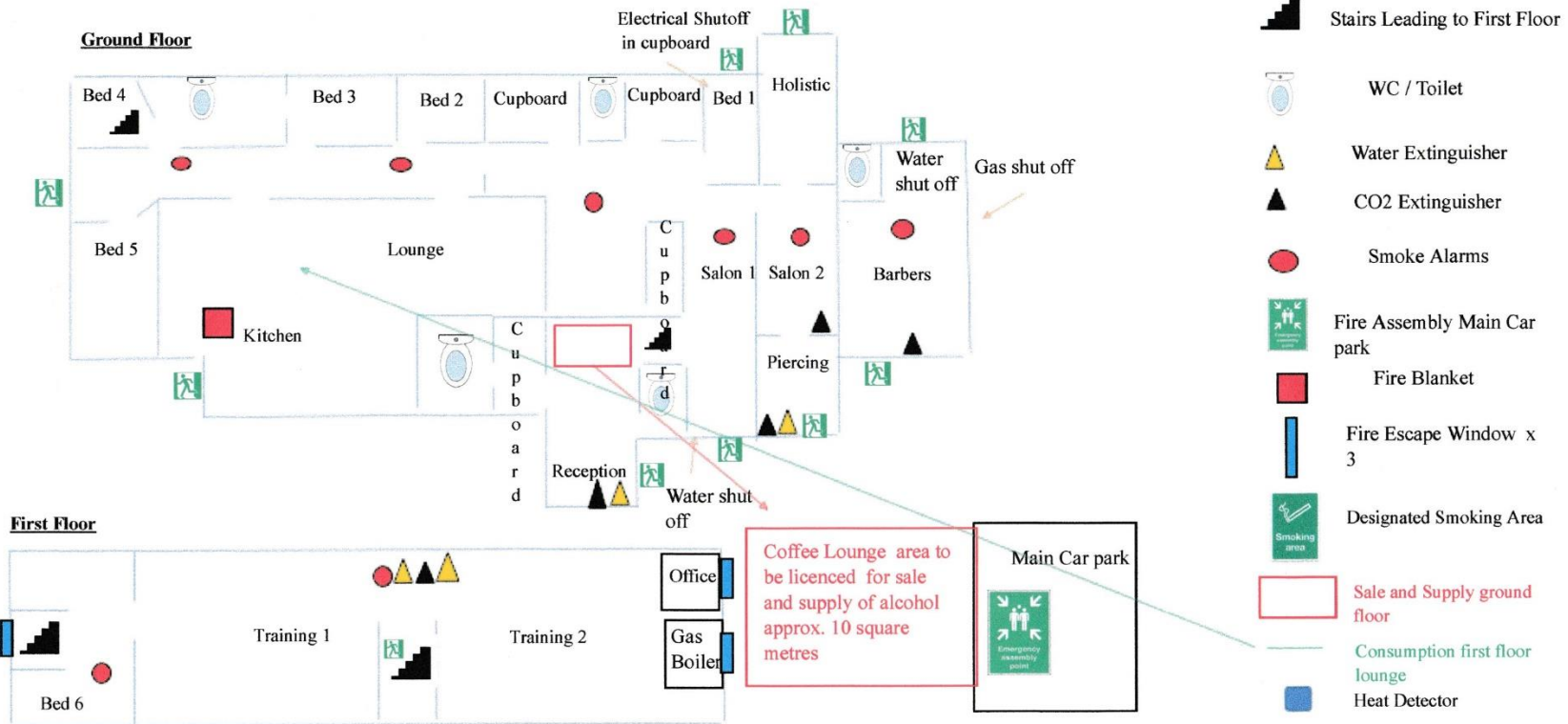
Safe By retail at Alcohol ground floor

Consumption on first floor Training Rooms 1,2

007.jpg

Gadewir y dudalen hon yn wag yn fwriadol

Holistic Services Fire Plan



Gadewir y dudalen hon yn wag yn fwiadol



Gadewir y dudalen hon yn wag yn fwiadol



Gadewir y dudalen hon yn wag yn fwriadol

Extract of Statement of Licensing Policy

5.3 When dealing with licensing hours, the Licensing Authority recognises the requirement that each application will be dealt with on its individual merits. Nonetheless, whilst the Licensing Authority does not wish to unduly inhibit the continuing development of a thriving and safe evening and night-time local economies which are important for investment and employment locally. The Authority considers that it is vital to create an appropriate balance between the economic needs of licensed premises and the rights of local residents to be able to enjoy a reasonable degree of peace and quiet at noise-sensitive times and other persons not experience early fall out of the night-time economy. To this end, the Licensing Authority is prepared to consider identifying zones in its area where hours of operation for licensable activities will be fixed. At the time of preparing this policy, no zones have been identified. However, the Licensing Authority will consider the introduction of such zones and limiting of hours for licensable activities upon receipt of representations from and following consultation undertaken with Responsible Authorities. This will be applied in the event of representations being made upon an application unless the Licensing Sub-Committee is persuaded that it would not be appropriate to apply them in the circumstances of the application.

5.5 In the event that applications are submitted which have not demonstrated that appropriate alcohol trading hours have been properly considered, it is likely that representations will be made by the relevant responsible authorities and the public. This will delay the determination of the application and result in it being referred to a Licensing Sub-Committee for determination.

5.6 Once an application, or an existing licence in the case of a review, is referred to a Sub-Committee it can be expected that the Sub-Committee will scrutinise the application or licence very carefully and arrive at a decision regarding hours. Appropriate hours will be considered to promote the licensing objectives and may even result in the refusal of the application or the revocation of a licence.

5.7 Applicants and existing licensees should be mindful of local areas where there may be a concentration of problematic drinkers or where it is known that groups of people congregated and have caused anti-social behaviour. Applicants should very carefully consider the appropriateness of selling alcohol during early morning or late evening hours.

6.1 The commercial demand for additional premises licences (as distinct from cumulative impact) will not be a matter for the Licensing Authority. These matters would be a specific consideration for the local Planning Authority taking into account the demands of the licensed trade and market demands.

10.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.

10.2 The Licensing Authority will expect operating schedules (see section 27) to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. Details of the factors that will need to be considered as part of the operating schedules are given in the Licensing Policies and matters for consideration when

deciding applications, which are attached in the annex to this policy and in the Guidance notes for applicants.

10.3 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.

11.1 Licensed premises have significant potential to impact adversely on persons living and working (including those carrying on business) in the area around the premises, and also further afield through public nuisances that arise from their operation. 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 these parties which may be disproportionate and unreasonable.

11.2 The definition of what may be considered as a potential or actual 'public nuisance' is to be interpreted in line with its broad common law meaning established through relevant case law. This is the interpretation which the Licensing Authority will apply when considering such matters. Matters giving rise to 'public nuisance' are mainly accepted to include issues relating to noise, light pollution, odour and litter. It may also arise as a result of the adverse effects of dust, insects, accumulations or any other matter which is determined to have an adverse impact on the living and working environment of other persons living and working in the area of the licenced premises.

11.3 The Licensing Authority recognises that limiting the public nuisance that may be associated with licensed premises and their operation is an important factor for health and well-being. The Licensing Authority recognises the key links to health and well-being from public nuisance in terms of disturbed sleep, stress caused by nuisance and pollution. Disturbed sleep and stress can add to residents' mental and physical health issues, and their wider wellbeing. Lack of sleep can have an impact on the immune system and can contribute to heart disease and diabetes. Lack of sleep can also contribute to anxiety and depression. Stress can contribute to anxiety and depression, and cardio-vascular diseases. Applicants should consider the potential impact their premise may have on public nuisance particularly from noise and put in place mitigating measures.

11.4 The Licensing Authority expects applicants for premises licences and club premises certificates to have made relevant enquiries and considerations about the local area before submitting their application. The purpose of this is to enable the applicant to consider the most appropriate controls for potential inclusion in the operating schedule with a view to ensuring their activities do not undermine the licensing objective with regard to the prevention of public nuisance. It is important to recognise that the impacts of licensed activity are not contained within a building. Inevitably there is a wider impact as people travel to and from the premises or congregate outside whilst it is in operation. Nuisance is best managed by careful consideration of the suitability of the selected site and any necessary mitigation at an early stage.

11.5 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. When a suitable site is identified, operating schedules should be prepared on the basis of a risk assessment of the potential sources of nuisance posed by the premises operation to those who may be impacted by their activities. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive measures to manage any potential risks.

11.6 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.

11.7 The Licensing Authority recognises that beyond the immediate area surrounding the licensed 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. However, applicants are encouraged to consider the actions they may take as a responsible licence-holder to mitigate the potential adverse impact of patrons. The operating schedule should again be used to demonstrate an understanding of the potential risks and the positive measures that may be implemented to manage such issues.

13.9 The Authority expects age verification measures to be operated by licensed premises involved in the sale and supply of alcohol to ensure the licensing objective for the protection of children is met. To support the age-verification process the Authority strongly recommended that premises have the following measures in place to ensure age verification for sales –21

- That 'Challenge 25' is supported as part of the age verification scheme established. The scheme should require the production of evidence of age from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
- That evidence of the scheme (in the form of documented procedures) is maintained and made available for inspection by authorised officers.
- That all staff involved in the sale of alcohol shall be trained in age verification schemes and proxy sales, where a person attempts to buy alcohol for a person under 18. Records of such training shall be retained on the premises and made available for inspection by authorised officers.
- That an incident log be maintained, and details of all age-related refusals recorded. This book shall be reviewed monthly by the DPS and actions taken recorded in the book and signed off by the DPS. The log shall be retained on the premises and made available for inspection by authorised officers.
- That a personal licence holder shall be on the premises at all times that alcohol is supplied.
- That the DPS shall ensure that, as far as is reasonably practical, alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods likely to be purchased by persons under 18.

14.3 Amendments to the Act has inserted the term 'other person' to replace 'interested party' as someone who can make representations, it also removed the vicinity test for residents and the specific term of councillor. This opens up the range of persons who may make representation and includes for example the following:-

- Residents living near the premises
- Persons with an interest in the premises or locality
- Local councillors
- Businesses with an interest in the premises or locality.
- Organisations with an interest in the locality, premises or licensable activities.

22 The Council will have to decide if the representation is relevant and/or reasonable, and in making that assessment will assess the person or organisation making the representation and their relationship to the premises and or vicinity.

14.4 Relevant representations will be taken as those that relate to the fundamental principles of the Licensing Act, any organisation or individual wishing to object to any application will therefore need to state whether they are doing so on the grounds of:

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

14.5 Unreasonable, frivolous and vexatious representations will be disregarded. Representations that have been made and considered elsewhere, for example as an

objection to a planning application, may also be disregarded where consideration of such representations would be duplication.

16.2 Therefore, any person is able to make representations in relation to certain types of applications as an "Other Person" However; all representations must relate to the licensing objectives and may not be frivolous or vexatious.

17.6 Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the Local Planning Authority.

25.6 The steps for consideration of licensing application, a licensing variation and a club premises certificate are: a) If no representations are made to an application, the Authority must grant it in full. Please see our website for further information www.caerphilly.gov.uk b) When an application is made, and relevant representation are made to the Authority it must hold a hearing of the Licensing Sub-Committee (unless those who have made representations agree in advance that this is unnecessary). 48 c) The Licensing Sub-Committee will then consider the evidence provided by applicants and by those making representations, the legislation and accompanying Guidance, the Statement of Licensing Policy and any other relevant data. d) The Licensing Sub-Committee will determine the application and will take any steps it considers appropriate for the promotion of the licensing objectives. e) Conditions on the licence, additional to those voluntarily offered by the applicant, may be considered. Appropriate conditions will focus on matters which are within the control of individual licensees and which also relate to the premises or places being used for licensable activities and the impact of those activities in the vicinity. If situations arise where the licensing objectives are compromised but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be issued or for the premises to continue in operation.

25.7 Conditions on a licence: • Must be appropriate for the promotion of the licensing objectives; • Must be precise and enforceable; • Must be unambiguous and clear in what they intend to achieve; • Should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation; • Must be tailored to the individual type, location and characteristics of the premises and events concerned; • Should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case; • Should not replicate offences set out in the 2003 Act or other legislation; • Should be proportionate, justifiable and capable of being met; • Cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and • Should be written in a prescriptive format.

26.1 All new and variation applications should incorporate an 'operating schedule' which outlines how the premises will be operated. This should include details of how the applicant will promote the four licensing objectives and reduce any potential negative impact from the operation of their business on the local community, depending on the type of premises, location and profile of customers. The proposals contained in the operating schedule will form the main body of the conditions to be applied to the licence, together with any applicable mandatory conditions, any conditions agreed with responsible authorities during

the application process and any conditions imposed by a licensing sub-committee where representations have been made.

26.2 In completing an operating schedule, applicants are expected to have regard to this statement of licensing policy and to demonstrate suitable knowledge of their local area when describing the steps that they propose to take in order to promote the Licensing Objectives.

27.1 The Licensing Act 2003, as amended, imposes a number of mandatory conditions on licences. The council has the power to impose additional conditions if they consider that they are appropriate for the promotion of the licensing objectives.

27.3 Applicants may offer conditions in the operating schedule as part of their application; the council may remove or reword any of these conditions if they are considered to be unclear, ambiguous or unenforceable, with the agreement of the applicant. This will ensure that all parties fully understand their responsibilities to promote the licensing objectives.

28.1 When an application is made for the grant, variation or review of a premises licence or club premises certificate, representations about the application can be made by responsible authorities or other persons. However the Licensing Authority will usually give greater weight to representations that are made by people who can demonstrate that they would be directly affected by the carrying on of licensable activities at the premises concerned.

28.5 Representations should relate to the impact of licensable activities carried on from premises on the Licensing Objectives.

28.7 Whilst the Licensing Authority expects representations to be evidence based, 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 it is recognised that in fact this would not be possible for new premises.

28.12 The Licensing Authority will accept all reasonable and proportionate representations made by the police unless it has evidence that do so would not be appropriate for the promotion of the Licensing Objectives. However the Licensing Authority will still expect any police representations to be evidence based and able to withstand scrutiny at a hearing.

28.21 Relevant representations about applications can also be made by any other person, regardless of their geographical position in relation to the relevant premises. However the Licensing Authority will usually give greater weight to representations that are made by people who can demonstrate that they would be directly affected by the carrying on of licensable activities at the premises concerned.

Gadewir y dudalen hon yn wag yn fwriadol

Extract of 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.

2.21 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.

2.26 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.

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.

8.41 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.

9.3 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.

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.



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) –

Name and Address of Applicant	Nicola Anita Richardson Anderson, Huntersmoon Holistic Services, r/o Dynevor Terrace, Nelson, CF46 6PD
Premises	Huntersmoon Holistic Services, r/o Dynevor Terrace, Nelson, CF46 6PD

Your Name	Tim Keohane	Date 05/05/2021
Job Title	Senior Trading Standards Officer	
e.mail Address	keohatp@caerphilly.gov.uk	
Contact Telephone Number	01443 811319	

Which of the four Licensing Objectives does your representation relate to?	
The Prevention of Crime and Disorder	
Public Safety	
The Prevention of Public Nuisance	
The Protection of Children from Harm ✓	

Please outline the reasons for your Representations
The application does not cover staff or members awareness on the sale of alcohol to over 18s who subsequently supply to those under 18 years of age, nor staff/members training. It is suggested that the operating schedule of the licence can be improved by the addition of the following conditions.

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	<p>The suggested conditions are as follows: SA01)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 (SA02)</p>
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	<p>(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.</p> <p>(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.</p> <p>(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.</p>
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</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 RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY– Children’s Services

Name and Address of Applicant	Nicola Anita Richards Anderson Dynever Terrace Nelson CF46 6PD
Premises	Huntersmoon

Your Name	Deborah Lewis Date 17.5.21
Job Title	Child Protection Coordinator
e.mail Address	Lewisdj1@caerphilly.gov.uk
Contact Telephone Number	01443864616

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		
The Protection of Children from Harm	✓	I have reviewed the application and I note no licensing objections have been suggested by the applicant, they allude to challenge 25 and staff training within the application. However, I believe there should be a level of monitoring and scrutiny applied and I therefore recommend the following wording and licensing conditions be considered; -

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

<p>W6.5.20 hat conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</p>	<p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</p>	<p>Yes or No 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 - Environmental Health (Noise)

Your Name	Ceri Davis
Job Title	Environmental Health Officer
Postal and e-mail address	Penallta House Tredomen Park Ystrad Mynach CF82 7PG
Contact telephone number	01443 811348

Name and Address of Applicant	Nicola Richardson Anderson
Premises	Holistic Services, R/O Dynevor Ter, Nelson CF46 6PD

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	No	
The prevention of public nuisance	Yes	Environmental Health have concerns regarding the potential for public nuisance from external patron noise & waste disposal affecting the surrounding residential neighborhood.
The protection of children from harm	No	

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account.	WM07 Activities relating to the on site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between 0900 and 2200. NP59 There shall be no consumption of beverages in any outside areas after 2200 hours.
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Are you prepared to discuss these representations with the applicant by way of mediation?	Yes or No Yes
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N.B if you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Signed:

Date: 9th June 2021

Please return this form to: Licensing Section, Caerphilly County Borough Council, Penallta House, Tredomen Park, Ystrad Mynach CF82 7PG. Or e-mail to furmar@caerphilly.gov.uk **This form must be returned within the Statutory Period.**

HEDDLU GWENT POLICE

RELEVANT REPRESENTATIONS
PREMISES LICENCE /CLUB PREMISES CERTIFICATE
or VARIATION OF THE ABOVE
S.18, 41A, 72 and 86A of the LICENSING ACT 2003

Representations by the Police to be made within 28 Days of receipt of the application.

Date application received: **04/05/2021**

Date representations sent to Licensing Authority: /21

Date representations sent to applicant:

Name of authority: **Caerphilly County Borough Council**

Premises Name and Address **Hunters Moon Holistic Services, R/O Dynevor Terrace, Nelson. CF46 6PD.**

Applicant Address: **Nicola Richardson, R/O Dynevor Terrace, Nelson. CF46 6PD.**

Gwent Police has received an application for a new premises licence under the Licensing Act 2003 in respect of the above premise. The premise was visited on Friday 4th JUNE 2021 by officers of GWENT police and the applicant Nicola Richardson was spoken to. The proposed application is to cover the main building as well as a newly restored building located to the side of the main building with a large gravel carpark at the rear of the main building and is situated in a residential area with the nearest property being some 40/50 metres away.

Gwent Police support the representations made by both the councils Trading Standards, Environmental and Child Protection team.

Gwent Police have made representations on the following grounds due to them undermining of one or more of the Licensing Objectives.

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. The Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

- 1 There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the main building of the premises.
- 2 Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour The premises supervisor, manager or other competent person shall advise them to move away from the vicinity,

3. The premises license holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an Incident/refusals logbook in a bound book which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of 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, by whom, is to form part of the entry. The log book 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 records shall be kept for a 12 month period.

4. CCTV shall be in use at the premises and covers the outside areas of the premises

(i)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 such date that the business is trading and the premises license is in place. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by the business trading date and its premises license is in place and the system be fully operational on that date;

(ii)The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards;

(iii)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;

(iv)The correct time and date will be generated onto both the recording and the real time image screen;

(v)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;

(vi)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;

(vii)There shall be clear signage indicating that CCTV equipment is in use and recording at the premises

5. The licensee shall ensure that any glass bottles or glasses are removed from persons leaving the premises.
6. No consumption of beverages in the outside area shall take place after 2200hrs and adequate notices shall be displayed to inform patrons of this requirement. The exemption being patrons using the smoking area for smoking and not consuming beverages.
7. The licence holder/DPS or responsible person shall risk assess the need for polycarbonate or toughened glasses to be used in the premises, especially for outdoor events/use.
8. The premises supervisor, manager or other competent person shall manage any the outdoor areas to ensure that customers do not behave in a noisy, rowdy or offensive manner.
9. Clear notices must be displayed at prominent points in all outside areas informing them as to the need to respect the local residents and the noise levels and when customers leave the premises.
10. The premises license holder shall ensure participation in any Pub watch scheme or similar scheme operating in the area of the licensed premises.
11. Rowdy and/or disorderly customers will be asked to leave the premises.

The afore mentioned are proposed to assist in promoting the key licensing objectives. If the applicant wishes to discuss any issues they are welcome to contact me.

PC 2066 A.Jones

Licensing Officer

OBJ 2.1

Gadewir y dudalen hon yn wag yn fwriadol



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) – Licensing

Name and Address of Applicant	Ms N A Richardson Anderson
Premises	Holistic Services, Huntersmoon, rear of Dynevor Tce, Nelson

Your Name	Annette Dicks Date 11th June 2021
Job Title	Assistant Licensing Manager
e.mail Address	dicksa@caerphilly.gov.uk
Contact Telephone Number	01443 866750

Which of the four Licensing Objectives does your representation relate to?	✓
The Prevention of Crime and Disorder	✓
Public Safety	
The Prevention of Public Nuisance	✓
The Protection of Children from Harm	

Please outline the reasons for your Representations
<p>Having regard to the location of the premises and having visited the site together with Heddlu Gwent Police, the Licensing Authority would support the representations submitted by Heddlu Gwent Police, Environmental Health, Trading Standards and the Council's Child Protection Co ordinator. Given that the hours applied for licensable activities are the same as the intended opening hours, the licensing authority however would advocate, in accordance with the Council's statement of licensing policy, a drinking up time/cooling down time to assist in the gradual dispersal of customers and consequently reduce any negative impact on the area.</p>

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	<p>The suggested condition is as follows:</p> <p>The premises shall be cleared of customers within 30 minutes of the last supply of alcohol.</p>
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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.

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

From:]

Sent: 08 June 2021 14:26

To: WWW: Licensing

Subject: Re: Holistic Services-r/o Dynevor Terrace, Nelson, CF46 6PD

Tracey,

I would like to object to the granting of the premises licence for Holistic Services.

My reasons being: -

The premises is located in a quiet residential area where many families and young children live. The granting of the sale of alcohol between 8am and 23:00, 7 days a week seems totally unjustified. Allowing the sale of alcohol on the premises for such a period is in contradiction of what the surrounding area has been developed for.

There are already many licenced premises and late night takeaways in the area to accommodate the local people.

Entry to the property includes access to two residential properties and the combination of all day alcohol sales does not fit with quiet enjoyment of a residential area.

Inevitably access and egress from the areas of Nelson will include a small right of way and a rear lane behind Dynevor Terrace. The properties of Dynevor terrace have no front gardens so none of these options are good in terms of public nuisance with late night activity for the surrounding neighbours.

Regards,

Gadewir y dudalen hon yn wag yn fwriadol

From:]
Sent: 08 June 2021 11:48
To: WWW: Licensing
Subject:

Morning Tracy,
Please see attached supporting documents relation to the alcohol license .
Kind regards
Please can you let me know if you received it. Thank you

Dear Sir/Madam, Licensing Act 2003- Application for a premises Licence, Holistic Services, Huntersmoon, Nelson, Cf46 6PD. I wish to object to the application of the above address. My objection is based on my concern that this new licence may increase the possibility of public nuisance for the many dwellings nearby .including my own. Devaluation of properties in the area, living next door or a few doors away from pub/restaurant etc will devalue your property. Visually a pub/café etc isn't in keeping with residential culdi sac. Risk of increased public disorder behaviour with intoxicated members of the leaving the premises. Increased foot fall and traffic to area which is currently a quiet area. Access is by means of private shared driveway, you share responsibility for half of the driveway, you do not give consent for anyone to use the private drive for commercial or public use, the drive is for private use only for you and neighbours to access their private dwelling only. Increased traffic to the area, will increase parking issues, congest the area, and increase wear and tear to the road. Noise pollution, residential area, (noise restrictions will already be in place 11pm etc for residential areas). Fire and health and safety concerns-can emergency services access your property or the neighbours with the street being more congested with traffic? Are there adequate turning points for a fire engine. Increased refuse results in an increased of pests. Health and Safety- access to and from the private driveway must be kept clear at all times for my son ***** and his medical needs. (***** is 19 years old, who is Disabled with additional needs , who has lots of medical conditions. This will have a detrimental effect on his wellbeing. Protection of children from harm. Yours Faithfully

From:
Sent: 09 June 2021 19:40
To: WWW: Licensing
Subject: Huntersmoon Holistic services

Hi Tracy,

***** [redacted]

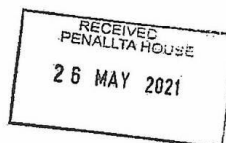
We have also had many incidents where our shared driveway has been blocked by vehicles attending Events at the Holistic services property.

Please can you take ***** name out and change it to son.

Thank you for your support and advice.

Gadewir y dudalen hon yn wag yn fwriadol

The Licensing Section
Caerphilly County Borough Council
Penalta House,
Tredomen Park,
Ystrad Mynach,
Hengoed.
CF46 6PD



Dear Sir / Madam,

In relation to;

Holistic Services

Address of Premises or Club Premises: r/o Dynevor Terrace, Nelson, CF46 6PD

Type of Application: New Premises Licence

Proposed Licensable Activities or Qualifying Club Activities

I am writing to register my objection to the application made by J Holistic Services Dynevor Terrace, Nelson, CF46 6PD. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder, noise, littering and antisocial behaviour.

Enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption on the premises between 8:00am and 11.00pm, seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problematic levels resulting in a demand on local police authorities.

Residents in this area already suffer noise nuisance, littering and antisocial behaviour. They have endured this inconvenience since 2003 when the licensing legislation was first amended, and it is totally unacceptable to expect them to continue to do so by increasing the number of licensed premises in our area.

In view of the above, I would urge Caerphilly County Borough Council Licensing Section to refuse the application.

Gadewir y dudalen hon yn wag yn fwriadol

Objection to the application for a licence to sell alcohol at Holistic services /Hunters Moon Nelson.

1. As my property is at the rear of Holistic services I feel that we will suffer from

:2 Excessive noise and disturbance in the evening which will have a detriment to our sleep

:3. Being unable to enjoy our garden in summer months which is important to our mental health

:4. Public right of way/lane which runs behind my house being used as a toilet

:5. I also feel that there is over saturation of licensed pubs/clubs in such a small village

:6. Also Holistic Services (healing service) are completely in opposition to the sale of alcohol

:7. Also while being able to police customers on their premises who will police them when they leave? (e.g. Driving and walking up the rear lane of Dynevor Terrace and the right of way behind Market Close)

Gadewir y dudalen hon yn wag yn fwriadol

To whom it may concern,

This is a letter registering my objection to the license application of Holistic Services, Dynevor Terrace, Nelson, CF46 6PD. Please find the letter attached.

The Licencing Section
Caerphilly County Borough Council
Penalta House,
Tredomen Park,
Ystrad Mynach,
Hengoed.
CF46 6PD

Dear Sir / Madam,

In relation to;

Holistic Services

Address of Premises or Club Premises: r/o Dynevor Terrace, Nelson, CF46 6PD

Type of Application: New Premises Licence

Proposed Licensable Activities or Qualifying Club Activities

With this letter I am declaring my formal objection to the application of J Holistic Services Dynevor Terrace, Nelson, CF46 6PD. My reasons for this objection are two fold.

Firstly:

The Licensing objectives including prevention of crime, disorder, noise, littering and antisocial behaviour.

By enabling this premises to sell alcohol would be a complete detriment to the above objectives. The application states that alcohol would be sold on the premises from 8am to 11pm 7 days a week. By granting this license in an area already hugely oversaturated by licensed premises and where crime, disorder, noise and antisocial behaviour are also at high levels and will place additional strain on the local authorities. I myself have been personally assaulted in this area.

Secondly:

Residents of this area are already forced to deal with noise, antisocial behaviour from the current licensed premises in the area. It would be totally unacceptable for residents to be suffer from additional inconvenience due to the above factors by granting yet another license in an are already past breaking point with them.

Due to these complaints, I urge Caerphilly County Borough Council Licensing Section to refuse the application.

Yours faithfully

Gadewir y dudalen hon yn wag yn fwriadol

Holistic Services License Application

Hi, may I object to this premises being licensed. We already have our fair share of licensed properties in Nelson and already see our fair share of Anti-Social behaviour.

I own a property in Dynevor Terrace close to the entrance and feel this could increase our chances of a public nuisance and possible jeopardy of our children's safety for those who live close to Dynevor Tce. Young children play regularly in the lane adjacent to the building and I'm sure there is even a shortcut straight onto the lane behind Dynevor Tce

May I please ask for my response to remain anonymous.

Gadewir y dudalen hon yn wag yn fwriadol

Hi I am writing to you about the current application of a alcohol licence being applied for at the above address.

I would like to voice my concerns and go against the application, my reason's are as follows.

Crime and disorder

Public nuisance

Public safety (to many people using drive and access to main Rd.

The location is a quiet area with a shared drive with Mr and Mrs ***** , who I have known for 30 years .

They have 3 children one of which is disabled on a few occasions they have had difficulty getting up their drive and on one occasion had to park 100 yards from their house , (medium evening).

If a licence was granted on top of the various businesses that run at the property it could hinder services to gain access (ambulance or fire service)

Thank you

Gadewir y dudalen hon yn wag yn fwriadol

Good Morning,

I write today to acknowledge receipt of the objection letter received from Mr&Mrs *** dated 26th May 2021. I would like to respond and put at ease the matters of concern particularly them surrounding all the licensing objectives. In agreement with the licensing Act 2003 each objective will be managed and adhered to in accordance to the law. I believe Nelson is a beautiful village with a extremely low crime , hence why I choose to purchase and invest in my local community and create the New Holistic Wellness Centre to grow and create jobs as well as social groups working along side charitable organisations.

We have had much success this far with businesses setting up such as Yoga, Thai Spa, Education Spiritual events etc. Even in these trying times of the pandemic.

I intend to cooperate alcohol both to retail and consume into the business for such purposes as

1. Conference room Meetings
2. Local Farm Style Cafe Shop
3. Activities and events such as Physic fares- Opening Night
4. Social groups Christmas parties
5. Fine Ale or wine with meal

Finally I wish to add this will not be a walk in public house and as a new business it is hard to predict which area will flourish and stay.

please see attached some photo graphs of the premises

Gadewir y dudalen hon yn wag yn fwriadol

I confirm receipt of the attached objections from the neighbour Mr

I would like to take this opportunity to reassure Mr and settle his mind that myself and the staff will be trained in compliance of the licensing objectives in accordance to the law

I would happily invite Mr around the premises to settle his mind and see the beautiful Retreat space we have created within Holistic Service along with outside the cafeteria.

This will not be turned back into its original form in which is built a very large Social club for many many many years

I feel residents my thinking this way .

Please feel free to forward the pictures as per last E mail too Mr should he decline the invite to look around the premises

Gadewir y dudalen hon yn wag yn fwriadol

Good Afternoon all,

I would like to confirm receipt of the objection letter from Mr and Mrs ***** as dated May 8th received 16th June.

As per print out (letter 1) I have numbed each concern so I can hopefully address all concerns and not miss anything , I have also added further notes

In response to your concerns...

- 1) I will adhere to each objective in accordance to the law as the named responsible person and manage/adhere to all objectives/restrictions set.
- 2) Since investing and moving to the current premises there has been a constant up grade to the very needed run down property . Improvements internal/external that have been carried out , I believe as added value to my neighbours property who bought a peace of land from the previous sellers.
- 3) In relation to the location of the wellness centre is not situated in a culdi sac. Please see attached land plans its tucked out of the way with its own grounds access and boundaries ,there is 60 meters approx of land between our business and Mr&Mrs ***** property.
- 4) For this comment please see note 1 as this is covered under the objectives and will be managed in accordance to the Law (as this is repeated)
- 5) There has been already an increase in volume of traffic since my opening has a commercial /residential premises. However I wish to point out that we are adhering to guidance set out by highways /planning and too date there has not been any reported issues . We are not in a high street we are located with in our boundaries.
- 6) Following legal advice from Thomas Richards Lawyers (*****) ***** I can confirm that I am the owner of the Land and that I allow Mr and the family right away access only, Mr has a responsibility to contribute to myself the maintenance of the access that I allow him for his use. He is not responsible for any other area as its owned by myself. please see plans attached
- 7) Please see number as this is repeated
- 8) Please see number one as this is all covered under the objectives thus repeating
- 9) A local fire risk assessment /fire evacuation plan will be carried out by a competent person that will conform to fire regulatory reform (fire safety) order 2005. As per plans attached please note there is adequate space for all emergency services to turn.
- 10) For any pest control issues i will be operating in accordance to food and Safety Standards regulations ,there currently is a pest control contractual service already in place. ***** and has been for some time along with contractual waste disposal
- 11) As per comments 5 &6 access is granted to Mr ***** and remains free from any obstruction . Since the opening there has never been an issue. I

would like to point out I also have a wheel chair dependant disabled person living at my residential property with difficulties and would not compromise his safety or well-being.

Hopefully I have addressed each concern for yourselves and would like to take this opportunity to explain a little more about the business moving forward. We are a Holistic Wellness Centre and currently run 4 sessions of Yoga Classes, Mediation and Sound bath therapy. We have a spa retreat area for massage , Reiki, Readings, Counselling ,Reflexology, Spiritual Development as well as other business here. Who have shown no objections only support.

to the rear there is a farm style tea room and gift shop with its own parking. I have secured much interest in the tea Room for social activities within the community especially for clients with challenging behaviour. I intend to bring craft work shops and social groups together.

I have sourced all local suppliers in the community and will be looking to hire more competent staff has my business within the community grows.

We welcome any visits (prior arrangement) from all concerns parties to come and see our beautiful Wellness Centre

Good Morning

I note the receipt of Mr and Mrs ***** Objection letter. May I take this opportunity to put at ease their concerns . As the Responsible person I will ensure that all the objectives are met and are in accordance to the Law.

In relation to the opening times this is to include and cover sell of alcohol at prime times and special dates ie Father's Day, Christmas etc as I will be promoting grazing boxes and craft sets so fine wines real ales me be included in such gifts sets.

I choose Nelson to purchase and set up my new business venture for the very reason crime is an heard off it's a lovely community I will not be causing any problems to spoil this.

I believe that I will be adding so much positives with job growths , training, community groups , mental health support groups and individual's and so much more

Since opening we have successfully operated the Wellness Centre with weekly Yoga , Sound session therapy and Meditation even with our own challenges of the pandemic.

I would like to also let you know this is not a public house the alcohol consumption will be an option for the Spa area as well as conference and retreat area along with cafe.

I would like to show you around our beautiful wellness Centre to settle your concerns

I have attached a few photographs also

Kind regards as always

Gadewir y dudalen hon yn wag yn fwriadol

Good Morning

Please see my response in relation to the the objection letter received

I would like to take this opportunity to reassure Mr ***** and settle his mind that myself and the staff will be trained in compliance of the licensing objectives in accordance to the law please note <https://democracy.basingstoke.gov.uk/Data/Licensing>

I would happily invite Mr ***** around the premises to settle his mind and see the beautiful wellness Retreat space we have created within Holistic Service along with outside the cafeteria area.

This will not be turned back into its original form in which is built a very large Social club for many many many years

I feel residents my thinking this way .

In relation to Nelson already having enough licensed premises there is not a retreat like this in the whole of Wales offering such services as Colonic Hydrotherapy , yoga , sound bath meditation , resident readers, life coaches etc . The wellness centre will benefit the area with a much needed facility and not to mention employment

In relation to the access I own the land and 1 neighbour shares the access we are looking into control measures to separate this







for future reference .

Also noted the alcohol selling times for future plans within the business, if a fresh farm shop tea room is required we can sell fine ales and wines to individuals for retail so these hours are required

Please feel free to forward the pictures as per last E mail too Mr ***** should he decline the invite to look around the premises

I cannot express enough the need for a site visit and really welcome this anytime

Kind regards as always
Nicola

Good morning

Thankyou for addressing your concerns to us in relation to the proposed licensing here at The Wellness Centre Nelson.

I would firstly like to mention as per previous parties objections that we intended to regulate and conform to the objectives in accordance to the law at all times. (Please see : <https://democracy.basingstoke.gov.uk/Data/Licensing>).

I note your concern regarding front access here , there are 2 separate road entrances here one for the Lane one for us solid boundary.

We are looking into ways to privatise this access further . We have been here since sept 2019 operating and thus far no problems and will continue this way

In my opinion children shouldn't be playing in the back lane with all the glass, rubbish and metal and other home users using there garage.

As all other objections I would strongly recommend a visit to the whole place so you can see why I require a alcohol license within the business . It's not going to be back to it's original state a club, it's a wellness centre

I note your concerns hopefully my response is adequate

Kind regards as always

Nicola

Gadewir y dudalen hon yn wag yn fwriadol

Proposed Conditions

1. There shall be no consumption of alcohol beverages purchased from the premises in open containers outside the front of the main building of the premises.
2. There shall be no consumption of beverages in any outside areas after 2200 hours. Notices shall be displayed to inform patrons of this requirement.
3. The premises shall be cleared of customers within 30 minutes of the last supply of alcohol.
4. The licensee shall ensure that any glass bottles or glasses are removed from persons leaving the premises.
5. Rowdy and/or disorderly customers will be asked to leave the premises.
6. The premises supervisor, manager or other competent person shall manage any the outdoor areas to ensure that customers do not loiter, cause congestion or behave in a noisy, rowdy or offensive manner.
7. Clear notices must be displayed at prominent points in all outside areas informing them as to the need to respect the local residents and the noise levels and when customers leave the premises.
8. The premises license holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an Incident/refusals logbook in a bound book which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of 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, by whom, is to form part of the entry. The log book 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 records shall be kept for a 12 month period.
9. CCTV shall be in use at the premises and covers the outside areas of the premises
 - (i)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 such date that the business is trading and the premises license is in place. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by the business trading date and its premises license is in place and the system be fully operational on that date;
 - (ii)The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards;
 - (iii)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;

(iv) The correct time and date will be generated onto both the recording and the real time image screen;

(v) 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;

(vi) 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;

(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises

10. The licence holder/DPS or responsible person shall risk assess the need for polycarbonate or toughened glasses to be used in the premises, especially for outdoor events/use.
11. The premises license holder shall ensure participation in any Pub watch scheme or similar scheme operating in the area of the licensed premises.
12. 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.
 - (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.
 - (c) 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.
13. Activities relating to the onsite disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between 0900 and 2200.