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Date: 20th September 2023

To Whom It May Concern,

A multi-locational meeting of the **Licensing and Gambling Sub Committee** will be held in Penallta House, and via Microsoft Teams on **Tuesday, 26th September, 2023 at 10.00 am** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided on request.

Members of the public or Press may attend in person at Penallta House or may view the meeting live via the following link: <https://civico.net/caerphilly>

This meeting will be live-streamed and a recording made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals speaking will be publicly available to all via the recording on the [Council's website](#).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
CHIEF EXECUTIVE

A G E N D A

	Pages
1 To receive apologies for absence.	

A greener place Man gwyrddach



2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with Local Government Act 2000, the Council's Constitution and Code of Conduct for both Councillors and Officers.

3 Determination Of Premises Licence Application.

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Circulation:

Councillors W. Williams (Chair), T. Heron and S. Williams

And Appropriate Officers

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LICENSING AND GAMBLING SUB COMMITTEE - 26TH SEPTEMBER 2023

SUBJECT: DETERMINATION OF PREMISES LICENCE APPLICATION

REPORT BY: LEE MORGAN LICENSING MANAGER

1. Application Details – Premises Licence Licensing Act 2003

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Sunset Lodge Weddings Limited Company no 14813288	Lodge & Marquee at Ty Cae Brith Farm, Troed y Rhiw Road, Mynyddislwyn, NP11 7BB	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' under the Licensing Act 2003. The proposed application for consideration is set out in 1.4 of this report.

Members will note that the Licensing Act 2003 permits an application for a premises licence for 'any place,' not just a building and as a result 'open space' can be a place at which applicants can apply to obtain a premises licence.

1.2 Background

Members should note that an existing Premises Licence for a building, namely the Doghouse, which permits the sale of alcohol is currently in place at Ty Cae Brith Farm, Mynyddislwyn. Marcus and Lisa Hobbs are the premises licence holders. This premises licence was granted on the 28th July 2021 via delegated powers.

An application to vary the premises licence held for the Doghouse was submitted to the Licensing Authority on the 10th May 2023. This application sought to add an area of open land to incorporate a Marquee for wedding functions. Members should note this application was subsequently withdrawn by the Licence Holders.

Following the withdrawal of the application above. The Applicant was advised of the provisions of Section 36(6) of the Licensing Act which states that a licence may not be varied to vary substantially the premises to which it relates.

A new premises licence application was then made by Sunset Lodge Weddings Ltd, the directors of this limited company being Marcus & Lisa Hobbs. This application seeks to licence the building known as the Doghouse, referred to as the Lodge and an area of their land at Ty Cae Brith Farm on which a Marquee will be sited.

1.3 **Site Plan/Photographs**

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

A location plan of showing the location of the proposed premises in Mynyddislwyn is reproduced as **Appendix 2**.

Photographs of the Lodge and Marquee subject to the application are reproduced for Members information as **Appendix 2a**.

1.4 **Proposed Trading Times and Licensable Activity**

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

- **Supply of Alcohol (on & off sales)**
Sunday to Thursday 12.00 to 23.00
Friday & Saturday 12.00 to 00.00
Boxing Day & New Years Eve 12.00 to 02.00
Sunday preceding Bank Holiday Monday 12.00 to 00.00
- **Provision of Recorded Music (Indoors)**
Saturday 23.00 to 23.30
New Years Eve until 01.00
Sunday preceding Bank Holiday Monday – non amplified music until 23.45 within the lodge.
- **Late Night Refreshment**
Friday and Saturday 23.00 to 00.00
Boxing day, New Years Eve until 02.00
Sunday preceding Bank Holiday Monday until 00.00

All licensable activities for the marquee to take place between 1st May to 30th September.

However, the applicant has subsequently amended his application in relation to the Marquee area only, to reflect the following position namely, to provide licensable activities on Saturdays' only between 1st of May and the end of September.

1.5 **Operating Schedule**

The following description of the premises has been provided by the applicant:

The premises is split into two locations, "The Lodge" and "The Marquee area" both are on the same farm. The lodge is a single story wooden building with double glazing and insulation, it has a mixture of wood and plaster cladding which does offer good insulation of noise. The lodge is situated in the main curtilage of the farm house

and measures approximately 20m x 6m, with 4 exits, 3 of which are double doors that open outwards. It also has a beer garden to the north of the building and decking area to the rear (west).

The marquee area is an area of 450m² and has seasonal use for a 9 x 30 clearspan marquee with a fixed bar area and a beer garden attached that measures approximately 18m x 6m this is located 150m north of the farm house and is accessed from the sharp bend via a track as indicated on the attached map. The marquee has a main entrance measuring 3m and an exit to the beer garden also measuring 3m. The nearest dwelling to this other than the farm house on this farm is 250 meters to the north.

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:-

As this application is for two locations on the same property the information below has two sections, the lodge is a smaller venue and has less capacity for people however the marquee is larger and comes with further challenges to promote the objectives, as such extra measures will be provided with regards to the marquee.

We have met and discussed the area and its use with the police, environmental health and health and safety officers as well as communicated with the alcohol licensing team on a number of occasions. We have risk managed and have control measures in as much as reasonably possible to promote the four licensing objectives.

- 1. Strict implementation of challenge 25 policy*
- 2. CCTV to be installed and 31 days recording system*
- 3. All staff to be trained in responsible alcohol retailing*
- 4. Training will be provided to the bar staff.*

Prevention of Crime & Disorder

- 1. The premise license holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a suitable HD quality.*
- 2. The system shall be maintained in good working order and at all times the premise is open to the public, be fully operational covering both internal and external areas of the premises.*
- 3. A suitable trained staff member will be able to show and provide police or council licensing officers recent data footage with the minimum delay when requested.*
- 4. All goods, including those subject to duty payments i.e. alcohol be bought from cash and carries only an invoices will be available upon request. No alcoholic drinks will be purchased by the premises [from unannounced sellers calling at the premise.*

In relation to events in the marquee the additional measures will be in place: The premises will be covered by CCTV including the area inside the marquee, the beer garden and the beer cellar/stockroom, this will include video and audio to a high definition standard and kept for a minimum of 31 days. There is a maximum number of 150 guests and there will be a minimum of two SIA door staff from 19:00 to help prevent any disorder (the venue may agree an earlier start time for the door staff depending on the number of day guests). In addition to the door staff the bar staff will be carrying out regular checks of the area. In the event that there are any incidents of crime and disorder these will be reported to the police and the licensing authority as well as recorded in the incident log. If someone is escorted from the venue they

maybe offered a location to wait for their transport, such as a lift or taxi, however if they are still providing a nuisance then the police will be called. In some circumstances they maybe given a lift to the nearest taxi office by a member of staff, where someone has been escorted from the property and has chosen to walk to the nearest town, the bar manager will contact the local pub (The church inn) to inform them of the individual(s) and reason for them being evicted. Consideration to risk management with regard to drinking vessels is to be carried out by either the DPS or bar manager as to whether to use glassware or change to polycarbonate glasses. This can be introduced at any point during or prior to the event. If glassware is used then these are to be collected on a 30 minute cycle, any member of staff can refuse to offer glass drinking vessels and insist that plastic or polycarbonate glasses are given as an alternative to any individual, table or group as well as refuse any more alcohol. Signs are displayed and a policy to challenge anyone looking under the age of 21 are enforced as well as signs in the toilets stating anyone found using or in possession of drugs or illegal substances will be removed from the venue and this reported to the police and recorded in the incident book.

Public Safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times.

In relation to events in the marquee the additional measures will be in place: here will be door staff on hand from 19:00 however these can be employed earlier if it is felt this is required. The people hiring the marquee are responsible to ensure they do not invite more than 150 guests to the wedding party. If it is felt that there are more than 150 then the door staff may ask people to leave, under the direction of the bar manager. There is to be a fire risk plan as well as an evacuation plan and clearly marked exits. There is a first aid kit within the marquee and a qualified first aider on hand. In the event that there are multiple persons involved in violent behavior the venue will close down until such a time that those involved are removed either by taxi, by someone in the venue or the police. The manager has the right to close down the all activities and shut the venue early, this may also result in the damage deposit not being returned to the people hiring the marquee.

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighborhood
2. Strict policy in place to tell all staff not to serve alcohol to people who are drunk.
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV
4. Access gates locked after closing.

In relation to events in the marquee the additional measures will be in place: There will be a minimum of 3 bar staff on at any one time, 1 of which will be the bar manager as well as the DPS or license holder. The bar staff will make regular checks of the outside area ensuring that glasses are collected and that guests are observed to ensure their behavior and noise levels are expectable. These checks will continue through the day on a 30 minute rotation, from 7pm -00.30 there will be 2 SIA door supervisors to assist with the management of guests. From 22:00 the beer garden area will be closed except for smoking and the security will be required to monitor this area, this is to minimize any out spilling of noise to the surrounding area. Bar staff will also refuse to serve anyone who is displaying antisocial behavior or appears drunk. There is to be no music played outside the marquee other than during the ceremony and this must remain as back ground music only and remain tasteful to the ceremony. With regards to entertainment a sound test must be carried out with any

artist or DJ to ensure there is no disruption to local residents and all music is to end at 23:30. The 4 closest farms are to have the contact number for the license holders so that if for some reason they are being disrupted this can be communicated and action taken swiftly to resolve the issue, however regular checks of noise levels will be in place on 45 minute intervals (outside areas). There is also a contract in place stating that if guests do become unmanageable then the venue has the right to close the venue and request that all guests leave. Taxi's are to be arranged for pick up no later than 23.30 and guests to be reminded to leave quietly and respectfully, SIA staff will be on hand to assist with this and ensure that no alcohol or glasses are removed from the premises. Taxi pick up points will be close to the marquee and are permitted to turn around using the farms access/turning area.

There will be bins in several locations around the area and staff reminded to pick up any litter. There will also be a requirement for the people hiring the marquee to complete a litter sweep the day after the event when collecting personal belongings from the marquee. Car parking will be allocated to a field close to the entrance to the marquee field and not on the farm track or public highway. There is a directional zone array speaker system installed that has noise canceling ability and this has excellent low frequency localization properties with drops of bass levels by 30db in just 4 meters. This was custom set up with sound checks at 3 of the closest farms and sound levels agreed. We also have the capacity to override visiting DJ's maximum levels from behind the bar. This gives us full control over music sound levels. An agreed schedule and recording system of noise both inside and outside the marquee has been agreed with the LA environmental health representative.

We have have conducted 3 weddings in the past 4 weeks and acceptable noise levels were achieved, there was no negative feedback other than from the last wedding where a local farm experienced some inconvenience with wedding guests driving to their farm, they contacted us with their concerns and as a result we agreed to place signs along the road to direct guests to our venue. This farm is the one before ours and has no name of the farm on their gate/access point from the road.

The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 they shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
3. An incident/refusal log shall be kept at the premises, and made available for inspection on request to an authorized officer of the council of the police which will record the following; a) All crimes reported at the venue b) Any complaints received, any faults in the CCTV system c) Any refusal of the sale of alcohol, any visit by a relevant authority d) CAD reference number where police are called.
4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be advised regularly in underage sales prevention. additionally: To protect children from harm, the previous and in addition to the already mentioned measures we will be ensuring that anyone using strong language is asked to refrain from this and warned that failure to do so can result in alcohol being stopped or them being removed, this extends to sexual expletives, drug taking, gambling and violence, drunken behavior giving alcohol or purchasing on behalf of or to underage people as well as any adult entertainment including on mobile devices. Weddings are usually a family event and children are often present.

The license holders are fully aware of their duty of care with regards to the protection of children from harm, both potential and actual.

The premises licence application was subject to the Statutory 28day consultation period which commenced 8th August and concluded on the 4th September 2023. The Licensing Team is satisfied that the advertising requirements under the Licensing Act 2003 (Premises Licence and Club Premises certificates) Regulations 2005 for the application have been met.

1.6 RELEVANT CONSIDERATIONS

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

Extract of Statutory Home Office S182. National Guidance **Appendix 4**

1.7 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS

1.7.1 Responsible Authorities:

The following responsible authorities have indicated that they have no representations in respect of the proposed new premises licence: Child Protection Officer.

Fire and Rescue Service

Document	Date Received	Appendix Reference
Representation	08/08/2023	Appendix 5
Further comments	25/08/2023	

Gwent Police

Document	Date Received	Appendix Reference
Representation	01/09/2023	Appendix 6

Environmental Health Pollution

Document	Date Received	Appendix Reference
Representation	04/09/2023	Appendix 7

Environmental Health - Health & Safety

Document	Date Received	Appendix Reference
Representation	04/09/2023	Appendix 8

Licensing Authority in role as Responsible Authority

Document	Date Received	Appendix Reference
Representation	04/09/2023	Appendix 9

Trading Standards

Document	Date Received	Appendix Reference
Representation	04/09/2023	Appendix 10

1.7.2 Other Persons:

Elected Member – Cllr Johnston

Document	Date Received	Appendix Reference
Representation	03/09/2023	Appendix 11

Residents

Document	Date Received	Appendix Reference
Allan Sharpe	23/08/2023	Appendix 12
Angela & Dean Phillips	19/08/2023	Appendix 13
Kay Presley	03/09/2023	Appendix 14
Elizabeth Morris	03/09/2023	Appendix 15
Lee Summerhayes & Sharon Fleet	03/09/2023	Appendix 16
Lynne Harris	01/09/2023	Appendix 17
Rhys Cook	25/08/2023	Appendix 18
Mr & Mrs C Barnsley	03/09/2023	Appendix 19
Deborah & Gareth Brown	18/08/2023	Appendix 20
Dorinda Jones	24/08/2023	Appendix 21
Penelope Hambleton	03/09/2023	Appendix 22
Mr & Mrs Vesey	23/08/2023 & 04/09/2023	Appendix 23
Shannon Sterry/ Mr & Mrs Jones	03/09/2023	Appendix 24
Annabel Bunny Cook & Stewart Cook	28/08/2023	Appendix 25

1.8 SUMMARY OF REPRESENTATIONS

The Fire Service submitted comments following a site visit to the premise on 16th August 2023, they commented that although lanes are narrow a fire vehicle could still get access. It was recommended a fire risk assessment should be carried out by an external qualified risk assessor on both the lodge and marquee to calculate the maximum number of people allowed at each location/venue.

Gwent Police do not object to the application but have advocated the rewording of and addition of conditions relating to CCTV, SIA door staff, Challenge 25, staff training and incident recording and that all children to be supervised by a responsible adult during licensable activities. The Police comment that the conditions support and promote the licensing objectives.

Environmental Health Officer (Noise Pollution team) have indicated no objection to the application following a multi-agency meeting held at the premise on 16th August 2023. It was noted sound reduction technology had been installed by competent engineers which is focused on controlling the transmission of amplified entertainment and speech to limit the potential disturbance to residents. In addition, a noise management plan had been submitted.

Having considered above information, together with the absence of noise complaints received by the Environmental Health Department and the ongoing engagement with the applicant, the Officer determined not to object to the application instead offered conditions in relation to the prevention of public nuisance. Reference was made to a noise management plan to prevent noise disturbance to residents from regulated entertainment.

Further conditions were advocated in respect of notices to instruct customers to leave quietly, the cessation of use of outside areas after 23.00 hours and provision of a sufficient number of receptacles located to deposit waste materials.

Environmental Health (Health & Safety) Officer visited the premise on 1st September 2023 and suggested conditions to promote public safety. These included keeping access tracks in good condition and fit for purpose, providing warning signage in relation to the pond, suitable lighting, sufficient number of receptacles for waste materials, patrol outdoor areas and risk assess the need for polycarbonate/plastic glasses when licensable activities are taking place.

The Licensing Authority in its role as a Responsible Authority attended a multi-agency meeting on 16th August 2023 and after considering the application and discussions with the applicant do not object to the application, however conditions were suggested in line with the Council's Licensing Policy that the premise should be cleared of customers within 30 minutes of the last sale of alcohol. In order to ensure customers are transported safely, the Licensing Authority advocated that information was provided to the hirer on booking in respect of the location and lack of public transport. The Licensing Authority supports representations received from other Responsible Authorities. The Licensing Authority Officer details the absence of complaint in relation to the site until receipt of a previous variation application.

Trading Standards have commented on the application and suggested a further condition to improve the operating schedule in relation to preventing proxy sales to children.

Representations have also been received from 14 residents and 1 Elected Member during the consultation process who have lodged objections to the grant of the premises licence application.

Councillor Johnston objection relates to the increase traffic on the mountain lanes references being informed of near misses. Concerns are expressed to the safety of walkers and horse riders using the lanes if drivers are not aware of the road and fear accidents are more likely to occur.

Angela & Dean Phillips expressed concerns and objection to the application. The content of the application submitted was found to be confusing with errors on the address, the number of days licensable activities are applied for, notices displayed and its format and the legislation covering the application process. Reference is made to the 'lodge' being used as a club for family and friends only and not used as a traditional public house. The maximum capacity for the 'lodge' is also being scrutinised from the initial application granted in 2021 to what has been suggested by the applicant with the current application. There was a suggestion that the applicant had not been honest when submitting the initial application.

Concerns were also expressed in relation to increased traffic, narrow lanes and partygoers walking home late at night stopping to ask for directions causing a nuisance. The increase in noise from traffic and the venue is also a concern. Further concern was also expressed in relation to promoting 'Bottomless Brunch' which encourages binge drinking, fuelling drink driving and the use of advertising 'Bottomless Brunch' on the social media platform 'Snapchat' which targets the younger generation, concluding this to be irresponsible.

Mrs Phillips has also submitted video clips showing vehicles being driven through lanes at Mynyddislywn.

Allan Sharpe expressed concerns and in conjunction with Mrs Phillips was one of two organisers of a petition submitted opposing the grant of the licence during the consultation period.

The collective objection signed by a number of signatories related to: -

- The applicants not being of good character with reference to not having the required planning consent and trading illegally.
- Concern in relation to the maximum numbers permitted for the lodge and marquee.
- Irresponsibly promoting their services (without tickets) for a wedding fayre.
- Holding irresponsible drinks promotions.
- Conflicting advice between applicant and Licensing Authority, only wanted a licence to sell alcohol to family & friends.
- Conflicting advice from Planning.

The petition also refers to concerns regarding public safety with walkers, horse riding as there is only single lanes with no pavements or lighting. Furthermore, concerns were expressed in relation to increased traffic for 365 days of the year especially with an increase in weddings being held. The roads are not suitable to deal with the amount of traffic as they are narrow and can cause congestion, especially if drivers are not aware of the rural lanes.

Kay Presley expresses concern regarding the rural area which is unsuitable for the amount of traffic the application would generate, detailing the area as popular with horse riders, walkers and frequently used by members of the public using the nearby church. It was commented that speeding was an existing issue, and the granting of the application would escalate the issue. Concern was also expressed in relation to a drink drive culture and noise nuisance from the venue for residents with livestock also to be considered.

Elizabeth Morris comments referenced concerns with issues surrounding highway safety, detailing the road is a single file lane with many vehicles directly passing her house into the early hours. Mrs Morris referenced vehicles speeding through the lanes and was concerned about those people and families who go walking in the area. Concern was also expressed from noise that residents will be subjected to late at night and crime and anti-social behaviour associated with people leaving the venue, particularly if they have been drinking.

Lee Summerhayes & Sharon Fleet express concerns surrounding the narrow single-track carriageways with no speed measures in place to restrict vehicles in the area. With walkers, horse riders and cyclists' concerns arise to their safety with vehicles driven by people with little or no knowledge of the area. Further concerns were raised in relation to noise that will be generated from wedding parties and other events held and feel they would be adversely affected by the noise created by loud music from inside the marquee.

Lynne Harris supports the application to host wedding parties at the marquee between May & September for up to 10 times per year and for the lodge to host baby showers and other light-hearted celebrations as discussed with the applicant. However, concerns are raised with events which would infringe on personal space including noise above a comfortable level. Reference is made to high noise levels that have already been heard with people shouting above music levels. With the application to extend dates and times for members of the public and not just for family and friends caused concern especially as applied for outside music.

Rhys Cook detailed that he wished to record an objection to the application and referenced concerns regarding the noise levels from events already held at the premises. Concerns were expressed regarding the impact upon the natural environment, effect on livestock and that the quiet mountain lane is not suitable for the amount of traffic.

Mr & Mrs Barnsley raised concerns in relation to the single, narrow lanes and increased traffic they have witnessed whilst living on the main road in which vehicles have ended up in fields as drivers are not aware of the roads and the area. Reference was made that people regularly walk their dogs and there was a concern with their safety as there are no footpaths. Further concerns are expressed regarding noise impact on neighbouring farms and residents late at night, intoxicated strangers causing disturbance and drink driving. Reference was made that the existing pub on Mynyddislywn mountain which caters for the needs of the local community.

Deborah & Gareth Brown raise concerns surrounding the unsuitability of access to the premise, and the roads which are not suitable to the extra traffic, public safety of walkers and horse riders using the lanes would be compromised. Comment was made regarding noise experienced from past events which have been late at night, due to the close proximity of her property to the premise. Concern was also expressed about the absence of street lighting and pavements and the likelihood of patrons from the premises calling at residents' homes late at night.

Dorinda Jones has raised issues regarding access to the venue through narrow lanes which are unsuitable for a potential increase of traffic flow. Reference is made to previous events whereby loud music has been played causing distress to residents.

Penelope Hambleton raised concerns regarding the extension of the hours to sell alcohol and irresponsible drinks promotions that are being offered. Concerns regarding noise from loud music is forcing residents to sit inside and becoming unbearable. The road is not suitable for extra traffic and unsafe for walkers, horse riders and cyclists. Further concern was expressed that the application has failed to promote public safety as believed no planning requirements and building regulations in place.

Mr & Mrs Vesey express their concerns in relation to the increased traffic on a narrow, country lane and putting the public at risk when walking due to no pavements. They also expressed concerns in relation to unlimited drinking at the premise and drink driving.

Shannon Sterry/Mr & Mrs Jones express concerns in relation to noise from the premise that has been heard into the early hours disrupting their evenings and being kept awake.

Concern was expressed that if the application was granted, then this will happen more frequently. Further concerns are raised regarding the roads which are not suitable for high volume of visitors putting horses and their riders at risk. Reference was made to Caerphilly Council not granting planning permission on old barns on their own land as the road wasn't suitable for increased traffic on the lanes.

Annabel Bunny Cook & Stewart Cook referenced concerns in relation to the levels of traffic and danger from speeding vehicles especially as there is no pavement or street lighting. Reference to the area being regularly used by ramblers, horse riders and people walking their dogs. Concern was also expressed in relation to residents being disrupted from noise from weddings or other parties with potential drink driving and loud abusive language which currently takes place.

1.9 APPLICANT RESPONSE

The applicant has responded to the representations of the Responsible Authorities (RA's) and has accepted all proposed conditions by the RA's, should the application be approved.

The Applicant was forwarded the representations of all resident objectors and Elected Member. The applicant's responses received to date which includes a traffic assessment conducted May 2023, are reproduced for information as **Appendix 26**.

In responding to the comments of residents, the applicant states that highways, is not part of the licensing objectives. The applicant references a road traffic assessment which it is stated concludes that there are sufficient passing spaces. The applicant references the traffic issues referred to by objectors and suggests that prospective wedding attendees would be attending Ty Cae Brith Farm ahead of the opening of the Church Inn. Comment is also made regarding the absence of traffic previously generated by the shooting club. These matters the applicant suggests may alleviate resident concerns as to traffic.

In relation to noise from entertainment, the applicant details that they heavily invested in a sound system with noise cancelling technology and indicates that noise checks were conducted with the neighbours.

The applicant clarifies that the total number of guests that will attend the Marquee will be a maximum of 150 guests. The applicant offers the rationale for applying for licences for the Lodge and Marquee areas and each areas proposed usage.

The applicant seeks to address concerns in respect of their candour and responses provided at a residents meeting concerning their view in respect of the need or otherwise for Planning permission, citing a 28day use provision, that they suggest would not require Planning permission.

The applicant responded to concerns in respect to the advertising of a Bottomless Brunch at their premises. The applicant comments that a number of local businesses offer bottomless brunches on most weekends.

The applicant has amended his application in relation to the area of the Marquee, to reflect that licensable activities will only take place on Saturdays between 1st May to 30th September between the hours of 12.00 midday until midnight.

1.10 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.

1.11 OBSERVATIONS

This application relates to the granting of a new premises licence for licensable activities at the Lodge and Marquee area at Ty Cae Brith Farm, Mynyddislwyn. The application has been subject to the statutory 28day consultation process which has resulted in representations being received and requiring Members of the Sub Committee to determine the application.

Members may hear concerns about the advertising of this application, in respect of the number and positioning of blue notices required. However, the Licensing Team are content that the application has been advertised in accordance with the requirements of the Licensing Act 2003 (Premises Licence and Club Premises certificates) Regulations 2005.

Members may also hear concerns about the existence of the Doghouse premises licence and the merits of that licence. However, it is the premises licence application made by Sunset Lodge Weddings Limited, that Members must determine and not the merits or otherwise of the Doghouse premises licence.

Responsible Authorities (RA's) in the form of the Fire and Rescue Service, Gwent Police, Environmental Health Pollution, Environmental Health (Health & Safety), Licensing Authority in its role as a Responsible Authority, Trading Standards and Child Protection Officer have commented upon the application. It is noted that none of the Responsible Authorities have objected to the grant of the application made by Sunset Lodge Weddings Ltd but instead advocate conditions should a licence be approved.

The application resulted in site visits by a number of the Responsible Authorities during the consultation period. Given the absence of objections, the position of the RA's appears to be

that they are content with the application and licensable activities proposed and the applicant's ability to promote the licensing objectives.

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.*

The Environmental Health Pollution and Licensing Authority Officers outline a lack of complaints to the Public Protection Team or intervention in relation to the existing licensed premises namely the Doghouse, located on Ty Cae Brith Farm since the licence was approved there in July 2021. In addition, reference is made to the absence of like reports in relation to recent events held under authorisation of Temporary Event Notices (TEN's).

However, the absence of concern is not a view shared by residents and Elected Member for the Newbridge ward.

The concerns of residents can be broadly categorised into the following, Highway safety / increased traffic, safety of residents and users of roadway, manner of driving, drink driving and location of the proposed premises Mynyddislwyn. Furthermore, concerns in relation to entertainment noise, patron noise, noise from traffic and potential for disturbance and antisocial behaviour.

There is concern expressed in respect of the absence of Planning permission for the proposed use of the Ty Cae Brith Farm site. There is further concern in respect of the candour and character of the applicant given what appears to be conflicting information as to proposed times of operation, occasions of use, the number of attendees detailed and the advertising of 'Bottomless Brunch' events, which some objectors believe are Irresponsible drinks promotions. Another resident takes the view that the public safety licensing objective is undermined in the absence of planning permission and building regulations.

It is noted that there are no confidence in management concerns raised by any of the Responsible Authorities as part of the consultation process. However, the applicant does appear to contradict himself in relation to proposed operating days and hours for the Marquee when providing a noise management plan and further responses to attempt to address resident concerns as to the application.

Members will be required to assess the relevance of the objections received and whether they fit within the Licensing Objectives namely the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

Often the concerns of residents can be addressed through mediation during the consultation period or up until the time of any scheduled hearing. However, in this instance, it is not thought that the concerns of residents can be mediated. Members would be reminded that

any concerns of residents and elected members must be in respect of the applicant's ability to promote the licensing objectives. Matters which stray away from the licensing objectives should not be considered relevant by Members.

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.*'

However, where there is any doubt as to the nature or merit of representations, 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.*'

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.*'

In relation to issues raised concerning the suitability fitness of highways access, road usage, safety of walkers/riders, increased traffic, Members will note that the roads leading to and from Mynyddislwyn are part of the national road network. There are no traffic orders or controls to restrict access to or from the lanes referenced by residents.

It should be noted that Highway safety is not specifically referenced as a licensing objective under the Licensing Act 2003. Members will therefore have to consider whether the road network / highway or traffic issues fall within the Public Safety Licensing objective. It is noted there are no concerns referenced to this effect by the Fire & Rescue Service or the Police. It should be noted that Highways are not a statutory consultee under the Licensing Act 2003.

Whilst a number of residents have expressed concerns in relation to the access and safety of road users should the application be approved. Residents representations have included video clips of vehicles being driven in road on Mynyddislwyn. The Applicant counters this assertion citing that the existing road network had permitted transportation of equipment and construction of two solar farms on Mynyddislwyn. It is noted that the Applicant has submitted a Traffic Assessment to support his view that highway access to the proposed licensed area would be suitable (albeit it for the purposes of a Planning application)

In relation to fears concerning drink driving or manner of driving, respectfully these are the responsibility of individuals themselves. Unless there is some demonstrable link to actions of the applicant and them promoting drink driving or irresponsible driving.

The concerns of a number of the local residents whilst understandable, appear to be largely anticipatory in nature about the increased levels of behaviour or issues which could arise, should a licence be granted for this premises. Case law in *Daniel Thwaites PLC v Wirral Magistrates Court 2008* has considered similar issues in relation to real evidence and weight to be afforded.

There have been a number of references to concerns about entertainment, patron noise and foul language allegedly attributable to patrons of the Doghouse or when TEN's have authorised entertainment.

Some residents detail that entertainment noise has been audible at their premises personally, whereas others reference that they are aware that other residents have experienced noise attributable to the applicant. It is noted that until the submission of a variation application in relation to the Doghouse in May 2023, there had been no reported complaints to Environmental Health Pollution or the Licensing Team in relation to noise nuisance since grant of licence on the 28th July 2021.

The applicant appears to accept that noise from entertainment has been audible on occasions but suggests that they have approached neighbours in a bid to resolve via monitoring. The applicant details the investment in a Zone array noise cancelling system that will be used within the Marquee to prevent entertainment noise causing nuisance. It is noted that the Environmental Health Pollution Officer, via a lack of objection takes the view that the licensing objectives in particular the prevention of public nuisance can be promoted.

It should be noted that as a workplace, Ty Cae Brith Farm does benefit from exemptions derived from the Live Music Act which permits unamplified and amplified live music between the hours of 8am-11pm for up to 500 people, in the absence of any licence requirement. Protections are afforded to residents by virtue of the Environmental Protection Act in particular Statutory Nuisance.

Members will also note that irrespective of the outcome of this application, the applicant could decide to submit Temporary Event Notices (TEN's) at his premises to provide for the sale of alcohol, late night refreshment and regulated entertainment. For such Notices there is no resident ability to comment on the Notice. Under normal circumstances this would allow an applicant to submit 15 Notices which could last up to 20 days. The only parties that can object to a TEN are the Police and Environmental Health.

Whilst reference has been made by residents to the applicant promoting irresponsible drinks promotions via a 'bottomless brunch' offer. It does not automatically follow that a bottomless brunch offer is an irresponsible drinks promotion. In considering whether an 'offer' is irresponsible there is a test of whether the offer would lead to a significant risk of the licensing objectives being undermined by the activity. Some of the considerations would be the type of promotion, potential customers, type of premises and history of premises.

Members are advised that they must disregard references to concerns about the absence of planning permission as Licensing and Planning are two separate distinct regimes. The absence of planning permission should have no bearing in determining this application for a premises licence by the applicant. Both planning permission and licensing permission can exist independently of each other. One can be obtained in advance of the other, clearly it is incumbent on the individual to ensure that they have the relevant permissions in place to avoid the possibility of enforcement action under either regime.

Members will be aware that Planning are a statutory consultee within the Licensing Act 2003 premises licence application process. In relation to this application, no representations were received.

Members are guided to Paragraph 25.6(e) of the council's statement of licensing policy which details the following '*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.'

Paragraph 9.40 of the Home Office Guidance provides to Licensing Authority's in determining applications and states '*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...*'

Members of the Licensing Sub 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.

If Members believe that the applicant can promote the licensing objectives, then the application should be approved. If Members have concerns or a lack of confidence about the applicants' ability to promote the Licensing Objectives, then the application should be refused.

1.12 RECOMMENDATION

Having had regard to the objections made by residents and Elected Member in relation to the licensing objectives and considered the position of the Responsible Authorities, it is recommended that the application for the grant of a premises licence be **approved**.

In reaching this conclusion, it is noted that there are no confidence in management concerns or objections to the application from Responsible Authorities. 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 27** of the report.

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

Date of this report: 19th September 2023

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LICENCED AREA BOUNDARY

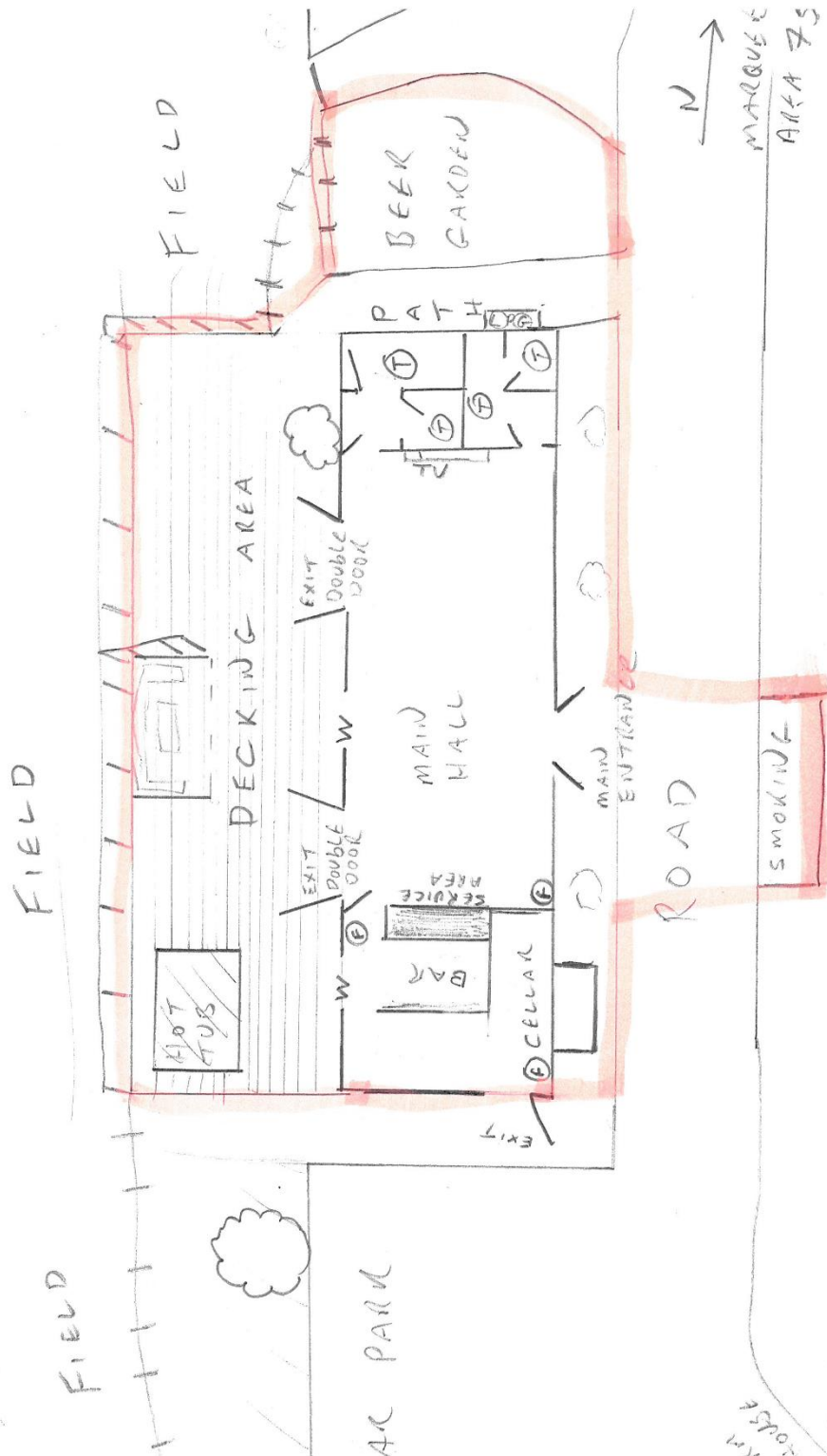
(F) = FIRE EXTINGUISHER

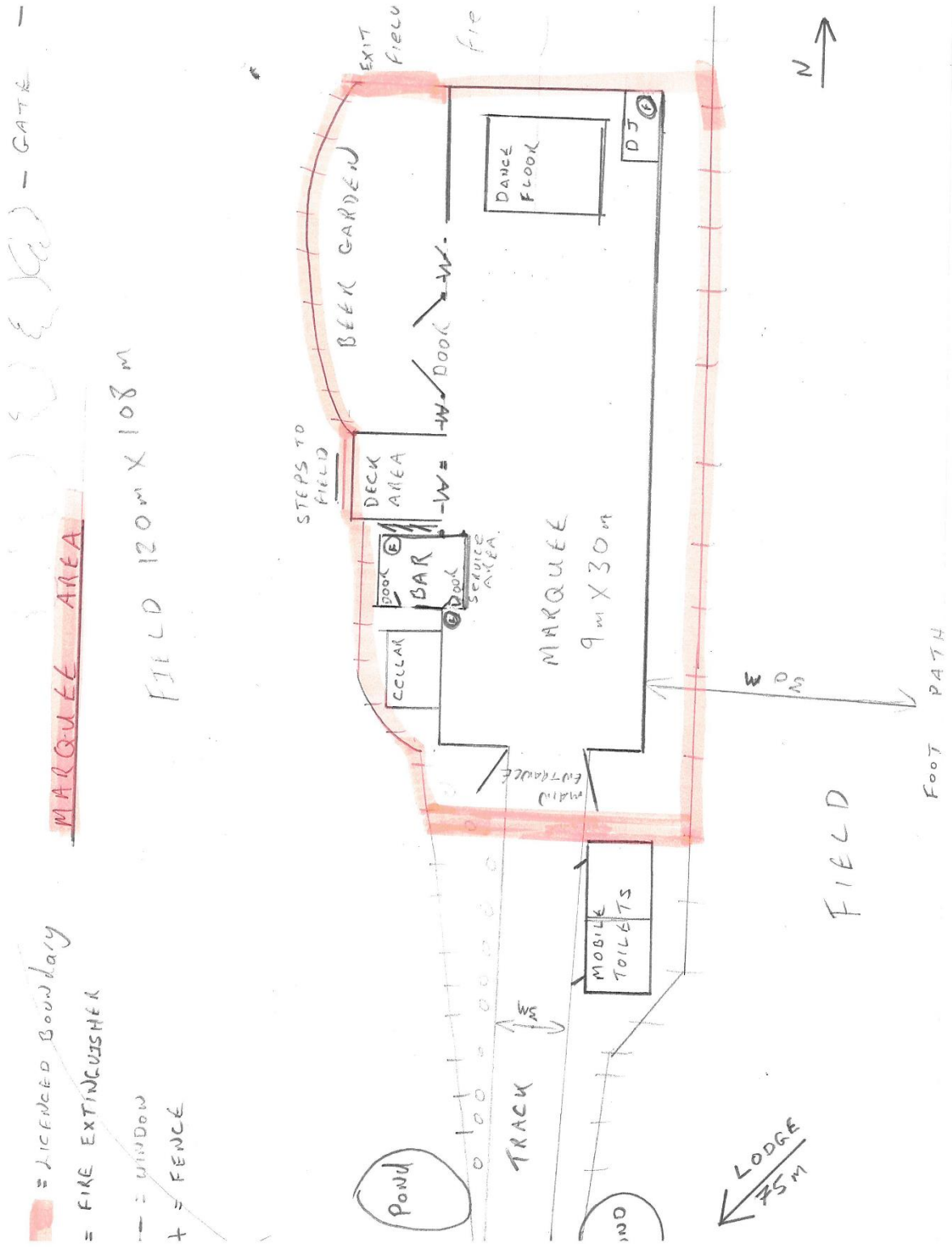
(T) = TOILETS

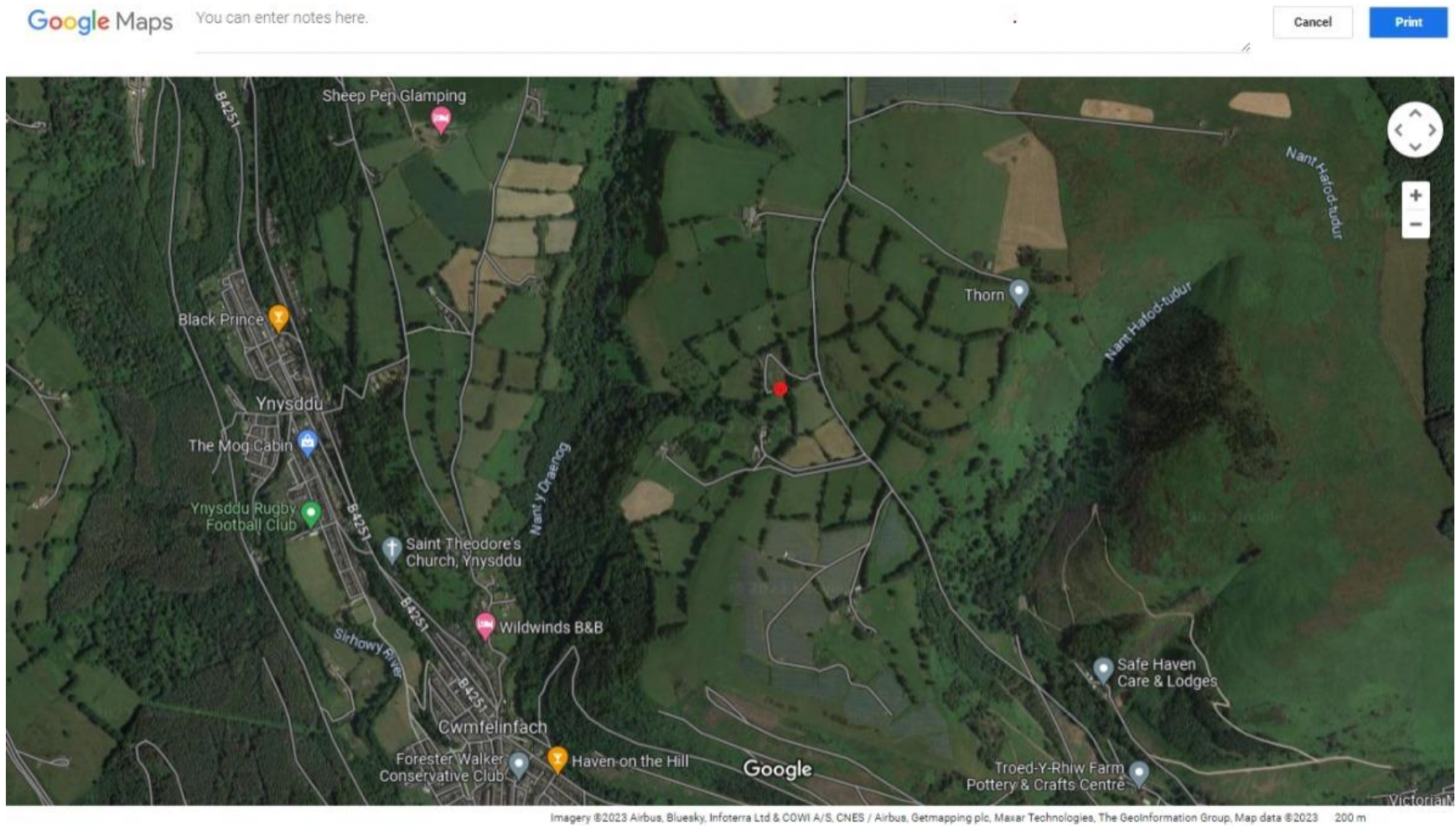
+++ = FENCE / GALVASTRADE

-W- = WINDOW

The Lodge

































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.

5.4 The Licensing Authority notes that the Government's Section 182 Guidance states that "Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours". However, because of the problems experienced in some local communities in the county borough arising from the availability of alcohol for sale at local shops for consumption off the premises this Licensing Authority has decided that it will not adopt this general position but instead will expect applicants and licence-holders to trade alcohol at hours which are appropriate to their particular local environment. Therefore applicants should very carefully consider the hours they seek when devising their operating schedule and it is recommended to discuss such application with the appropriate Responsible Authorities.

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.

7.6 Within the context of promoting the four licensing objectives, the Licensing Authority expects applicants to propose licensing conditions to mitigate the impact their premise may have on the health and well-being of their customers, the neighbourhood and the wider community. For examples of licensing conditions that can promote health and wellbeing reference can be made to Caerphilly County Borough Council's 'Model Pool of Conditions'.

7.7 In addition, the Licensing Authority expects applicants to consider the impact their premise may have on people vulnerable to alcohol misuse, in particular children and young people and problematic drinkers. Commissioned alcohol treatment services are set within the communities they serve. The availability of alcohol in near proximity to treatment services can create specific issues for treatment providers. The Licensing Authority expects applicants to consider and mitigate the harm by including licensing conditions when their premise is close to the location of treatment services, and areas where children and young people may congregate, such as schools, youth clubs and parks.

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.

11.8 Applicants are encouraged to engage with the Licensing Authority and other relevant Responsible Authorities (such as Environmental Health) at an early stage and prior to the submission of an application, wherever reasonably practicable. These Authorities will be able to provide advice in respect of appropriate control measures that may be put in place, and included in the operating schedule, to mitigate the potential risks of public nuisance occurring.

12.1 The Council is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. Applicants will be expected to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events. Applicants are advised to seek advice from

various organisations, such as the Caerphilly CBC health and safety enforcement officers, South Wales Fire and Rescue Service etc., before preparing their plans and schedules, particularly where regulated entertainment is to be provided.

12.2 The Regulatory Reform (Fire Safety) Order 2005 introduced a requirement that any person responsible for the management of a premises must make a suitable and sufficient assessment of the risks, to which persons may be exposed for the purpose of identifying the general fire precautions, which need to be taken. Therefore no conditions may be imposed on an authorisation where it directly relates to fire safety. It is expected therefore that authorisation holders will conduct a thorough risk assessment which is regularly reviewed and updated. The risk assessment should be retained at the premises and be available upon request by any authorised officer of the Council.

12.3 Where an applicant identifies an issue with regard to public safety, which is not covered by existing legislation, the applicant should indicate in the operating schedule the steps which will be taken to ensure public safety. Depending on the individual style and characteristics of the premises and/or events, the following issues may be relevant:

- The number of people attending the premises/safe capacity levels, (factors may include access and egress, flow around premises, comfort levels, seating provisions, dance areas, accessibility to bars, etc);
- The age, condition, design and layout of the premises, including the means of escape in case of an emergency;
- The nature of the activities to be provided, in particular the sale or supply of alcohol and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature;
- The hours of operation, differentiating between the hours of opening from the hours when the licensable activities will be provided;
- Customer profile (e.g. age, disability etc.);
- The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines etc.
- Electrics and heating as part of the risk assessment.

12.4 The following examples of control measures are considered to be important and should be taken into account by applicants in their Operating Schedule, having regard to the particular type of premises and/or activities -

- Suitable and sufficient risk assessments;
- Effective and responsible management of premises;
- Provision of a sufficient number of people employed or engaged to secure the safety of everyone attending the premises or event;
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises;
- Adoption of best practice guidance (Assistance can be obtained by contacting such Environmental Health, Fire Safety and HSE).
- Provision of effective CCTV in and around premises;
- Implementation of crowd management measures;
- Regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.
- Appropriate First Aid facilities and staff training on when to administer/ not administer First Aid.

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.

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

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.

14.6 Petitions may be accepted if the Authority believes all those that signed the petition understood the implications of what they were signing. Please refer to 28.24 below for further guidance.

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.

17.7 It is strongly recommended that prospective licence applicants contact the Local Planning Authority in advance of making a licence application in order to check, or seek advice on, any planning consents or any conditions relevant to the use of the premises. It clearly makes operational sense to ensure that planning and licensing are compatible.

17.8 The Licensing Authority wishes to emphasise that the granting by the Licensing & Gambling Sub Committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control consent where appropriate.

17.9 The Local Authority will aim to properly separate planning, building control and licensing regimes in order to avoid duplication and inefficiency. The Licensing and Planning regimes involve consideration of different (albeit related) matters.

17.10 The Licensing Authority will avoid treating licensing applications as a re-run of planning applications, and will not normally: • cut-across decisions taken by the Local Authority Planning Committee or following appeals decisions taken by that Committee; or • impose licensing conditions where the same or similar conditions have been imposed on a planning consent.

17.11 The Licensing Authority is not bound by decisions made by the Planning Committee and vice versa.

17.12 Where, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes that is different to the licensing hours, the licensee must observe the earlier closing time in order to avoid any breach of their planning permission - for which they may be liable to prosecution under planning law (and vice versa where the licensing hours finish earlier than the planning permission).

19.7 It is an expectation that the premises licence holder and designated premises supervisor will be aware of their permitted licensable activity types, permitted hours and conditions of licence. Failure to demonstrate or have a lack of regard could result in a lack of confidence in management by a Responsible Authority.

22.1 Shops, stores and supermarkets should generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. However, in the case of individual premises, which are known to be a focus or cause of disorder and disturbance then, subject to representations from the police and other responsible authorities, a limitation on licensing hours may be appropriate.

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.

26.3 The Licensing Authority will provide general advice on the drafting of operating schedules and applicants are strongly recommended to discuss their operating schedules with the Licensing Authority and other Responsible Authorities prior to submitting them.

26.4 The complexity and detail required in the operating schedule will depend upon the nature and use of the premises concerned. For premises such as a public house where regulated entertainment is not provided, only a relatively simple document may be required. However for an operating schedule accompanying an application for a major entertainment venue or event, it will be expected that issues such as public safety and the prevention of crime and disorder will be addressed in detail

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.

28.3 Representations can be made either be in support of an application or to express objections to an application being granted. However the Licensing Authority can only accept “relevant representations.” 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.

28.4 An example of a representation that would not be relevant would be a representation from a local business person about the commercial damage that competition from a new licensed premise would do to their own business. On the other hand, a representation by a business person 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 a relevant representation.

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.

28.9 Whilst all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each Responsible Authority to determine when they have appropriate grounds to do so

28.10 The Licensing Authority recognises that every Responsible Authority can make representations relating to any of the four Licensing Objectives. However the Licensing Authority would normally expect representations about the promotion of individual Licensing Objectives to come from the most relevant Responsible Authority with expertise in that particular area. For example the Licensing Authority would expect representations about the prevention of crime and disorder to come primarily from the police and representations about the prevention of public nuisance to come primarily from environmental health.

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.

28.14 The Licensing Authority recognises that, although public health is not a licensing objective, health bodies may hold information which other responsible authorities do not, but which would assist the Licensing Authority in exercising its functions.

28.15 For example, drunkenness can lead to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information might be relevant to the public safety objective and in some cases the crime and disorder objective.

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.

28.22 The Licensing Authority will also reject as invalid, any representations from other persons that are deemed to be frivolous or vexatious. A representation might 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. Frivolous representations are essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

28.23 Decisions as to the validity of representations will normally be made by officers of the Licensing Authority. In borderline cases, the benefit of the doubt about any aspect of a representation will 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.

28.24 The Licensing Authority will accept petitions, but there are some important factors to consider before organising a petition:

- We ask that the organiser of the petition identify himself or herself as a central point of contact. We may need to make contact in order to verify certain matters if we are unable to do this it could invalidate the petition.
- Each page of the petition should contain information as to the purpose of the petition so that all persons know what they are signing.
- Full names and addresses must be supplied
- All signatories must be made aware that a copy of the petition will be supplied to the applicant and a copy will be contained within the committee papers, so their personal details will become public knowledge. We will not write to each signatory separately, but instead assume that the organiser will advise each signatory of the hearing date and the final outcome of the application. It is expected that the organiser will represent the signatories at the hearing and to speak for them. When making a decision, the Licensing Authority will give appropriate weight to a petition. Those wishing to make representations should appreciate that the quality of the representations we receive is an important consideration when making a decision.

28.25 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the authority's corporate complaints procedure. A person may also challenge such a decision by way of judicial review.

28.26 Where a notice of a hearing is given to an applicant, the Licensing Authority is required to provide the applicant with copies of the relevant representations that have been made.

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

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

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.

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include: • Fire safety; • Ensuring appropriate access for emergency services such as

ambulances; • Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above); • Ensuring the presence of trained first aiders on the premises and appropriate first aid kits; • Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation); • Ensuring appropriate and frequent waste disposal, particularly of glass bottles; • Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and • Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

2.15 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include: • Providing information on the premises of local taxi companies who can provide safe transportation home; and • Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

2.17 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.18 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.20 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.

2.21 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.

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

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

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

2.25 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.26 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial 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.

3.35 It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities listed at paragraph 3.2 above other than in accordance with a licence or other authorisation under the 2003 Act. The fine for this offence is unlimited. Police and local authorities have powers to take action in relation to premises carrying on unauthorised activities.

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.

8.14 While any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, a Member of the Welsh Government, or a local ward or parish councillor who can all act in such a capacity.

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

8.16 "A person" in this context includes, for example, a business or a partnership. Licensing authorities should not require the nomination of an individual to hold the licence or determine the identity of the most appropriate person to hold the licence.

8.34 Plans, for written and electronic applications, will not be required to be submitted in any particular scale, but they must be in a format which is "clear and legible in all material respects", i.e. they must be accessible and provides sufficient detail for the licensing authority to be able to determine the application, including the relative size of any features relevant to the application. There is no requirement for plans to be professionally drawn as long as they clearly show all the prescribed information.

8.35 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.

8.36 In such cases it will not be necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

8.37 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

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 assessment), 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.

8.80 The requirements governing the advertisement of applications for the grant, variation or review of premises licences and club premises certificates are contained in Regulations 25 and 26 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 which are published on the Government's legislation website. Applicants are required to: • publish a notice in a local newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the area in which the premises are situated; and • display a brief summary of the application on an A4 (or larger) size notice, on pale blue paper in a prominent position (or positions) immediately on or outside the premises for at least 28 consecutive days (starting on the day after the day on which the application was given to the relevant licensing authority). The notice must be printed legibly in black ink or typed in black in size 16 font or larger.

- ensure that the above notices contain the name of the applicant, postal addresses of the premises (or if there is no postal address a description of the premises sufficient to enable the location to be identified), relevant licensing authority and the date by which any representations in relation to the application need to be made to the licensing authority. They should also contain a statement of the relevant licensable activities or relevant qualifying club activities that it is proposed will be carried on at the premises, or in the case of an application to vary a premises licence or a club premises certificate the notices shall briefly describe the proposed variation.

8.81 It is the responsibility of the applicant for putting the notice up, however licensing authorities should consider where the signs should be placed and advise the applicant where appropriate, to ensure people will see them, in particular if an application is likely to be of interest to the public. As prescribed in regulations, licensing authorities must also place

a notice on their website outlining key details of the application as set out in regulations, including:

- the name of the applicant or club;
- the postal address of the premises or club premises;
- the postal address and, where applicable, the internet address where the relevant licensing authority's register is kept and where and when the record of the application may be inspected;
- the date by which representations from responsible authorities or other persons should be received and how these representations should be made; and
- that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

8.82 The summary of the application should set out matters such as the proposed licensable activities and the proposed hours of opening and should be clearly displayed for the period during which representations may be made, together with information about where the details of the application may be viewed.

9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations. Where no representations are made

9.2 A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn. In these cases, the licensing authority must grant the application in the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions under the 2003 Act. This should be undertaken as a simple administrative process by the licensing authority's officials who may replicate some of the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable licence conditions. Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed. Where representations are made

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. Relevant, vexatious and frivolous representations

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 a 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.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

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.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

9.12 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 area⁵. 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.

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 the relevant mandatory conditions and any conditions that are consistent with the operating schedule. Any additional 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 any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures

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

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

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with 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.

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

10.22 Where licensing authorities are asked by the police, other responsible authorities or other persons to impose restrictions on promotions in addition to those restricted by the mandatory conditions, they should consider each application on its individual merits, tailoring any conditions carefully to cover only irresponsible promotions in the particular and individual circumstances of any premises where these are appropriate for the promotion of the licensing objectives. In addition, when considering any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it would be appropriate for the licensing authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. However, before pursuing any form of restrictions at all, licensing authorities should take their own legal advice.

10.39 Under this condition, the “responsible person” (defined in the 2003 Act as the holder of a premises licence, designated premises supervisor, a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18 or a member or officer of a club present on the club premises who can oversee the supply of alcohol) should be able to

demonstrate that they have ensured that staff do not carry out, arrange or participate in any irresponsible promotions. An irresponsible promotion is one that fits one of the descriptions below (or is substantially similar), is carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises. The aim of the condition is to prohibit or restrict promotions which encourage people to drink more than they might ordinarily do and in a manner which undermines the licensing objectives.

10.40 Drinking games which require or encourage individuals to drink a quantity of alcohol within a time limit, or drink as much alcohol as possible within a time limit or otherwise, are prohibited. For example, this may include organised 'drink downing' competitions. This would not prevent the responsible person from requiring all drinks to be consumed or abandoned at, or before, the closing time of the premises. Nor does it necessarily prohibit 'happy hours' as long as these are not designed to encourage individuals to drink excessively or rapidly.

Irresponsible promotions can include the provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted price, where there is a significant risk that such a promotion would undermine one or more of the licensing objectives. This includes alcohol provided to the public or to a group defined by a particular characteristic, for example, a promotion which offers women free drinks before a certain time or "all you can drink for £10". Promotions can be designed with a particular group in mind (for example, over 65s). A common sense approach is encouraged, which may include specifying the quantity of alcohol included in it or not targeting a group which could become more vulnerable or present a greater risk of crime and disorder as a result of excessive alcohol consumption.

10.55 The relevant person (the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, the personal licence holder who makes or authorises a supply of alcohol under such a licence, or any member or officer of a club present on the premises in a capacity which enables the member or officer to prevent the supply in question) shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

14.64 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

14.65 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

14.66 Where there is an application for planning permission, the National Planning Policy Framework expects new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed.

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Caerphilly County Borough Council Licensing Department Council Offices Penallta House Tredomen Ystrad Mynach CF82 7PG licensing@caerphilly.gov.uk	Our Ref: Your Ref: Date: Contact: Tel: E-mail:	RT/29-15394 (LA01) 08 August 2023 WM R Teconi [REDACTED] firesafety@southwales-fire.gov.uk
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Dear Sir/Madam,

**LICENSING ACT 2003
APPLICATION FOR: GRANT OF PREMISES LICENCE.
AT SUNSET LODGE WEDDINGS LIMITED, TY CAE BRITH FARM,
MYNYDDISLWYN, BLACKWOOD. NP11 7BB.**

I confirm that I have received a copy of an application dated 08 August 2023 in respect of the above premises.

It is not the policy of the Fire and Rescue Authority to carry out inspections of licensed premises except under specific circumstances. However, this should not be interpreted as meaning that fire precautions in the above mentioned premises is necessarily satisfactory.

The Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risks to which relevant persons are exposed. All licensed premises are required by the Order to record the significant findings from this assessment.

Where a premises has a licence in accordance with the Licensing Act 2003, an occupancy figure should be applied to the licensed area. The figure should be entered into the fire risk assessment as a significant finding.

The premises will be inspected in due course in accordance with South Wales Fire and Rescue Service's risk-based inspection programme.

Therefore, this Fire and Rescue Authority will not be making any representations at this time.

Pencadlys Gwasanaeth Tân ac Achub De Cymru,
Parc Busnes Forest View, Llantrisant, Pont-y-clun, CF72 8LX.

Ffôn 01443 232000 • **Ffacs** 01443 232180
www.decymru-tan.gov.uk

Rydym yn croesawu gohebiaeth yn y gymraeg a'r saesneg - byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi.

CODI YMWHYBYDDIAETH - LLEIHAW PERYGL

South Wales Fire and Rescue Service Headquarters,
Forest View Business Park, Llantrisant, Pontyclun, CF72 8LX.

Telephone 01443 232000 • **Fax** 01443 232180
www.southwales-fire.gov.uk

We welcome correspondence in Welsh and English - we will respond equally to both and will reply in your language of choice without delay.

RAISING AWARENESS - REDUCING RISK

Business Continuity

It would be a wise investment of your time to consider how a fire may affect your business continuity and plans for growth. There is a wealth of useful information and advice available free of charge from: <http://bit.ly/2s7vuLd>

Further Information

Guidance documents covering the standards required in the various classes of premises are available for download or purchase from the Communities and Local Government website at:

<https://www.gov.uk/workplace-fire-safety-your-responsibilities/who-is-responsible>

Alternatively you can refer to our business fire safety pages on our website at:

<http://www.southwales-fire.gov.uk>

Please quote our reference in all future correspondence.

Yours faithfully

A black rectangular redaction box covering the signature of the Assistant Chief Fire Officer.

for Assistant Chief Fire Officer

From: [Teconi, Robert](#)
To: [WWW: Licensing](#)
Subject: Sunset Lodge Weddings Limited.
Date: 25 August 2023 12:37:23

Hi David,

With regards to my correspondence on 08 August 2023, I visited Sunset Lodge Weddings and below are my findings and recommendations:

"I visited on 16th of August to look at any concerns from the fire safety point of view.

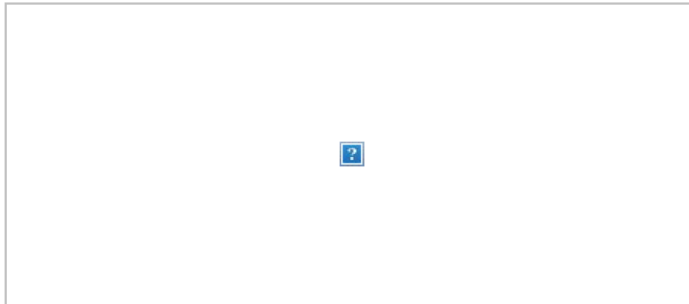
Access was mentioned as a problem, although the roads are narrow, this is typical of many country lanes, a fire appliance could still get access.

I spoke to Marcus Hobbs the manager and recommended to him that he needed to have a fire safety risk assessment carried out by an external qualified fire risk assessor on both the lodge and marquee to make sure of people's safety in the future. When this has been carried out, then a calculation for the correct amount of people allowed at the venue can be made, and all the required fire safety measures can be put in place.

The marquee is now being dismantled for the rest of the year, and to be re-erected next May, so Mr Hobbs has plenty of time to source a fire risk assessor".

Regards

Rob.



-- Mae'r neges e-

bost hon ac unrhyw ffeiliau sydd ynghlwm wrthi yn gwbl gyfrinachol ac wedi'u bwriadu at sylw y person neu sefydliad y maent wedi eu cyfeirio ato yn unig. Na chaniateir i chi adolygu, ailanfon, lledaenu na defnyddio'r wybodaeth uchod ar unrhyw gyfrif: peidiwch a chymryd unrhyw gamau o ganlyniad a gan ddibynnu arni. Os ydych wedi derbyn y neges e-bost hon ar gam, wnewch chi hysbysu'r anfonnydd ar unwaith a dileu'r e-bost a'i chynnwys oddi ar eich system os gwelwch yn dda. Barn neu safbwyntiau'r awdur yw'r rhai a fynegir yn y neges e-bost hon ac nid ydynt yn adlewyrchu o anghenraid barn neu safbwyntiau Gwasanaeth Tan Ac Achub De Cymru onis dywedir yn bendant fel arall.

Bydd pob eitem o bost a anfonir i'r cyfeiriad hwn yn cael ei monitro gan system e-bost corfforaethol y Gwasanaeth Tan ac efallai y caiff ei harchwilio gan berson arall, sy ddim o reidrwydd y derbynnydd gwreiddiol, er mwyn dod o hyd i ddefnydd o ddeunydd anaddas neu dorri rheolau polisiau. Os nad yw hyn yn dderbyniol i chi, peidiwch a defnyddio'r dull yma o gyfathrebu a Gwasanaeth Tan Ac Achub De Cymru. Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg - byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi. This e-mail and any files transmitted with it are confidential and intended solely for the use of the recipient(s) only. Any review, retransmission, dissemination or other use of, or taking any action in reliance upon this information by persons or entities other than the intended recipient(s) is prohibited. If you have received this e-mail in error please notify the sender immediately and destroy the material whether stored on a computer or otherwise. Any views or opinions presented within this e-mail are

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RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY – Gwent Police

Name of Applicant	Sunset Lodge Weddings ltd
Premises	Ty Cae Brith Farm , Troed y rhiw road. Mynyddislwyn , Blackwood NP117BB

Your Name	Jon Taylor
Job Title	Police Constable 1141
email Address	LicensingWest@ gwent.police.uk
Contact Telephone Number	
Date	30/8/2023

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

Please outline the reasons for your Representations
<p>The applicant Sunset Lodge Weddings ltd are applying for an ON /OFF premises license in the name of ‘SUNSET LODGE WEDDINGS LTD’ at Ty Cae Brith Farm , Troed Y Rhiw Road , Mynyddislwyn NP11 7BB</p> <p>The venue is a rural farm set down from a public access road and some distance from the nearest dwelling.</p> <p>The applicant has requested standard alcohol supply times as Sunday to Thursday 12.00 to 23.00 hrs Friday and Saturday 12.00 to 00.00 hrs</p> <p>Non-standard timings requested are Boxing Day and New Years Eve 12:00 to 02.00 Sundays preceding a bank holiday 12:00 to 00.00</p> <p>Opening hours to the Public requested are :</p>

Sunday to Thursday 11.30 to 23.30 hrs

Friday and Saturday 11.30 to 00.30 hrs

Sundays preceding a bank holiday 11.30 to 00.30

Boxing Day and New Years Eve 11:30 to 02.30 hrs

On Wednesday 16th August , officers from Gwent Police licensing met with the applicant at the premises along with South Wales Fire and Rescue service , Caerphilly council licensing officer Annette Dicks and Abbie Brown from Caerphilly council environmental health to discuss the application. During the meeting with Mr and Mrs Hobbs of Sunset lodge weddings ltd the application was discussed in detail.

The seasonal Marquee would operate between the months of 1st May through to the end of Sept with a maximum number of guests being 150 . The smaller lodge some distance away on the same site holding a maximum of 45 guests. These numbers are subject to fire regulations and risk assessments.

Discussions were made around SIA door staff being present on site with a minimum number of 2 being in attendance and proposed by the applicant.

The applicant has provided several conditions at the application stage to promote the 4 licensing objectives.

Having discussed the application with the applicant at the site visit on the 16th August

Gwent Police do not object to the application and would advocate the re-wording of some of these conditions and a small number of additional conditions that would support the applicant in the promotion of the licensing objectives.

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

The applicant has proposed:

- 1.The premise license holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a suitable HD quality.
2. The system shall be maintained in good working order and at all times the premise is open to the public, be fully operational covering both internal and external areas of the premises

Gwent Police would like this reworded to

- . CCTV shall be in use at 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 the day the licence is granted.

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

- (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 30 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) The system shall also record clear images permitting the identification of individuals and be of evidential quality.
- (viii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during operating hours.

CCTV shall cover all areas the Public have access

The applicant has proposed.

There is a maximum number of 150 guests and there will be a minimum of two SIA door staff from 19:00 to help prevent any disorder (the venue may agree an earlier start time for the door staff depending on the number of day guests

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

Gwent Police would like this reworded to

There will be a minimum of two SIA registered door staff from 19:00 hrs .The premises license holder/ DPS will risk assess the need for an earlier start time of door staff depending on the number of day guests .

If door supervisors are present then the premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:

- (i) Full name;
- (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation);
- (i) The time they began their duty;
- (iv) The time they completed their duty.

This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

The applicant has proposed

1. A challenge 25 policy will be in force, where any person looking under the age of 25 they shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.

Gwent Police would like it reworded to

A Challenge 25 scheme will be adopted in compliance with the age verification condition: Customers who appear be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification

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

will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy

(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 / marquee and where practicable at each point of sale.

The applicant has proposed.

4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be advised regularly in underage sales prevention.

Gwent police would like this reworded to

All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable. All records shall be kept for a period of 12 months.

The applicant has proposed.

3. An incident/refusal log shall be kept at the premises, and made available for inspection on request to an authorized officer of the council of the police which will record the following;
a) All crimes reported at the venue b) Any complaints received, any faults in the CCTV system c) Any refusal of the sale of alcohol, any visit by a relevant authority d) CAD reference number where police are called

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>Gwent police would like this reworded to</p> <p>The premises licence holder shall keep an ‘incident / refusals’ logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required. These records shall be kept for a minimum of 12 months</p> <p>In addition, Gwent Police would like to add the below conditions which would assist the applicant in promoting the licensing objectives</p> <p>All children to be supervised by a responsible adult during any licensable activity.</p>
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</p>	<p>Yes. The representations made are reasonable and appropriate. If the applicant agrees to the conditions as proposed, Gwent Police will withdraw their representations</p>

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

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



RESPONSIBLE AUTHORITY REPRESENTATION

RESPONSIBLE AUTHORITY (Please delete as applicable) - Pollution Control

Your Name	Abbie Brown
Job Title	Environmental Health Officer
Postal and e-mail address	browna2@caerphilly.gov.uk
Contact telephone number	01443 831147


Name and Address of Applicant:	Sunset Lodge Weddings Ltd Ty Cae Brith Farm Troed Y Rhiw Road Mynyddislwyn Blackwood NP11 7BB
Premises	Ty Cae Brith Farm Troed Y Rhiw Road Mynyddislwyn Blackwood NP11 7BB

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	Following the receipt of the application, a multi-agency meeting was conducted at the premises on 16 August 2023 to appropriately discuss the application form in detail. In attendance was Abbie Brown Environmental Health Officer (EHO), Pollution Control CCBC, Richard Weillington, EHO, Pollution Control CCBC, Annette Dicks, Licensing Authority, CCBC PC Jonathan Taylor, Heddlu Gwent Police and representatives of South Wales Fire Service.

	<p>At the time of the visit, a discussion took place between Marcus Hobbs and I to ensure measures are implemented in support of the licensing objective 'Prevention of Public Nuisance'.</p> <p>Observations undertaken confirmed the commissioning of sound reduction technology installed by competent sound engineers, which was demonstrated to be adequately functioning whilst on site within the marquee.</p> <p>The technology is focused on controlling the transmission of amplified entertainment and speech to limit the potential disturbance of nearby residents. The system also controls the level of low frequency sound.</p> <p>Additional measures in terms of noise control were also discussed at length and have since been documented within a current Noise Management Plan submitted to the Environmental Health Department on 31 August 2023 which I attach for information.</p> <p>The Noise Management Plan applies control measures inclusive of all licensable areas and also relates to the control of patron noise.</p> <p>The Noise Management Plan also commits the applicant to engage in pro-active communication with nearby residents to promote the 'Prevention of Public Nuisance' license objective and to resolve any unforeseen issues.</p> <p>Upon review of the objections made by members of the public, it should be noted that no service requests have been registered with the Environmental Health Department to date in relation to noise emanating from the current licensable premises at this location (The Dog House) from the date of issue July 2021.</p> <p>In addition, the granting of 4 TENs for events on this site held within the marquee on dates 11 June 2022, 8 July 2023, 15 July 2023 and 22 July 2023 did not generate any service requests in relation to noise.</p> <p>This Department has no remit to investigate noise complaints from traffic.</p> <p>It is noted that the Live Music Act 2012 exemptions maybe applicable in terms of the provision of regulated entertainment between 08:00 and 23:00. However, whilst it is accepted that the introduction of the Live Music Act 2012 makes certain allowances for regulated entertainment within licensed premises, this cannot be to the detriment of other legislation such as the Environmental Protection Act 1990.</p> <p>As a result, Marcus Hobbs has been encouraged to comply with conditions recommended under any Premises License granted at all times to avoid any breaches of the Licensing Act 2003 or the Environmental Protection Act 1990.</p>
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		Due to on-going engagement with the applicant, this Responsible Authority would not object to this application. However, the following conditions should any premises license be granted.
The protection of children from harm	No	

<p>What conditions could be added to the license to remedy your representation that the Licensing Sub-Committee could take into account.</p>	<ol style="list-style-type: none"> 1. The Premises License Holder, Designated Premises Supervisor shall produce a noise management plan to adequately control noise from the premises. This is to include both internal and external areas and to be submitted and agreed in writing with the Pollution Control Team in Environmental Health. The noise management plan should include but is not limited to: <ol style="list-style-type: none"> a. A list of mitigation measures implemented to reduce noise from the licensable premises, b. Regular monitoring at the boundary perimeter during periods of amplified/unamplified entertainment, to ensure noise is not at a level to cause a nuisance at residential receptors, c. Training of staff to undertake such observations and implement controls to reduce noise level, d. To implement corrective actions to control noise during licensable hours, e. Maintaining a written record of such observations and actions taken, to be kept for review upon request by any responsible authorities. <p>This document once agreed should be enforced and updated regularly to ensure the continued compliance with the premises license.</p>
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	<p>2. The volume of amplified/unamplified live and recorded regulated entertainment must be at a level so as not to cause a nuisance at the nearest residential property.</p> <p>3. Adequate notices shall be displayed in appropriate locations to instruct customers at each exit to respect the needs of local residents and leave the premises quietly.</p> <p>4. The use of all outdoor areas of the "Lodge" is not permitted after 23:00. Other than access solely for the use of a smoking area. The smoking area shall not exceed the capacity of 10 persons at any one-time post 23:00.</p> <p>5. The use of all outdoor areas relating to the "Marquee" is not permitted after 23:00. Other than access/egress to the toilet facility or for the use of a smoking area. The smoking area shall not exceed the capacity of 10 persons at any one-time post 23:00.</p> <p>6. The Premises License Holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking-related litter, etc. by customers.</p> <div style="text-align: center;">  <p>NMP noise management plan Se</p> </div>	
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</p>	<p>No</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.

Signed: A. Brown

Date: 04.09.23

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

Noise Management Plan

Sunset lodge weddings

Noise management plan

June 2023

Site Description.

The premises is known as “The Lodge” and includes 2 areas, the lodge (the cabin of a wooden construction) and the marquee, the marquee is approximately 100m north of the lodge and is measured at 30m x 9m with a beer garden approximately 15m x 5m. The location is at Ty Cae Brith Farm on the mountain of Mynyddislwyn. There are 3 neighbouring properties at a distance of 250m away from the marquee. There is another property at 415 meters away and one other property 600 meters away. There are 2 others at approximately 800 meters.

The properties within the 250 meters are considered to be the most at risk of noise disturbance whilst the other 2 properties are also considered to be at some risk of noise disturbance. The 2 other properties that are over 800 meters are considered to be at minimal to no risk of noise disturbance.

The area is a rural area surrounded by rolling hillsides and forestry blocks with also several large trees, the area is open and subject to extremely high winds.

The position of the farm is elevated over the 3 of the properties.

Intended use:

The lodge, it is anticipated that this will be used as a location for wedding blessing/ceremony's and used for up to 4 hours on the day of the wedding. It is also used as a summer house for the owners who use this for their own personal enjoyment throughout the year as well as use this to entertain family and friends.

The marquee, it is anticipated that this will be operated as an affordable fully dressed with ivory and starlight linings rural wedding venue with a maximum capacity for 150 guests and will be licenced to sell alcohol. It will be available for day use as a ceremony and reception venue or just an evening celebration and only for hire 1 day over a weekend and this is seasonal (May-September). It will have a beer garden and live or recorded entertainment.

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

Marquee:

General information: The premises will only be available for private hire and open from 11.30 to 00:30 on a Friday and Saturday. Sundays the premises will be open from 10:00 to 14:00 for the collection of personal items and cleaning. The sale of Alcohol will be limited to 12.00 – 00:00 on a Friday or Saturday.

The beer garden will be available throughout the day however there will not be any music permitted to be played in the garden, except for a ceremony taking place where low level appropriate music maybe played for the duration of the ceremony. During the evening this area will be regularly monitored for noise and guests discouraged from congregating outside. The beer garden will close at 22:00 other than the designated smoking areas.

Local residents will have a contact number for the licence holders, and this will be staffed at all times and any complaints received will be recorded in a complaints log and appropriate action taken to address or rectify these.

There will be two smoking areas to assist in the prevention of guests feeling the need to speak over other people and prevent crowd build up. One will be the beer garden the other will be outside the front of the marquee. A smoking shelter will not be provided, again this is to discourage the build of crowds outside.

Security staff will also be making regular patrols to ensure that noise levels and antisocial behaviour is prevented as much as reasonably possible, there will also be 3 members of staff on so that there will always be 2 staff behind the bar and the other is able to monitor areas, collect glasses and manage the guests.

Provision of Music:

The provision of background music shall be permitted at any time the premises is open, by definition this is music or other audio played and the main function of this is to create an atmosphere suitable to the occasion and not for entertainment purposes.

From 21:00 the doors to the beer garden will be required to be kept closed and from 22:00 the use of the garden is as a smoking area only, no drinks will be permitted to be taken into this area after 22:00.(during times where the weather has been hot and the marquee is holding heat it maybe necessary to have the doors open, if this is the case then the music levels will need to be reduced.

Live or recorded amplified music is permitted between 3pm and 11pm, however there is to be an agreed limit of the level and bass played so that this does not negatively impact local residents, further more from 22.45 there is to be a wind down period where music must be of a slower content and volume levels reduced, this will coincide with lighting levels in the marquee being slightly increased. Where it is considered that the music or noise is exceeding what is considered acceptable the bar manager will address those responsible. This could include turning the music down to prevent people from shouting to be heard above it.

As of the 4th of July 2023 there was an investment made to change from DJ/Artist supplied amplifiers and speakers to a zone array directional speaker system playing down onto the dance floor with some satellite speakers to provide background music to the whole of the marquee. Without the satellite speakers the main speakers would not be audible to the rear of the marquee. The zone array has been specifically set up to minimise disruption to nearby sound receptors and limits low frequencies we require all entertainment to be played through this system, preventing the visiting DJ/artist from going above these set limits. This also prevents the need to have different control mechanisms in place for live and recorded music.

There is an override system behind the bar to allow the bar manager to reduce the maximum limit turning down the system if they feel this is too loud, as standard this should be set at -5 decibels and can be increased to 0 decibels if there is bad weather and to compensate for external wind/rain noise. There are two systems working together, the main zone array and the background speakers. Each can be altered individually.

If events become regular (more than 6 per season) then consideration is to be given with regards to acoustic marquee linings, the change from PVC linings to fitted double glazing doors.

Monitoring (see map attached appendix A)

1: The stile to RC field (if considered fully audible then the person monitoring is to cross the stile and walk past the electricity pole until you come to the base of the large tree. Make a sound check here, if this is still audible then a text/phone call to the bar manager is to take place to request the entertainment to be lowered until this is met. This may require the manager to alter the override.

2: The lodge, if this is still audible then a text/phone call to the bar manager is to take place to request the entertainment to be lowered until this is met. This may require the manager to alter the override.

If at either of these locations, there is excessive noise from people then security maybe required to ask those outside to quiet down or require the bar manager to turn the background music down.

These will be recorded in the noise logbook and available to the local authority upon request. They will include the details of the checks, observations and any actions taken. From 19:30 security staff will be carrying out checks to ensure there is no antisocial behaviour and to support the bar staff in addressing any identified individual(s) who may be advised to “keep the noise down” security staff will be expected to keep the logbook updated. There will be signage in the beer garden reminding guests of our commitment to local residents and be mindful of noise levels as well as on exits reminding them to be quiet and respectful of local residents and the landowners.

The licensee will after each event or at least monthly liaise with the neighbouring properties that are within the 500m perimeter of the venue to discuss any concerns they may have. If there are any that are legitimate, then this plan will be reviewed and new and innovative approaches to problem solving, or incidents and any lessons learnt will be incorporated accordingly. We should consider this a live document which evolves by experience in agreement with the Authority.

Dispersal of customers

The persons hiring the marquee are informed that the venue will close from 23:30 and taxi's should be booked no later than 23.30, however the venue is licenced until 00:00 and the staff are employed to stay until 00:00 meaning if any taxi's are late there will not be a need to congregate in a crowd outside and will encourage a gradual dispersal of guests.

Outside area lighting will be switched off no later than 00:30 and on securing of the marquee.

Car parking is in the top field close to the road at the furthest possible point from any dwellings.

Door staff will be on hand as guests leave to remind them to please leave quietly and there will also be signs on the door as people leave.

There will also be a sign for taxi pick up point and a notice requesting them not to sound their horn and slamming of doors.

Training:

All staff will be made fully aware and conversant with the noise management policy and procedures, there will also be a company director on site that are committed to be aware of the premises licence and the requirements to reduce external impact from noise.

Complaints:

There will be a complaints policy in place, and this will be shared with all residents within the 800m perimeter and when applicable on the company website. Complaints will be recorded and available to the local authority should they request it.

The Lodge.

General information: The premises is licenced to carry out licensable activities Sunday to Thursday 12:00-23:00 and 12.00-00:00 on Fridays and Saturdays. The main activity for this area is private use by the residents/land owners as part of their garden area, however they are willing to allow this to be used for a ring blessing type event for up to 4 hours before moving the event to the marquee. It may also from time to time should the owners choose and should planning permission be applied for/granted to potentially host intermate weddings for up to 45 guests indoors only. This section of the plan relates solely to “The Lodge”.

The lodge is a wooden structure with insulation and double glassing that also has a decking area. The licensable area is 6m by 20m. There is one property within 250 meters and two within 500 meters. There is one other property within the 800m perimeter. The Lodge is used mainly used on a Saturday and typically has hosted around 10 events a year, with an average capacity of around 25-30 people, this has mainly been for sporting events or summer parties.

During the summer months the outside area is used but as this is not open to the public or for private hire but for personal use with the ability to supply alcohol to friends and family or their guests. During the winter the decking area is closed and only the internal areas used.

Provision of Music:

The provision of music at this location is permitted, live music is only permitted between 13:00 and 22:00 and for a maximum of 3 hours with three 15 minute intervals, this is an internal policy. Amplified music can be played inside The Lodge but this is to end at 23:00

From 22:00 the doors to the decking area are to be closed and sound checks are made within the bar and in the car park at the post, nicknamed “the listening post”

In most occasions music is played via the tv, only if live music is provided may this be amplified and this is to be limited to 6 events per year.

Monitoring:

At present the lodge is used for personal use only however on occasions where there is live music or amplified music then staff are to monitor the noise levels, one check to be carried out in the bar area and the other at what is known as the listening post. These checks previously were carried out at 20:30 and 22:30 but on revision of this plan will be carried out hourly from 20:00, these will be done where it is considered to have the risk of creating a disturbance and may need managing, i.e. where there are more than 20 people and, or amplified music is being played and there is a member of staff to work the bar.

Each log should record observations such as estimated number of people on the decking, noise level in decibels if considered loud, if patio doors are open or closed and any action taken. The log should also record any complaints received from residents and actions taken.

The licence holder regularly checks in with the closest neighbour to evaluate if the noise levels have been caused any disruption and if so these are recorded. As part of the revised plan and if the other parties are willing the licence holder will check with those other residents within the 500m perimeter within 48 hours of an event to ensure there was no noise issues if there are then the licence holder will investigate how this was not addressed and prevented, checking against the noise record log and staff that were working.

Dispersal of customers

As this venue is open until 00.30 guests tend to leave at different times and due to its location, many share taxi's so dispersal times are spread out. There is also two signs on the door asking guests to be quiet and respectful when leaving. If the decking area does become loud then guests are asked to move inside, if the noise persists and people do not move inside the outside lighting is turned off and it is insisted that the decking area is closed off.

Training:

All staff will be made fully aware and conversant with the noise management policy and procedures, there will also be a company director on site that are committed to be aware of the premises licence and the requirements to reduce external impact from noise.

Complaints:

There will be a complaints policy in place, and this will be shared with all residents within the 800m perimeter and when applicable on the company website. Complaints will be recorded and available to the local authority should they request it.

COMMITMENT We the undersigned commit to ensuring this noise management plan is implemented and maintained at all times for the duration of operation of our premises. We understand that it forms a key part of our Licence to operate, and that departure from it could lead to curtailment or loss of said operating Licence:

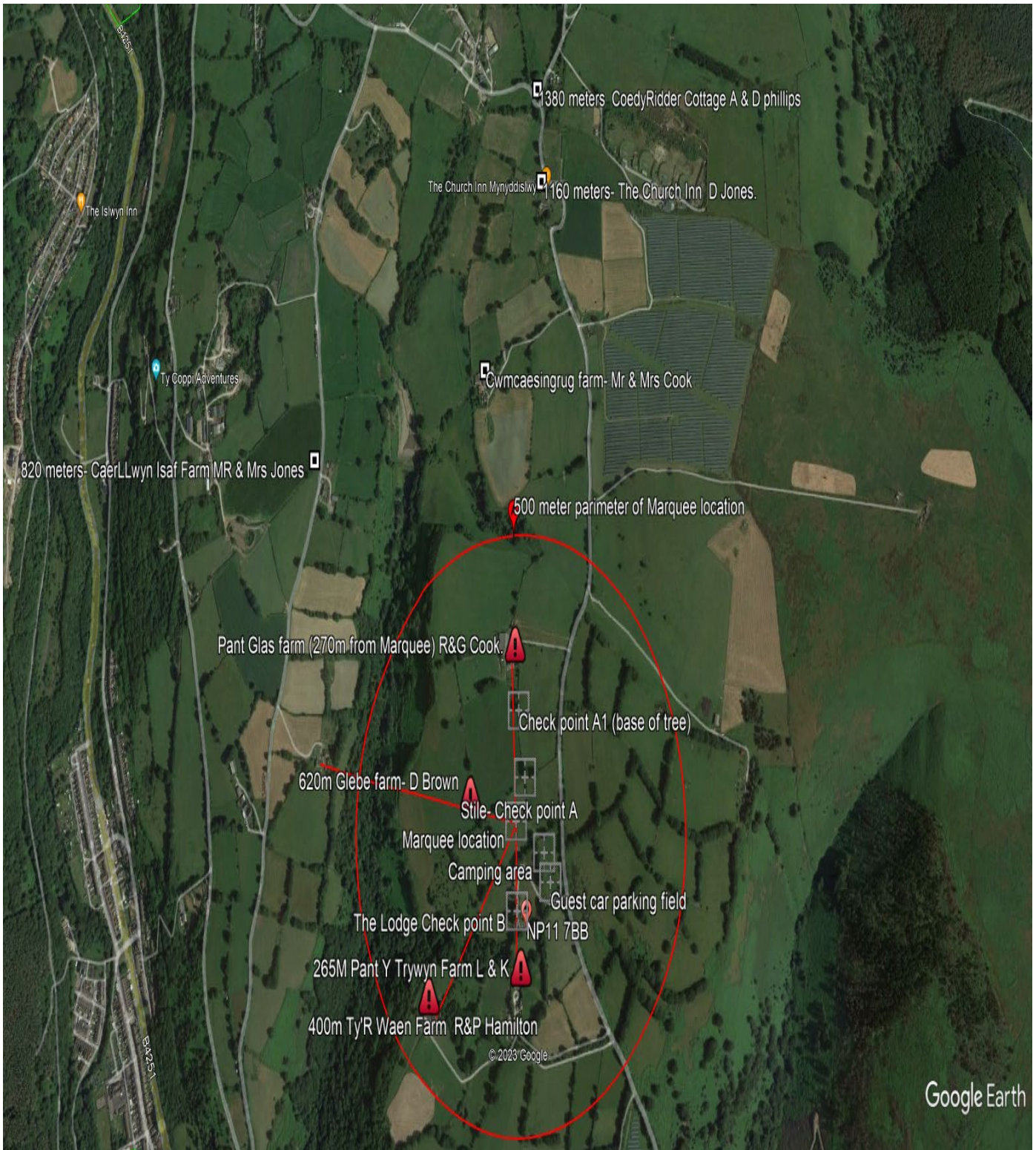
Mr Marcus Hobbs

Mrs Lisa Hobbs.

Appendix A – log check area. (Note camping area no longer applicable as this option has been removed)



Appendix B. Area including farms/homes with objections/concerns of previous noise levels.



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RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY– Environmental Health - Health & Safety

Name and Address of Applicant	Marcus Hobbs
Premises	Sunset Lodge Weddings Ltd., Mountain Road, Mynyddislwyn, Blackwood, NP11 7 BB

Your Name	Dean Pugh Date: 4 TH September 2023
Job Title	Commercial Safety Officer
e.mail Address	Pughd1@caerphilly.gov.uk
Contact Telephone Number	01443 811339

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>I visited the premises on Friday 1st September 2023. Access to the proposed marquee area is via track from the road that leads to the farmhouse. The track is laid with compacted scalplings. The area of the proposed marquee is a level area and is situated within a field which slopes downward to the west. The western edge of the proposed marquee site is at an elevated level in comparison to the field due to the field sloping away from the site. Two power lines pass directly over the marquee site, the height of which are not known. The power supply company has recently installed two taller poles in order to raise the height of power lines. Either side of the track are two small ponds.</p> <p>With the premises being within a rural location, consideration must be given to controls in relation to the safety of guests, employees, contractors and others that may attend the premises.</p>

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

The access track from the tarmac road to the proposed marquee site must be maintained in a good condition and fit for purpose.

Suitable edge protection must be provided and maintained along the western area of the proposed marquee site to minimise the risk of a person falling.

Suitable signage must be displayed in the vicinity of the ponds warning of open water.

A suitable means of lighting must be provided along the traffic route between the lodge and the marquee site whilst licensable activities are taking place.

A sufficient number of suitable receptacles must be sited in appropriate locations for the depositing of waste materials such as food, food wrappings, drinks containers, smoking related litter etc.

The Licence Holder, designated premises supervisor, manager or other competent person shall manage any outdoor area by regularly patrolling these areas to ensure that customers do not behave in a rowdy, noisy or offensive manner.

The Licence Holder, designated premises supervisor, manager or other competent person shall risk assess the need for alcoholic beverages to be dispensed in polycarbonate, plastic or non glass containers when licensable activities are taking place.

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

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

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RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY– Licensing

Name and Address of Applicant	Sunset Lodge Weddings Ltd
Premises	Ty Cae Brith Farm, Troed y Rhiw Rd, Mynyddislwyn, NP11 7 BB

Your Name	Annette Dicks Date: 4 th September 2023
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	

<p>Please outline the reasons for your Representations</p> <p>The application submitted is for a premises licence for the provision of alcohol, regulated entertainment (where exemptions do not apply) and late-night refreshment in relation to 2 areas i.e., the Lodge and Marquee, the latter of which is for seasonal use only between the months of May and September.</p> <p>Following receipt of the application I attended a joint site visit with fellow Responsible Authorities from the Police, Fire Service and Environmental Health on 16th August to discuss the application and the measures included within the operating schedule to promote the licensing objectives.</p> <p>My representations are therefore based upon the information included within the application and discussions held at the site visit. It is my understanding that the Marquee will operate on a seasonal basis only and will accommodate no more than 150 persons subject to relevant risk assessments. From my discussions with Mrs Hobbs during the site visit I was advised that the Lodge would accommodate no more than 45 persons.</p>
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Having considered the application, I would not object to the application but would support my fellow Responsible Authorities in relation to their representations submitted. These measures together with those provided by the applicant will assist in monitoring customers behaviour, noise prevention and public safety.

In making my representations, I have also taken into consideration that there have not been any complaints received by both Police and Environmental Health in relation to the Lodge (currently known as the Dog House), since its premises licence was granted in July 2021. Similarly, the Licensing Department are unaware of any complaints regarding its use, until a recent application for a variation of the licence was submitted. In addition, 4 recent temporary event notices for the use of the marquee have not generated any complaints.

Whilst the applicant has provided a 30-minute period in relation to the closing of the premises, the Licensing Authority would advocate in line with the Council's Statement of Licensing Policy, to include a condition to this effect to assist in the gradual dispersal of customers.

The location of this premises is in a rural area with a lack of public transport available and it is acknowledged that customers will have to rely on their own vehicles or make transportation arrangements with private companies, prior to the event. The applicant has suggested within his operating schedule that if a customer is requested to leave or escorted from the premises, they may be offered a lift. However, to facilitate this arrangement, a licensed vehicle for hire and reward would need to be in place and customers would have to be transported via a licensed taxi. To ensure that customers are transported safely, the Licensing Authority would advocate that information in relation to transportation is a condition of the hiring agreement so that the hirer is aware of the location and the lack of public transport.

Clarification should also be sought from the applicant in relation to the times taxis are arranged for pick up. The applicant has stated that this would be no later than 23:30. These times, in some instances do not accord with the proposed operating hours. Similarly, the applicant has stated within his Noise Management plan attached to the representations submitted by Environmental Health, that the Marquee will only be available for private hire and open on a Friday and Saturday. This is not mentioned within the application, and if granted would also be available Sunday to Thursday. The applicant should therefore clarify this issue.

What conditions could be added to the licence to remedy your representation

The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.

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>that the Licensing Sub-Committee could take into account</p>	<p>The premises licence holder or other competent person shall ensure that customer transportation has been arranged and details provided prior to the event taking place, as part of the hiring agreement.</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

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RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) –

Name of Applicant	Sunset Lodge Weddings Ltd
Premises	Ty Cae Brith Farm, Troed Y Rhiw Road, Mynyddislwyn, Blackwood NP11 7BB

Your Name	Tim Keohane	Date 01/09/2023
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
Although the application addresses under age sales in some depth, it does not address relation to proxy sales of alcohol to children. It is suggested that the operating schedule of the licence can be improved by the addition of the following condition.

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	<p>SA07</p> <p>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 and that a person aged 18 or over is accompanying the individual.</p> <p style="text-align: center;">Page 1</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

Dear Mr Morgan

I write as the Councillor representing residents from my ward who live in Mynyddislwyn.

I wish to object to the new premises licence at The Lodge, Ty Cae Brith Mynyddislwyn also known as the dog house and below is my reasons for this, I am fully aware it doesn't come under my ward however the effects from granting this licence will have a huge impact on my residents who live in the surrounding area.

Over a period of time, I have been made aware of the amount of traffic that has increased on the mountain and in fact I have been informed of a few near misses and one has already had a prang, thankfully no one or animal was hurt. I can also say that on numerous occasions you always see a lot of walkers and horse riders using the lanes.

Having covered this area for over 10 years and going up there quite often I must say that driving up the mountain is quite different to driving in Newbridge or even Pentwynmawr. The fact that it's a national speed limit on the mountain for those who are not used to it will not know that it is impossible to drive at anywhere near that speed and me personally I seem to drive slower on the mountain than I would do in Newbridge for you cannot see for the amount of bends plus there are few passing spots so you must always be aware of what is coming towards you.

These roads are heavily used by farm vehicles some off which has forks or buckets on the front and with drivers not used to driving these roads and coming onto the mountain to attend a wedding or event then the risk is even higher.

I have also seen an advert for a bottomless brunch with unlimited alcohol and this worries me a lot as it is advertised on snapchat which goes out to a young audience, who could be driving on mountain roads that they are not used to and possibly have consumed some alcohol.

Are we as a council going to allow this type of event to be allowed to be targeting our young people for that is the age snapchat is aimed at.

Our mountain has over the years had very few accidents and many because those who go up there do so often and know how to drive, but I do have grave concerns that with more going up there then I fear that we could see a large increase in accidents, and this is not something that I want to see.

Yours sincerely

Cllr Gary Johnston

Newbridge Ward

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Resident Representation

To the Licensing Department Caerphilly Council & Highways Department

In consideration of:

Prevention of Crime & Disorder

Public Safety

Prevention of Public Nuisance

The protection of children from harm

Regardless of individually submitting representations that affect each resident personally for the new premises application and requesting revocation of the original application.

Residents are collective in the following for the latest application August 2023 by the Licensees Mr Marcus & Mrs Lisa Hobbs Ty Cae Brith Farm and require 9to avoid any confusion) the following is to be added to their representations or as standalone representation.

Addresses and names as appicate are at the end of this objection.

- a) The Licensees candour is dubious and thus does not follow the good character expected and they are already trading illegally in not having planning, having done so since, at a minimum 2022.
- b) The Licensees state in their original application that the premises (now called the Lodge) can cater for a maximum of 35 persons including staff. However, (see screen shot of an interested customer). The Licensee is stating catering for 90 persons in the Lodge and they already have an on and off premises license (including a 30 x 9 Tent/Marquee) that can accommodate over 230 persons seated with tables.
- c) The Licensees have already been acted irresponsibly in holding an event recently to promote their services including as wedding venue without tickets that may have attracted hundreds of potential patrons as is often the norm for wedding fayres etc. Luckily it rained!
- d) The Licensees have fallen foul of the 2003 Licensing Act as amended 2014 in July 2023 advertised irresponsible promotions of - for an amount of money to drink and eat as much as wanted. This is against the law (note Licensing Dept were aware but ignored this).
- e) The Licensees stated during a meeting that Licensing dept tell told them what to say. Further that they only wanted a license for family and friends to pay for drinks at BBQ's/ family parties.
- f) The Licensees state at a meeting that planning said they did not need any planning.

Public safety/Public nuisance/Protection of children riding ponies, walking in the lane etc and indeed crime and disorder given national accident statistics higher in rural areas.

The Licensees intend to use their land 365 days of the year if lucrative and weddings has already increased traffic significantly and the numbers the licensees can offer to cater for includes over 300 persons, plus staff, plus caterers, plus equipment etc throughout the week as well as actual event.

The single lane has no pavements, no lighting and through the summer the hedges cannot even be cut thus narrows the lane further for any walkers including children and elderly visiting the mountain or family visiting the church, church events, cemetery etc.

Resident Representation

The localised section of highway in particular going around the Church that experiences significant reduced speeds and inherent delays due to a recurring operational influence or a nonrecurring impacting event is inevitable as Ty Brith farm is South of the Church. Any events at the Church are non-problematic as the traffic does not go around the Church as there is car spaces and temporary car park at the cemetery.

Funerals/Weddings take place also on a Saturday at the Church and most likely will be disrupted by events traffic at Ty Cae Brith.

There is less than free flow speeds, regardless of the derivation, it doesn't take too much explanation for a layperson to understand terms like "clogged," "delayed," "gridlock," or "stop-and-go." It's all congestion when one is in bumper-to-bumper traffic, and it will be recurring if the Licensees continue with their at this time, illegal business.

A road does not necessarily have to "narrow" for a traffic bottleneck to exist (e.g., bottlenecks caused by a weave condition, a vertical climb etc). Bottlenecks have a myriad of causes. The most egregious ones include smaller, lesser chokepoints are frustrating too and where traffic is where other physical restrictions exist like narrow lanes, lack of shoulders, steep grades, and sharp curves as Mynyddislwyn Mountain localised when travelling specifically Ynysdds side and causes chokepoints.

NB: This does not appear to occur Abercarn side of the mountain as there are a number of lanes to access/egress. This is why there have never been any pubs etc in the area of NP11 7BB Ty Cae Brith.

Nonrecurring congestion means event-based disruptions, including, stalled vehicles, weather events, special events. Nonrecurring congestion can affect just about any part of the lane to Ty Cae Brith.

The significant increase in traffic such as weddings, variability, special events, incidents, inclement weather and inefficient traffic control increasing is dangerous. In high traffic volume urban areas, bottlenecks can contribute a large share of total congestion-in many locations they activate just about every weekday.

Conversely, in lower volume rural areas, just about any congestion that appears is due to disruptive events such as incidents, weather, and work zones. This will increase significantly and reach urban area traffic if Tae Cae Brith continue with their at this time no planning authority events.

It is important to discuss the number one driving behaviour that causes congestion to build at these areas-namely, merging and weaving.

Profiteering lane merging and weaving seeks only your own personal gain; such as getting to a venue on time

Altruistic drivers such as residents yields to others for the benefit of all.

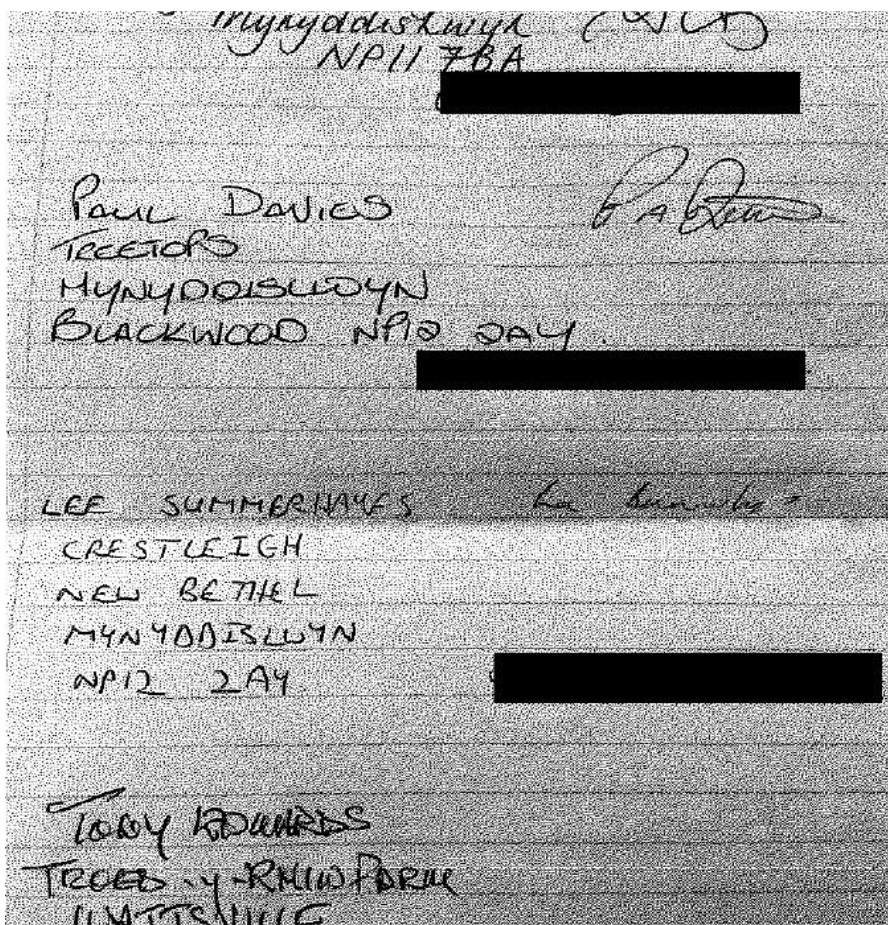
Those attending events who are not familiar with rural lances who merge to the point of confluence or "late merger" who merges at the last possible moment we cannot predict the numbers and tends to be behavioural and humans cannot deduce instruction to merge as well as computer traffic models would purport to smooth it for us!

Resident Representation

Merging manouvers at recurring bottlenecks are essentially "cat herding" with implicit rules (often local in culture or habit) andthus residents are at risk of 'event's attendees. Typically, not much guidance is given and everyone is on their own there is no information/clear sight in the lanes.

One might argue "What's the difference? im in bumper-to-bumper traffic regardless!" The key difference is the greater potential in non/recurring conditions for herding those cats.

Controlling the chaos is- not allowing this license application to be granted.



Resident Representation

Mynyddis Lwyn
 Blackwood
 NP12 2B9

Susan + Lewis Jones
 Caerllwyn Isaf Farm

Rhannon + Vince Edmunds
 Hen ys gubar
 Mynyddis Lwyn
 NP12 2BA

John + Odette Williams
 Penrhew Farm Farm
 Mynyddis Lwyn
 NP12 2BA

ALLAN STARPO
 BRONDYGO, NEW B...

Deborah Brown
 Globe Farm NP11-

GRAHAM WATERS
 CEFN CAERLLWYN FA
 NP12 2BO

DORINDA JONES
 WINDYBANK
 Mynyddis Lwyn

Kay Presby
 Penner Cottage

Resident Representation

Print Name:	Role for this meeting	E Mail Address and Telephone contact number:
PENILOPE HAMBLETON	Attendee	[Redacted]
RICHARD HAMBLETON		
Anna Davies		[Redacted]
E. SUMNER HAYES		[Redacted]
Angela Phillips		Coed's Middle Cottage NPIC
Deon Phillips		" " " " " "
Mr + Loral Davies		As noted on Petition
[Redacted]		Schall House (As noted
		on Petition)

Mr. & Mrs. Vasey
 James Bower & Melanie Bower;ry-Draenog, Twyn Gwyn Farm Lane
 NP11 7BA.

Barry and Olwen Williams, Ty-Copi Farm
 Ty Gwyn Road. NP11 7AY

Mr. Robin Davey 66, Llanvaches Road, Abercarn.

Resident Representation

Page **Sof** 5

From: [REDACTED]
To: [WWW: Licensing](#)
Cc: [REDACTED]
Subject: Representation/Objections To Ty Cae Brith Farm Premises application August 2023
Date: 25 August 2023 14:57:11
Attachments: [Collective document.docx](#)

Please note there will be sent separately a file link too large to send in this email

To Head of Licensing Dept:

I have been asked by the residents below who have recently been made aware of another premises license for Ty Cae Brith Farm Mynyddislwyn NP11 7BB to send an email on their behalf. To add to the attached already submitted collective objections. Please ensure you respond directly to the residents by post.

Of particular emphasis is the traffic, Mr & Mrs Davies and Mr Edwards wanted to state this is highlighted and danger around public safety and problems they encounter entering and leaving their properties on the lane. including Mr Davies advising he counted over 40 cars travelling up the mountain recently within minutes of each other. Mr Tony Edwards also is extremely worried about any consideration in granting this license and the traffic in the very narrow lane.

**Mr & Mrs Pam & Lionel Davies
Ty Glas
New Bethal
NP12 2BG**

**Mr Tony Edwards
Troed y Rhiw Farm
Troed y Rhiw Rd
Wattsville
Mynyddislwyn
NP11 7QS**

Please also you ensure you respond to all the residents who have handwritten their names and addresses in the attached objection letter also.

Thank you for your intended cooperation

Mrs A Phillips - on behalf of residents above and below

Resident Representation

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Resident Representation

From: [REDACTED]
To: [WWW: Licensing](#)
Subject: FW: New Premises application Mr and Mrs Hobbs NP11 7BB
Date: 25 August 2023 14:27:13

Hello and we have not received a confirmation email regarding below objection email. I note that our address is missing:

Please add this as:

Coed y Ridder Cottage

Mynyddislwyn

Gwent

NP12 2BG

Our Objection email is dated 19 August 2023 as below. Please advise by return if you would like this sent again or if there is anything else we need to supply to support the objection/representation.

Thank you Mrs Angela & Mr Dean Phillips

Sent from [Mail](#) for Windows

From: [REDACTED]
Sent: 19 August 2023 14:18
To: [WWW: Licensing](#)
Subject: New Premises application Mr and Mrs Hobbs NP11 7BB

Objection to the new premises licence at Ty Cae Brith Farm NP 11 7BB that state Lodge and submission regarding representation/Objections must be by 4/09/23

Firstly, the particular content of the application as advised by the Licensing Dept is confusing not least, an address stated as at Troed y Rhiw Rd does not exist as highlighted on UPRN Caerphilly website:

1. The licensing activities are stated as only for the months of 01 May to 30 Sep.
2. However, the days requested in this new application are 365 days of the year.
3. The Licensees already have a license granted for 365 days of the year that covers on and off premises and includes more opportunity than the new license.
4. The Licensees notices at/on their property also state the same.
5. The above means that regardless of any objection to this new application, the Licensees still have point 3 and therefore any person objecting is 'going through the motions only' as there is no prospect of any change regardless of a sub committee refusing said application.
6. The notice at the premises cannot be seen travelling up from Wattsville.
7. The Licensing Act 2003 states, any change of a premises license is a variation – minor or major and the Government website guidelines state that a significant variation is regarded as a major variation. The new license is a variation, major or minor depending on Licensing preference. Thus it is a variation and confuses any person who has already objected to the June 2023 variation agreed as a variation by Licensing Dept and is argued as a minor variation.

Nevertheless, it is hoped that the Sub Committee, insofar as considering or otherwise, granting a new license realises any review is spurious, a waste of their time and a need question the

Resident Representation

Licensing Dept. Further that the Licensees states significant inconsistencies in patron numbers that impact on traffic and risks associated.

Mindful of above, our objections also include:

1. I/We live on the corner approximately 300 yards from the Church and a single lane with no pavements or lighting. I/We cannot walk my dogs or when babysitting young/family safely without checking with a neighbour whether an event is occurring given significant traffic.
2. We have lived on the mountain for over 16 years and never had concerns about traffic. However, as well as noticing a much increase in traffic, very late-night traffic and noise from such and putting it down to traffic increase from/to Wattsville. In 2022 we started to use the car to travel the short distance to the Church Inn because of the amount of traffic going around the Church was scary – not realising it was Ty Cae Brith events. Our niece and her two young children had endured a speeding car going around the church early evening and commented on this and increase in traffic visiting us.
3. More recently, we have had difficulty travelling by car to and from our home at times because of the traffic increase, catering and suppliers as well as cars.
4. We have already endured partygoers late at night deciding to walk down the mountain and shouting drunkenly to knock on our door for directions down the mountain. We were then later during conversation made aware by a resident there had been a hen party at Ty Cae Brith; still unaware they had an alcohol License. This disturbance is scary also if in the cottage alone. We thought this was a one off following being made aware and police were not called as one party member had sense and they left the lane. The fact is that taxis are not always available and again intrude re noise etc.
5. In a rural area we are used to e.g. tractors, etc. However, in a rural area the silence at night is maybe an owl or a sheep etc and this is not disturbing. However, late in the night, we cannot have bedroom windows open when hot because of the traffic noise and this is heightened in a rural area as noted by DEFRA.; thus we are not moaning!
6. Although this will not be often, noise from the venue, if the wind is northerly we can hear – this impacts as constant droning and those who live in a rural area understand this.
7. There has never been an alcohol premises license south of the Church on Mynyddislwyn Mountain and this is for a very good reason – traffic and the fact it is an agricultural rural area and now is an SLA.
8. We would most often not call the Police regarding disturbance – we would telephone rother residents in the first instance of concerns as they have us.

Angela & Dean Phillips

Sent from [Mail](#) for Windows

From: [REDACTED]
To: [Morgan, Lee](#)
Cc: [REDACTED]
Date: 29 August 2023 14:10:24
Attachments: [Representation attachment Aug 2023.docx](#)

Dear Mr Morgan and thank you for acknowledging our representation. I am asking you to add the attached and also for you to consider prior to any review date. My apologies if I have made any spelling errors and you will be pleased to noted there will be just one more email from me/Mr Sharpe in response to Mr Hobbs email.

In summary, and may I apologise for calling you Mr Lee in past emails. The Licensees Mr & Mrs Hobbs original application, variation and indeed the new premises application submitted by the licensees are argued at best as spurious and have created much confusion and angst for all residents and I am also arguing this, in part, for Licensing and Planning in particular and CCBC too. However, I make no apology for remaining steadfast with Mr Sharpe and residents.

Further, I am not going to quote the law around the Licensing Act 2003, various applicable sections, licenses and specific rules etc or amendments 2010 and mandatory conditions 2014 or indeed penalties as I am confident you are well aware of all.

1. The Licensee Mr Hobbs has now clearly stated in his recent email to Mr Sharpe (that Licensing were copied into) that the Doghouse aka Cabin; aka Lodge and now called the Summerhouse. **Is not a public house or open to the public or available for private hire, it is his summerhouse.**
2. Mr Hobbs is clearly confirming that he is using a premises license as a Club License and his members are his family friends and guests and that he has done so for a number of years.
3. Club Licenses have strict guidelines as well as premises licenses, fines/criminal charges etc as you are aware and also include:
 - I. No person receives any commission, percentage, or similar payment at the club's expense on or concerning purchase of alcohol by the club.
 - II. No person derives a financial benefit from the supply of alcohol by or on behalf of the Club to guests or members, except where the benefit accrues to the club as a whole, or where the benefit derived indirectly by a person from the supply producing or contributing to a general gain from the carrying on of the club.
 - III. The strict guidelines of the 2014 amendment and irresponsible promotions is still argued as significant and I refer you to my previous email in its entirety including where the recent bottomless brunch promotion was allegedly advertised.
 - IV. The New Premises License application must be withdrawn given the above facts as the recent application included a hand drawn plan of the doghouse/Cabin/Lodge that Mr Hobbs Licensee is now stating is his private domain, namely the Summerhouse and in effect is a private club that Mr Hobbs still wants to charge alcohol for as he stated to all residents. I refer you again to his email to Mr Sharpe.
 - V. The Licensees, have also sold alcohol off premises at other venues and it is unclear whether they have advised Licensing Dept or if there is a need as I have only had sight of the application that states on site only.
 - VI. The original application must be revoked given the above as Mr Hobbs has stated his Summer house has been insitu and used just for private use for a number of years which contravenes the purpose of the premises license and is not what he states the use as on his original application.
 - VII. Planning must also consider the degradation of the farmland but I leave this now to others who have put in their complaints. A resident advised that the Summerhouse/Doghouse/Lodge is allegedly used nightly for around 5 to 6 hours. However, I cannot confirm this.

I do hope the above is clear and indeed helpful to all. Thank you for your time and I look forward to meeting you at the review or subsequent Court if the above you feel is in any way inaccurate.

Angela Phillips [REDACTED]

Resident Representation

Further to my and indeed others previous emails, petition and representations regarding the four Licensing Objectives, unauthorised planning and ongoing events.

I would ask you to add the following to our (Mr & Mrs Phillips) representation that you kindly accepted as relevant. I refer you specifically to the email the Licensee Mr Hobbs copied to Licensing Dept 25/08/23 and perhaps you will seriously consider the fact that the original license now must be revoked without the need for a review and the New Premises License is clearly invalid given Mr Hobbs latest change.

Also, to avoid doubt, the original application (as below 2nd para clearly states by the applicants Licensees) that max capacity in the Doghouse/Cabin/Bar/Lodge and now Summerhouse! Is 35 persons extending to 50 when beer garden is open. However (as screen shot of a capacity question by interested party) clearly states 90 in Cabin/Lodge/Doghouse! Thus, the Licensee were not honest in the original application and indeed now state that the premises is not for public event use and solely for family members friends and guests.

NB DOGHOUSE/CABIN/LODGE/BAR is the same building! As stated on the plans submitted! And now is the Summerhouse

Original License granted Holistic services June 2021 Address DOG House Mountain Rd NP11 7BB	VARIATION June 2023 Withdrawn following Resident Objections DOG House Ty Cae Brith Farm NP11 7BB	NEW PREMISES Application Current LODGE Troed y Rhiw Rd NP117BB Then changed to Mountain Rd
Sun to Thurs 12:00 to 23:00	Mon to Thurs 10:00 to 00:00	Sun to Thurs 12:00 to 23:00
Fr to 02:00i & Sat 12:00	Fri/Sat/Sun 10:00 to 00:30	Fri & Sat 12:00 to 0:00
On and off premises	B/H & day prior to 02:00	**Boxing Day 12:00 to 02:00
		New Years Eve 12:00 to 02:00
		Sun prior b/h 12:00 to 00:00
		Music Tent & O/S Sat to 23:30
	To extend to field north of existing Bar 50 mtrs	Music Lodge aka Doghouse/Cabin as below
	Add recorded music	**New Years eve until 02:00
	Extend opening hrs Mon to Thurs 10:00 to 00:30	Sunday prior to b/h & Mon to 23:45
	Fri Sat and Sun 10:00 to 1 a.m	Late Night eats etc – 23:00 to 00:00 & **02:00
		01/05 to 30/09 Licensable activities.

COLOUR indicate increased time compared to NEW premises. Further the original application states on and off premises.

1. A Premises Licence can be granted to any premises which authorises the premises to be used for one or more licensable activities. A Club Premises Certificate is a certificate granted in respect of a premises occupied by and habitually used for the purposes of a club, and that club must satisfy a number of conditions and this includes inter alia.
 - The club must be established and conducted in good faith

- No financial gain is made within a Club premises License

Given Mr Hobbs statement as to his continued naming of the Dog House (also he called it the Cabin/Lodge and now Summerhouse for private use only) and in the New premises License you are aware it is stated as The Lodge and use as below is not within the remit of a premises license. Or every resident in the UK can apply for such as a loophole and this is not what the Licensing Act 2003 (introduced Nov 2005) is meant to achieve.

Mr Hobbs has stated in the meeting and now written that he did want initially a club license but it was not viable. **We know that a Club License does not allow financial gain to the individual;** thus, Mr Hobbs preference was profit. However he states as below that it is really a club premises license that he is using the premises as. Mr Hobbs is not fulfilling the original granted license objectives.

Mr Hobbs written communication to Mr Sharpe and cc to Licensing Dept 25/08/23 re complain about the minutes of the meeting held 7/08/23

The cabin "Doghouse" is not a public house or open to the public or available for private hire, it's our summerhouse.

Mr Hobbs then wrote

"I then proceeded to say (at the meeting) that after consideration we chose to apply for a premises licence so that we could supply alcohol to our friends and family.

"we do want to have control over what and how much people are drinking so that our get togethers are fun and not out of control and to do that legally and responsibly we need a premises licence".

Below was sent from the Licensing Dept 10/08/23 and forwarded to residents. It clearly has an incorrect address that some residents/interested parties may ignore in representation. This was later corrected by Licensing and the New premises License should be at a minimum rerun. However, I would invite you to realise the facts above.

There is no NEW premises and the Licensee is applying for the same building. It does not make sense and confuses any resident.

The 2003 Act is clear, if an applicant wishes to change their premises license then they apply for a minor or major variation. Given below, the Licensees is requesting to put up a very large tent! And the previous variation requested to extend the field/are by 50 mtres north of bar;thus accommodating a tent!

We cannot see the notice for the NEW premises application driving past, few walk up Murder mile (Rhiw) as advised to licensing previously. It can only be seen going down to Wattsville. Also, address does not exist thus they have to reapply.

Also, the original application (as below 2nd para) clearly states by the applicants (Licensees) that max capacity in the Doghouse/Cabin/Bar/Lodge is 35 persons extending to 50 when beer garden is open.

However (as screen shot of a capacity question by interested party June 2023) clearly states 90 in Cabin/Lodge/Doghouse and now Lodge/Summerhouse! Thus the Licensees were not honest in the original application.

A Major or minor variation would not be stated in the 2003 Licensing Act if it is for the Licensing/ a manager to just decide themselves; otherwise, what is the point of the 2003 Act stating a minor or major variation is required if a Licensee wishes to change/alter their license. A variation makes it clear to the public and does not confuse.

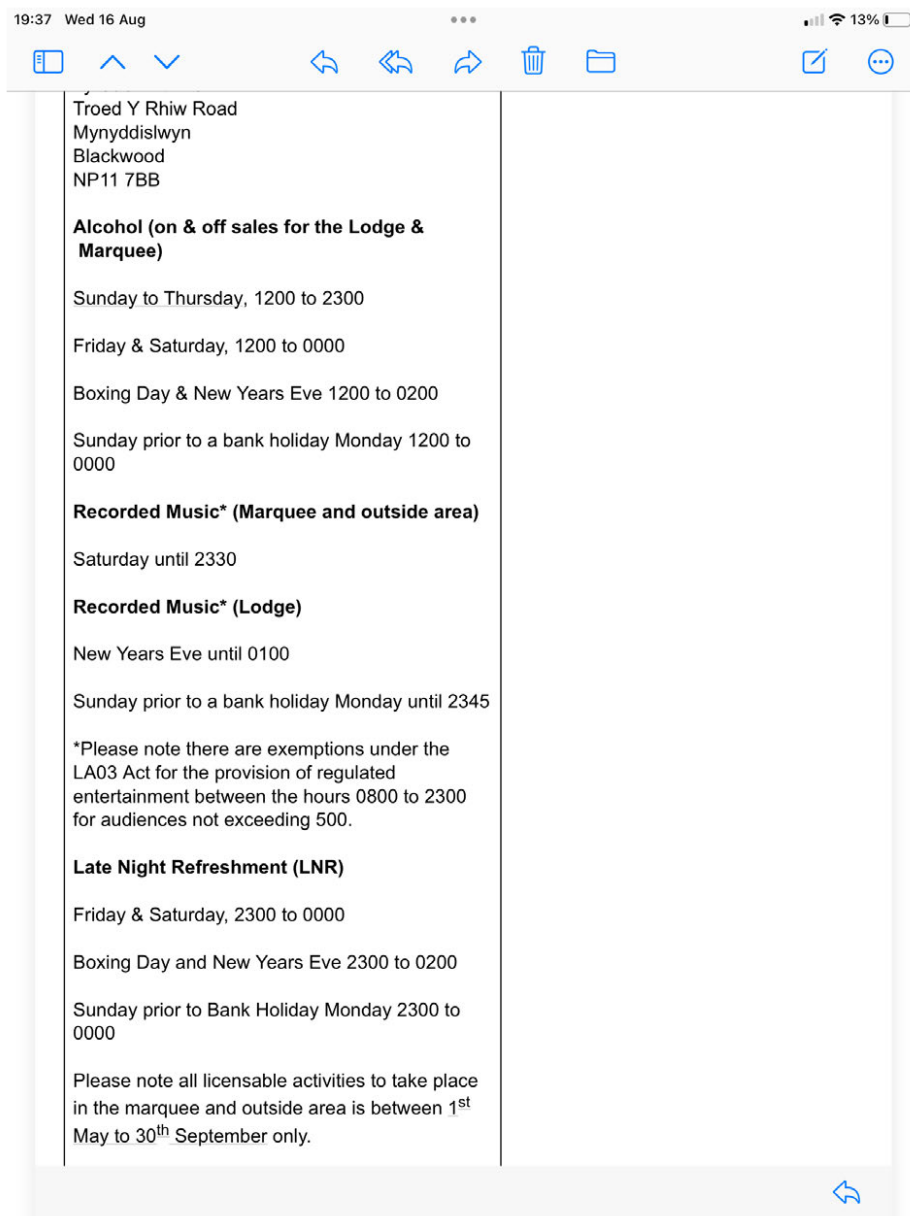
LICENSING ACT 2003**NOTICE OF APPLICATION FOR A
PREMISES LICENCE**

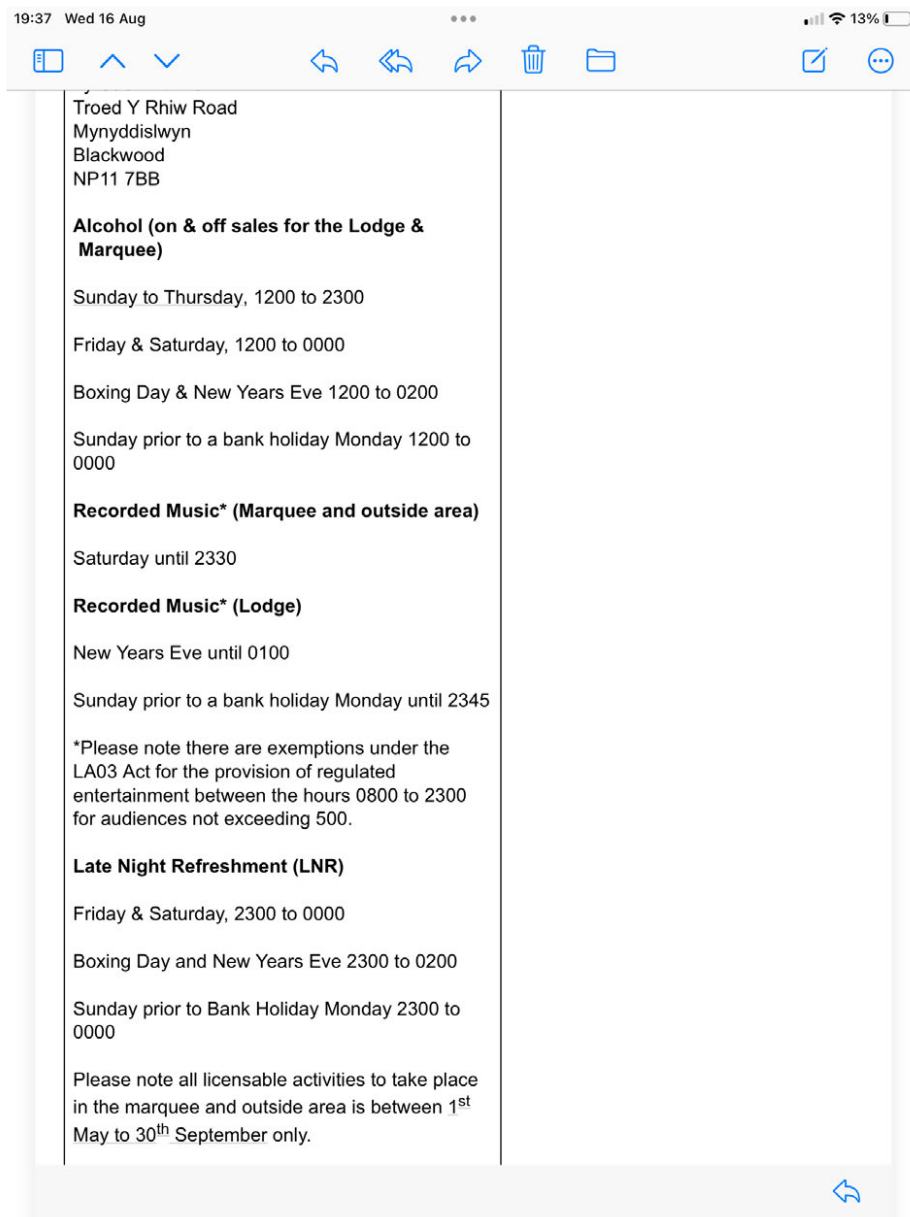
Notice is given that we, Marcus and Lisa Hobbs have on 22/06/2021 applied to Caerphilly County Borough Council, as the Licensing Authority, for a premises licence in respect of the Holistic Services of The Dog House of Mountain Road, Mynyddislwyn, Blackwood, NP11 7BB.

It is proposed to: Supply of Alcohol Sunday to Thursday between the hours of 12.00 to 23.00 & Friday & Saturday between the hours of 12.00 to 02.00 on & off the premises. Late Night Refreshments Friday & Saturday between the hours of 12.00 to 02.00 on & off the premises.

Anyone wishing to make representations concerning this application should do so in writing to: The Licensing Section, Caerphilly County Borough Council, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed CF82 7PG.







You cannot see the poster on the tree travelling from TroedyRhiw.



As below sent by Licensing Dept following a request – thank you!. The original application clearly states consumption of alcohol is only to be consumed on the farm and the Doghouse is for 35 persons maximum and this includes staff. The Licensees have allegedly attended a recent event of ploughing at another farm and also past event/s at a Bedwellty (show members) arranged event selling alcohol. It is unclear if the Licensees advised the Licensing Dept.

21:54 Wed 16 Aug 9%

Redacted application.pdf Done

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises is a single story building approximately 12.5m x 5.5m consisting of a bar serving area and cellar on the one end that is 2.5m x 5.5m A public area of 7.5m x 5.5m and toilets that include an area of 2.5m x 5.5m. It has an outside decking area of 7m x 6m and it is accessed by way of a private road. The premises is located 250M from the public highway, has no near neighbors and is covered by cctv. The off supply of alcohol is only to be consumed on the property of the farm. The maximum capacity of the bar including staff is 35 pax extending 50pax when the beer garden is in open.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21
PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Section 7 of 21
PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

Section 8 of 21
PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Section 9 of 21
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21
PROVISION OF LIVE MUSIC

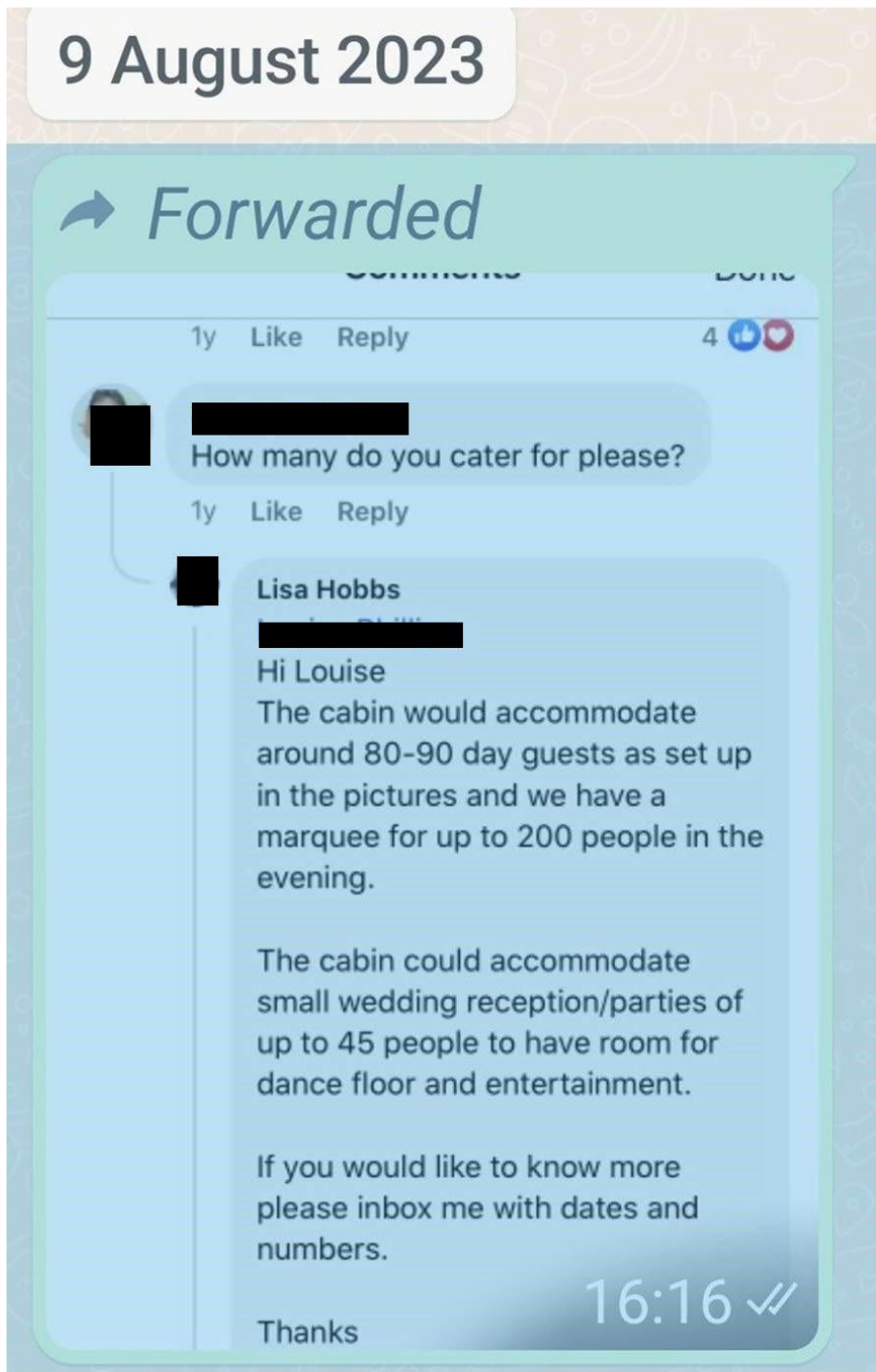
See guidance on regulated entertainment

Will you be providing live music?

Yes No

Section 11 of 21
PROVISION OF RECORDED MUSIC

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<p>New Premises Application</p> <p>Sunset Lodge Weddings Ltd Sunset Lodge Ty Cae Brith Farm Troed Y Rhiw Road Mynyddislwyn Blackwood NP11 7BB</p> <p>Alcohol (on & off sales for the Lodge & Marquee)</p> <p>Sunday to Thursday, 1200 to 2300</p> <p>Friday & Saturday, 1200 to 0000</p> <p>Boxing Day & New Years Eve 1200 to 0200</p> <p>Sunday prior to a bank holiday Monday 1200 to 0000</p> <p>Recorded Music* (Marquee and outside area)</p> <p>Saturday until 2330</p> <p>Recorded Music* (Lodge)</p> <p>New Years Eve until 0100</p>

Sunday prior to a bank holiday Monday until 2345

*Please note there are exemptions under the LA03 Act for the provision of regulated entertainment between the hours 0800 to 2300 for audiences not exceeding 500.

Late Night Refreshment (LNR)

Friday & Saturday, 2300 to 0000

Boxing Day and New Years Eve 2300 to 0200

Sunday prior to Bank Holiday Monday 2300 to 0000

Please note all licensable activities to take place in the marquee and outside area is between 1st May to 30th September only.

WARD – Ynysddu

Last day for Reps – 4th September 2023

Angela & Dean Phillips
CoedyRidder Cottage
Mynyddislwyn
NP12 2BG

From: [Morgan, Lee](#)
To: [Hopkins, Kathryn](#)
Subject: FW: Re your recent email to Mr Sharpe and myself
Date: 13 September 2023 10:56:59

From: [REDACTED]
Sent: Tuesday, August 29, 2023 10:13 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re your recent email to Mr Sharpe and myself

In brief (no pun intended) Mr Morgan, the continued contradictory responses in various emails, recapitulating what we have already advised and deflection are becoming waring and arguably offensive to all residents who put their trust in RA's.

That said, I do have some sympathy with Licensing Dept given Mr & Mrs Hobbs ongoing and worrying contradictions.

I respond at this time, to particular statements you made in your email 25/08/23 in your email Mr Morgan to Mr Sharpe and myself and cc to the CEO. I would also ask that you reflect on your opinion regarding the bottomless brunch as not significant to Mynyddislwyn Mountain.

As stated previously, your Dept did not adhere to GDPR and I am well aware of ICO (I subscribe to such code of practise) and my email wrongly being shared by CCBC without my permission. Such that residents contacted me and passed on to others (without realising) my details, that have increased my workload in aiming to help them. Nevertheless, I accepted your apology and took it no further.

1. That said, I refer you to what was stated within the sent petition and that named residents who attended the meeting 7/08 and others who later became aware; as representations to be included also in the New Premises License. I nor indeed Mr Sharpe have the time to undertake the administrative responsibilities of Licensing. It is your Dept's job to check authenticity of objections and advise each person accordingly as Statutory guidance dictates. Thus, we leave it to you to ensure this is correctly actioned.
2. Residents appear keen to fund any means to see right being done. However, my view is to follow due process to ensure we cover correct protocol. Nevertheless, I will be led by the majority resident opinion.
3. Mr Sharpe as a qualified Pharmacist is expert in his field - indeed, you enjoy free prescriptions in Wales because of his tenacity and his right in legal proceedings veracity was mentioned in Parliament. Mr Sharpe is well aware of alcohol (ethanol) as a harmful molecule, that it is carcinogenic, that it is extremely addictive because it is seen as normal and everywhere - but not for a very rural agricultural area that will cause danger.

4. I am merely a very busy individual working under a protected title and I do have particular experience, skills and training that is influenced within factual practice.
5. We rely on experts in the field also and it is important to understand the meaning of 'Significant' that you have used to justify your opinion regarding a bottomless brunch and I am particularly concerned regarding Snapchat is used from age 13 and I refer you also to the attached screen shots as well as below.

Significant means - having or likely to have influence or effect.

In consideration of you stating recently and indeed, confirmed by Legal Dept, *'unless there is an irresponsible drinks promotion and breach of mandatory condition of licence 'a bottomless brunch' is unlikely to be automatically irresponsible. To be an irresponsible drinks promotion, there would have to be a significant risk of the licensing objectives being undermined.'* Mr Hobbs has now clearly stated he is undermining the premises license objectives.

Assumptions have continued to be made by yourself Mr Morgan to the detriment of residents and based on supposition that remain unclear to us Mr Morgan. For example, we are aware that an irresponsible promotion means consideration of revocation. We were not advised of any checks made insofar as home office guidance on what constitutes significant in the Doghouse license case as per the following:

Prohibited irresponsible promotion and banning:

- We have been led to believe that the advertisement has been placed on social media platform Snapchat and 77% of users are aged 18 to 24 and indeed, a large number of under 16 year olds. This is argued as irresponsible.
- Drinking excessive amounts in a short 2-hour period (as stated in the advertised poster) is regarded by experts as the most dangerous including that toxic levels of alcohol are present in the body and leads to e.g., vomiting, diarrhoea and even alcohol poisoning. Source <http://www.dailymail.co.U.K./health-37718969/warning/> drink driving.
- The poster advertised by Mr & Mrs Hobbs states unlimited drinks and also there is no minimum unit costing!

Alcohol free or discounted

- Clearly the recent poster advertised to enable and encourage irresponsible unlimited drinking in a 2-hour period and then follows encouraging ongoing paid drinking with entertainment to keep the customer in attendance.
- Research suggests, a bottomless brunch is regarded as irresponsible alcohol promotion within a time limit.
- Projectile vomiting and need for ambulance. Mark Drakeford July 2023 in press concerned about drinking and pressure on NHS.
- **Bottomless Brunches encourages binge drinking fuelling drink driving** Source: Consultant Psychiatrist Dr Omair Ahmed Priory Clinic Birmingham as in press.

Potential customers and type of promises/size.

- Encouraging the consumption of alcohol with unlimited amount over a period of time (See the attached poster Mr & Mrs Hobbs advertised on allegedly Snapchat).
- The possibility of a significant increase in customers (thus traffic in the lane)

Also, the profile of the customer base.

- As stated above Snapchat was allegedly the advertising platform
- Size appears unlimited given inside and outside and Licensing clearly stated they did not know the numbers attending.

Type of premises –

- given there is currently no planning authorised and all are aware of this.
- The premises is Ty cae Brith Farm (this is 20 acres)
-

Security measures

- Unknown

The law clearly states, as Licensing are aware: -

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 (SI 2014/2440)

The 2014 Order means there are

mandatory conditions to:

- **ban irresponsible promotions.**
- **ensure that small measures of beers, wine and spirits are offered and that customers are made aware of them.**

1. How were the above mandatory conditions adhered to given yet again, the Licensees are offering a bottomless brunch, in a very rural area with single lanes, no pavements and they have no approved planning?
2. You state it is only two hours not all day drinking. However, the poster states unlimited drinking for a fixed amount of money and then there is also advertised ongoing paid drinking/disco etc until the early hours under the current license.
3. The Licensees clearly do not understand the law in the email Mr Hobbs sent to you 25/08/23 he remains of the view that seated with food is legal regarding a bottomless brunch. This was made illegal in 2015.
4. Further, the Licensees have stated for the previous bottomless brunch that it was to advertise their wedding business.
5. Mr Hobbs stated in writing that he does not want cans, glass bottles rubbish etc and referred to his purchasing kegs. It is unclear whether this means just particular drinks were available for his bottomless brunch.

Hubris is important to avoid at this time as facts dictate as below also.



Negative effects of Snapchat for Teens

- Predators - easy connections to strangers & Snapmap dangers.
- Screen time addiction - gamification of staying on the app with Snapstreaks.
- Bullying - easily spreads at school with no way to prove who is involved with "disappearing" messages.
- Access to drugs - rampant on the app.

[More items...](#) • 4 Mar 2022

[https://smartsocial.com >post>effe...](https://smartsocial.com/post/effe...)

[Negative Effects of Snapchat for Teens | SmartSocial.com](#)

00:49



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Which Age Group Uses Snapchat the Most? - Oberlo

0 About featured snippets • Feedback

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What age groups use Snapchat UK? A

Focusing just on users within the UK, those ages **18-24** make up 77% of the platform's users. 26 Jul 2023

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Bottomless brunch backlash as UK daylight drinking trend sparks alarm

There is growing concern that the trend of debauched bottomless brunches, which include unlimited drinking, has sparked chaos on streets across the UK.

By **OLI SMITH**

18:03, Fri, Jun 16, 2023 j UPDATED: 18:03, Fri, Jun 16, 2023



01:29

m. 1.1 81%JI

[Read All 16 Comments](#)

The report in **Timeout** highlights the hashtag **#bottomlessbrunch** on **TikTok** which shows "countless clips of drunk attendees careering down streets, causing mayhem, and even being carted off in police vans".

One boozy-brunch fan Cory, 26, from Wales, summed up the appeal of the trend: "Who wouldn't want to get drunk in the day? You can go to bed early and you're not so hungover the next day."

9 August 2023

,-+ *Forwarded*

1y Like Reply

400



[Redacted Name]

How many do you cater for please?

1y Like Reply

Lisa Hobbs

[Redacted Name]

Hi Louise

The cabin would accommodate around 80-90 day guests as set up in the pictures and we have a marquee for up to 200 people in the evening.

The cabin could accommodate small wedding reception/parties of up to 45 people to have room for dance floor and entertainment.

If you would like to know more please inbox me with dates and numbers.

Thanks

16:16 ✓✓

SUMMARY

The Licensing Act 2000 revolutionised the law governing the sale of alcohol. It came into force in November 2005 and has therefore been in force for 11 years. In that time hardly a year has gone by without major amendments to the Act, and it is therefore ripe for post-legislative scrutiny.

Alcohol, in moderation, can enhance community cohesion. In excess, it is harmful to the health of the consumer and can damage the community. The state has a duty to ensure that alcohol is sold only at appropriate premises, by those who are alive to their responsibilities to customers and the community alike. For five hundred years the licensing of persons and premises was the task of justices of the peace. Those who devised the new policy in 2000 thought, rightly, that this was not a task for the judiciary but for local administration. If they had looked to see how local authorities regulate the responsible use of land in other situations, they would have seen that the planning system already well established and usually working efficiently, was well placed to take on this additional task.

Instead the legislation established new licensing committees for each of 50 local authorities. The councillors sitting on these new committees, and the staff assisting them had no experience of the complex new law they were administering. Our evidence shows that, while most members of licensing committees no doubt attempt to apply the law justly and fairly, too often standard fall short. Many councillors have insufficient training; all should undertake compulsory training. We were told of cases of clear inadequacies in fulfilling their functions, resulting in a haphazard decision-making process.

The planning system has its detractors, but planning committees are well established, with better support from experienced staff. Our main recommendation is that there should be a trial merger of licensing committees with planning committees. To be clear, we are not recommending a merger of licensing law and planning law; we are suggesting that the councillors who sit on planning committees, using the same procedure and practice and with the same support as they already have, should deal with proceedings under the Licensing Act in the same way that they already deal with planning legislation.

Appeal from decisions of licensing committees now go to the same magistrate who, until 2005, dealt with the applications. This not only defies logic; it leads to unsatisfactory results, as many of our witnesses have testified. Planning appeals go to inspectors who have the training for this, and to whom this is a full-time job. We recommend that they should hear licensing appeals as well.

Since 2005 there has been a gradual but significant decrease in crime committed by persons under the influence of alcohol. It has been accompanied by amending legislation greatly increasing the powers of police: among them closure powers, and powers of summary and expedited review. We do not dispute that in some cases police will need these powers, but they must be accompanied by appropriate safeguards when the livelihood of the licensee is at risk. There is already case law showing that the police powers are not as far-reaching as they think. The police should not exceed their powers, and magistrates must be given better supervision of the exercise of those powers.

-
- The purchase of alcohol for the club and the supply of alcohol by the club, are managed by a committee who are members of the club, are 18 years old or above, and are elected by members of the club
 - No person receives any commission, percentage, or similar payment at the club's expense on or concerning purchase of alcohol by the club
 - No person derives a financial benefit from the supply of alcohol by or on behalf of the Club to guests or members, except where the benefit accrues to the club as a whole, or where the benefit derived indirectly by a person from the supply producing or contributing to a general gain from the carrying on of the club

If a club is not satisfying the conditions of being a qualifying club the authority must give notice to the club withdrawing the certificate. Where the only reason the club is not satisfying the qualifying club conditions is that they do not have 25 or more members then the certificate will be withdrawn three months after the initial notice. If at the Manage consent onth

OF THE LLOYD BANK LIMITED

A Club Premises Certificate alone does not authorise sales of alcohol by retail or the provision of regulated entertainment to the general public, and in most circumstances, this will prevent the hire of a club premises to non-members for private functions that involve the carrying on of licensable activities.

In order to be a qualifying club in relation to the supply of alcohol, a club must satisfy a number of conditions, including the following:

- A person may not be admitted to membership or as a candidate for membership to any membership privileges, without an interval of at least two days between their nomination or application for membership and their admission
- A person becoming a member without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming a member and their admission

although it should be noted that this is a complex area of law, and that this article is only intended to provide a summarised overview of the important points.

A Premises Licence can be granted to any premises which authorises the premises to be used for one or more licensable activities. A Club Premises Certificate is a certificate granted in respect of a premises occupied by and habitually used for the purposes of a club, and that club must satisfy a number of conditions.

A Premises Licence can authorise:

- the sale by retail of alcohol by retail
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- the provision of regulated entertainment; and/or
- the provision of late night refreshment

A Club Premises Certificate can authorise:

Manage consent

Surprises, projectile vomiting and ambulances: has brunch gone too far?

Britain's favourite excuse to day-drink has reached new, sickening heights



Written by [India Lawrence](#) Thursday 15 June 2023

f

(9

'You're looking like a real New Yorker now,' the chipper waiter tells my friend, giving her a knowing nod as he pours her fourth mimosa of the day. It's barely past midday, but we're glassy-eyed and swaying in our seats at a new restaurant-slash-bar-slash-club in north London, Destiny's Child pounding in the background. And yes, we're drunk.



Sent from [Mail](#) for Windows

Negative effects of Snapchat for Teens

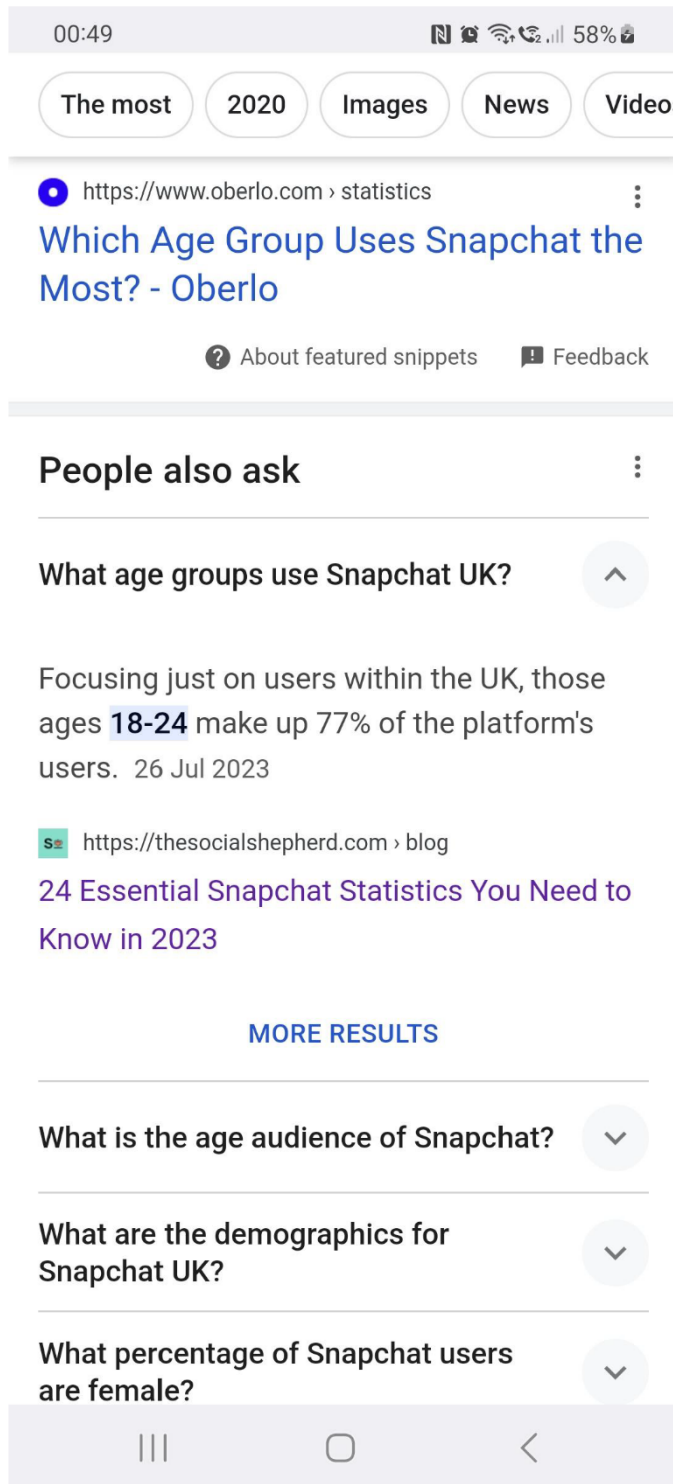
- Predators - easy connections to strangers & Snapmap dangers.
- Screen time addiction - gamification of staying on the app with Snapstreaks.
- Bullying - easily spreads at school with no way to prove who is involved with “disappearing” messages.
- Access to drugs - rampant on the app.

[More items...](#) • 4 Mar 2022



<https://smartsocial.com> › post › effe...

[Negative Effects of Snapchat for Teens | SmartSocial.com](#)



Negative effects of Snapchat for Teens

Expert advice about making Snapchat safer

Conclusion

[View Your Dashboard Login](#)

Snapchat is a very popular social media app students often use to keep in touch with their friends and family, but it also opens doors to meeting strangers and predators finding students where they are.

The "disappearing" messages feature of Snapchat makes it very tempting for teens and tweens to share compromising photos or engage in cyberbullying and the Snapmap sharing a student's physical location can be a scary thought for parents who want to protect their kids from predators.

 **Students, parents & teachers:** View the full VIP lesson:

From: [REDACTED]
To: [Hopkins, Kathryn](#)
Subject: Meeting 26th Sept and representation
Date: 13 September 2023 06:56:01

Hi Kathryn and hopefully I will not be sending you many more emails!

A resident who has put in an objection regarding Ty Cae Brith Farm visited me yesterday evening and asked if I would represent them.

Mr Rhys Cook and his partner Gemma who have a working farm on Mynyddislwyn Mountain very near the applicant's address. Mr Cook will be attending however his partner is unable to attend the meeting.

On a separate note can you add the above screenshot relating to alcohol/gambling news to the bundle please.

Further, I would be grateful if you would provide me with the (I assume) quarterly Licensing committee reviews over the last two years that include as the example in 2nd screenshot a list of applications etc.

Many thanks Kathryn
Best wishes
Angela

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

06:28 📶 🔋 85%

← **Select text** 📄 📌

Appendix 1C
 MARCH 2018

ALCOHOL / GAMBLING NEWS FOR LICENSED PREMISES

Sale of Alcohol to Drunks

It is illegal to knowingly sell alcohol, or attempt to sell alcohol, to a person who is drunk. It is also illegal to allow alcohol to be sold to someone who is drunk.

Those who could face prosecution include:

- anyone who sells alcohol at the premises
- the premises licence holder and premises supervisor
- any member or officer of a members club who could have stopped the sale

• the premises user where there is a temporary events notice

It is also an offence for a person to knowingly obtain, or try to obtain, alcohol for a drunken person on a licensed premises.



Breaking the law could result in a fine of up to £1,000. If the convicted person is a personal licence holder, they could lose their licence.

Employing Under 18's

Persons under the age of 18 can make sales of alcohol as long as each individual sale has been specifically approved by a responsible person. The responsible person is either the holder of the Premises Licence, the Designated Premises Supervisor or anyone aged 18 or over who has been authorised by the Premises Licence holder or the DPS to authorise sales made by the under 18s. Beware however, that specific approval of individual sales means that each time an under 18 makes a sale, authority must be given by the responsible person. That is each and every time. In practice, you will always need an adult working with the under 18 in order to approve each sale made by the under 18.

There are limits on the times you can employ an under 18 and special rules relating to working time and scope of employment for under 18's (children) which may prevent you being able to employ them in the pub itself. There are specific break times and working hours which must be adhered to and different rules relating to work during term time and school holidays. Sometimes children are not permitted to work without an employment permit issued by the local Authority if this is required by local by-laws so you should also check if this applies with your council before employing any children.

Community Alcohol Partnership

Rhondda Cynon Taf and partner agencies are currently in the process of introducing a Community Alcohol Partnership (CAP) in Pontypridd Town Centre. The CAP is a partnership of agencies and licensees who are working together to tackle the issue of under age drinking in your area. Part of the initiative will involve providing extra support to local licensees to help them resist attempts by minors to purchase alcohol.

Mandatory Conditions

There has been an increase in the reports of 'free shots' for patrons participating in Karaoke evenings. The Mandatory Conditions attached to your Premises Licence govern, amongst other things, irresponsible drink promotions. Irresponsible promotions can include the provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted price where there is a significant risk that such a promotion would undermine one or more of the licensing objectives.

The aim of the condition is to prohibit or restrict promotions which encourage people to drink more than they might ordinarily do.

To check if your promotions comply with these Mandatory Conditions please contact your area Licensing Officer.

Know Your Area Officer

Rhondda Jill Popp	Cynon Maria Meek	Taff Bethan Walters
-----------------------------	----------------------------	-------------------------------

Licensing Section, Ty Eia, Dinas Iaf East, Williamstown, Tonyandy CF40 1NY
Telephone: 01443 425001
Email: Licensing.Section@rctcbc.gov.uk



NEWYDDION
 MAWRTH 2018

ALCOHOL A GAMBLO AR GYFER MANGREOEDD TRYW

Gwerthu Alcohol i Bobl Feddw

Mae'n anghyfreithlon gwerthu alcohol yn fwiadol, neu geisio gwerthu alcohol, i rywun sy'n feddw. Mae hefyd yn anghyfreithlon caniatáu i alcohol gael ei werthu i rywun sy'n feddw.

- defnyddiw y safle lle mae rhywun achyruar dros dro
- Mae hefyd yn drosedd i rywun gael gafael ar alcohol, neu



☰ ○ ←

From: [REDACTED]
To: [Hopkins, Kathryn](#)
Subject: To add to Bundle re Ty Cae Brith Farm and 26/09 meeting
Date: 18 September 2023 09:20:28

The screenshots above are from residents who have asked me to represent them.

Route from Sat nav is 2.7 miles from main road (Sainsburys side) to Tae Brith Farm. All single lane, via Church and no pavements/lighting. Cllrs to note Sat Nav clearly states restricted road use.


Road from Wattsville to Tae Cae Brith is the only Lane that does not go around the Church and is 1.1 miles of steep incline, single lane and no pavements or lighting and is called Murder mile as in video already sent. A resident (Mr Powell Ty Sirol address who please note is attending meeting) travelled to hospital by ambulance and was told by crew they were not allowed to take him down the short cut to Royal Gwent Hospital via murder mile as it was a restricted route.

Many thanks Kathryn
Angela Phillips


Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)


10 min (2.7 mi)

Fastest route now due to traffic conditions

 This route has restricted usage or includes private roads.

Steps

 Ton-y-Moch Ln,
Pontllanfraith, Blackwood
NP12 2DT

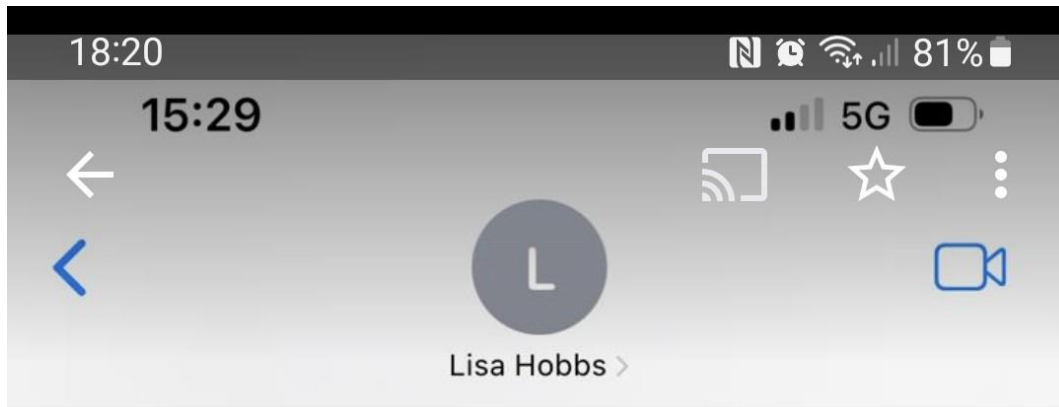
Head south on
 Ton-y-Moch Ln

 Partial restricted-usage road

0.2 mi

 Turn right





Sun 16 Jul at 18:32

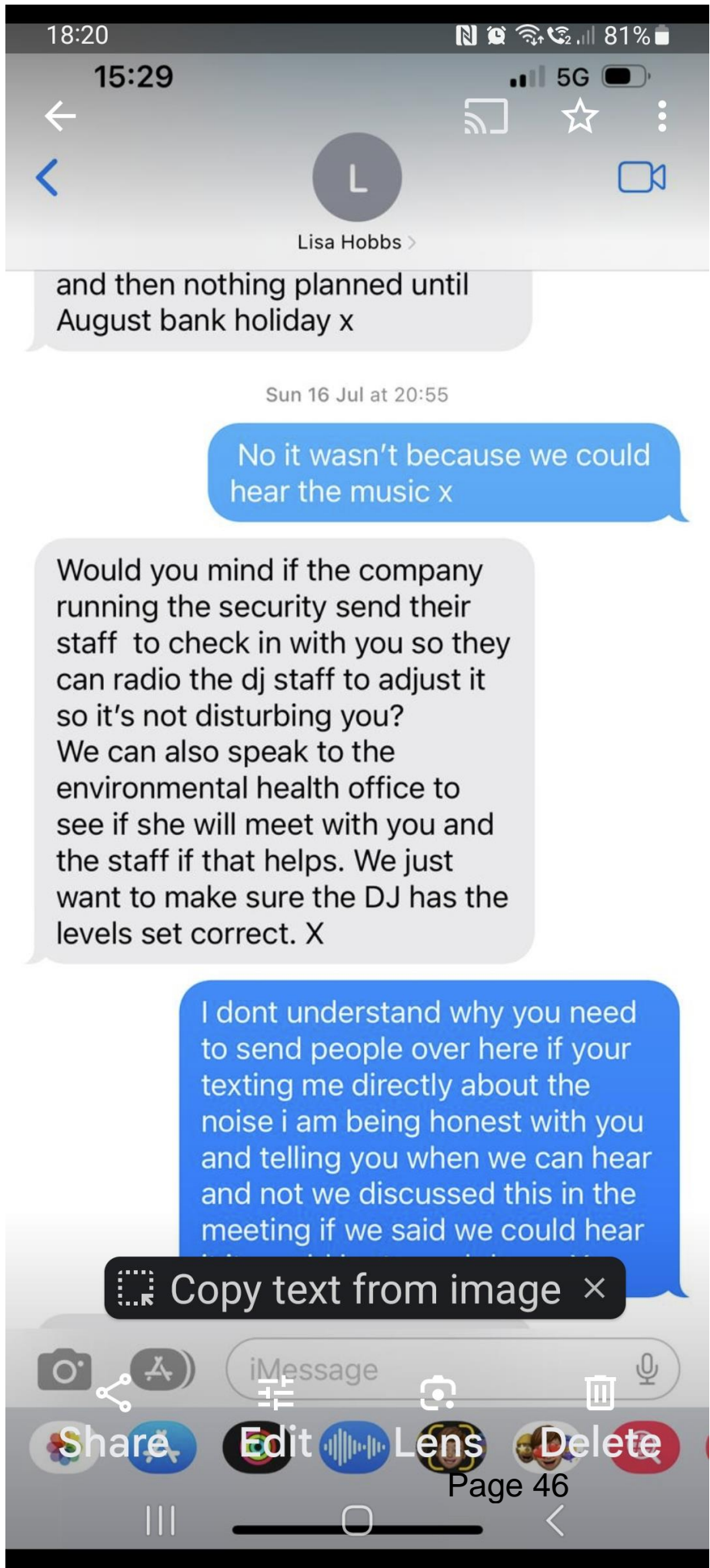
Hi Up till our last message last night like I said we could hear the music from ours, after that I went out x

Ok I'll take it that it was an acceptable level then unless you say otherwise, thanks. Will check in again next Saturday and then nothing planned until August bank holiday x

Sun 16 Jul at 20:55

No it wasn't because we could hear the music x

Would you mind if the company running the security send their staff to check in with you so they can radio the dj staff to adjust it so it's not disturbing you? We can also speak to the environmental health office to see if she will meet with you and the
want to make sure the do has the



Members will be aware that a quarterly meeting is convened to review and discuss the implementation and progress of the Licensing Act 2003, together with any ancillary matters arising from responsibilities with which this particular Committee is charged.

Such ancillary matters include the Gambling Act 2005. (There may also be ancillary matters arising from the impact of the Smoke-Free Premises Regulations, which have the potential to affect all licensed premises).

4. **LICENSING ACT 2003**

4.1 **Application Process**

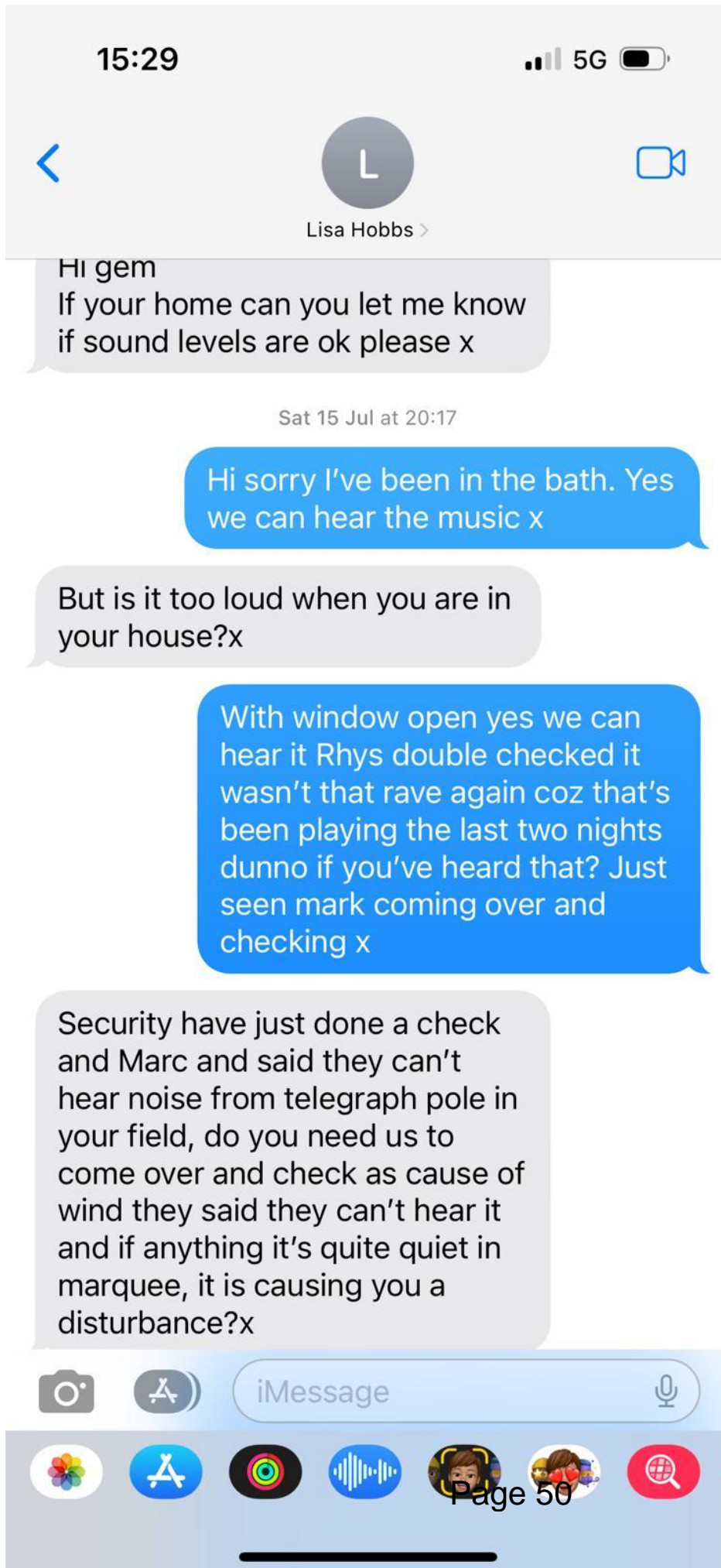
Applications received since the last update (**8th January 2018 to 1st January 2018**) are as follows:-

<i>Application Type</i>	<i>Number received</i>
Personal Licence	21
Premises Licence	11
Transfer (Premises Licence)	20
Vary (Premises Licence)	0
Club Premises Certificate	0
Vary (Club Premises Certificate)	0
Temporary Event Notice (TEN)	71
Application to Review	1
Interim Authority Notice	0
Change of DPS	65
Minor Variation	3
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	1
Performance of Hypnotism	1
Total Number Applications	194

The number of Temporary Event Notices (TEN's) notifications have fallen during this period from the last, mainly due to the previous period encompassing the Christmas period.

There is no clear pattern attributed to this period's notifications, other than the events for the Six Nations Rugby Tournament, and 12 of the notifications were submitted by late night public houses within the Pontypridd area utilising the TEN's process to authorise additional hours of their conditions.

Analysis of the TEN's applications indicate 27 related to Private Members Clubs, 31 for existing premises licences and 13 permitted community events. A summary of TEN's, is reproduced for Members' information as **Appendix**



Resident Representation

From: [REDACTED]
To: [Hopkins, Kathryn](#)
Subject: For bundle Kathryn - From Mr & Mrs Cook. Please advise panel to highlight each link to open. Any problem we can supply USB. Mynyddiswyn lane 3.7 miles from Main rd to Wattsville
Date: 18 September 2023 10:15:21

Around Church to Ty Cae Brith Farm. Wedding guests tend to arrive for wedding at same/similar time.

[https://](#) [REDACTED]

Lane from main road

[https://](#) [REDACTED]

continued - Nb: Hedges sides in video just cut - Farmers advise cannot be cut Until Sep.

[https://](#) [REDACTED]

Murder mile towards Ty Cae Brith Farm

[https://](#) [REDACTED]

Regards
Angela Phillips

Note: In view of IT & Data Protection issues, the above links have been removed and Officers will endeavor to make the Video Clips available at the Sub Committee meeting.

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

Resident Representation

From:
Sent: Sunday, September 17, 2023 7:38 PM
To: Hopkins, Kathryn <HOPKIK1@caerphilly.gov.uk>
Subject: Lane Licensee of Ty Cae Brith Farm states as suitable for 40 cars to travel up/down to a wedding

From a Resident attending Meeting 26/09. 10:00. Please add to Bundle and advise is a video and link is tapping onto picture and pressing down arrow as it appears.
 Thank you Kathryn
 Angela Phillips

Murder Mile, Mynyddislwyn: Race Report as noted in press

[Billed as one of the hardest races in the UK by Runners World and Running Fitness, this is what it sounds like, a one mile race up a hill. A big hill. The elevation was 669 ft. You can't run down because it's too steep.](#)



Sent from my iPad

Y Gorau o Barch
 Angela Phillips

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If you are not the intended recipient, any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you received this in error, please contact the sender and delete all copies from your system. Reasonable precautions to minimise the risk of transmitting viruses have been taken but we advise that you carry out your own virus checks before opening any attachments.

We cannot accept liability for any loss or damage caused by software viruses.

From: [Redacted]
To: [Rhys Williams](#)
Subject: To add to Bundle re Ty Cae Brith Farm HGV's and fads
Date: 19 September 2023 17:25:35
Attachments: [IMG_3039.PNG](#)

Many thanks Kathryn Regards Angela Phillips


17:21 Tue 19 Sep caerphilly.observer 73%

Menu

Residents demand action over lorries following sat navs through narrow lanes

News | Rhys Williams | Published: 16:17, Wednesday September 2nd, 2020.
Last updated: 16:56, Thursday September 3rd, 2020

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Elizabeth Tomlin

A car that was crushed by a HGV on Mynyddiswlyn in 2017. Thankfully no one was inside the car at the time

Residents have once again called for something to be done to stop HGV drivers following their sat navs through narrow country lanes in Mynyddiswlyn.

The latest demand for action comes after a lorry crashed into a woman's car along the lane on August 24, leaving her in a "state of shock".

Diane Smith, from Pentwynmawr, said the back end of the lorry swung into the side of her car.

1.4k Shares [f](#) [X](#) [WhatsApp](#) [Messages](#) [Share](#)

Sent from my iPad

Y Gorau o Barch
Angela Phillips

This email – and any attachments transmitted with it – may be confidential and/or privileged material and is intended solely for the use of the

From: [REDACTED]
To: [Hopkins, Kathryn](#)
Subject: Fwd: To add to Bundle
Date: 19 September 2023 18:31:27

For the panel to compare the Licensees latest submissions and concern around pic as also attached states Mr Cook.
 Many thanks

Sent from Samsung Mobile on O2
 Sent from [Outlook for Android](#)

From: Hopkins, Kathryn <HOPKIK1@CAERPHILLY.GOV.UK>
Sent: Tuesday, September 19, 2023 5:28:04 PM
To: ANGELA PHILLIPS <ang1@msn.com>
Subject: To add to Bundle

Good afternoon,

I acknowledge the photos attached which Mr Cook would like to be added to the report bundle.

Can you please discuss with Mr Cook what it is he wish members to consider from the photos so I can add this information to the bundle?

Kind regards

Kathryn

From: ANGELA PHILLIPS <ANG1@msn.com>
Sent: Tuesday, September 19, 2023 4:26 PM
To: Hopkins, Kathryn <HOPKIK1@CAERPHILLY.GOV.UK>
Subject: To add to Bundle

Hi Kathryn and Mr Stewart Cook would like to add this to Bundle please re meeting and Ty Cae Brith Farm
 Many thanks
 Angela Phillips

Sent from Samsung Mobile on O2
 Sent from [Outlook for Android](#)

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

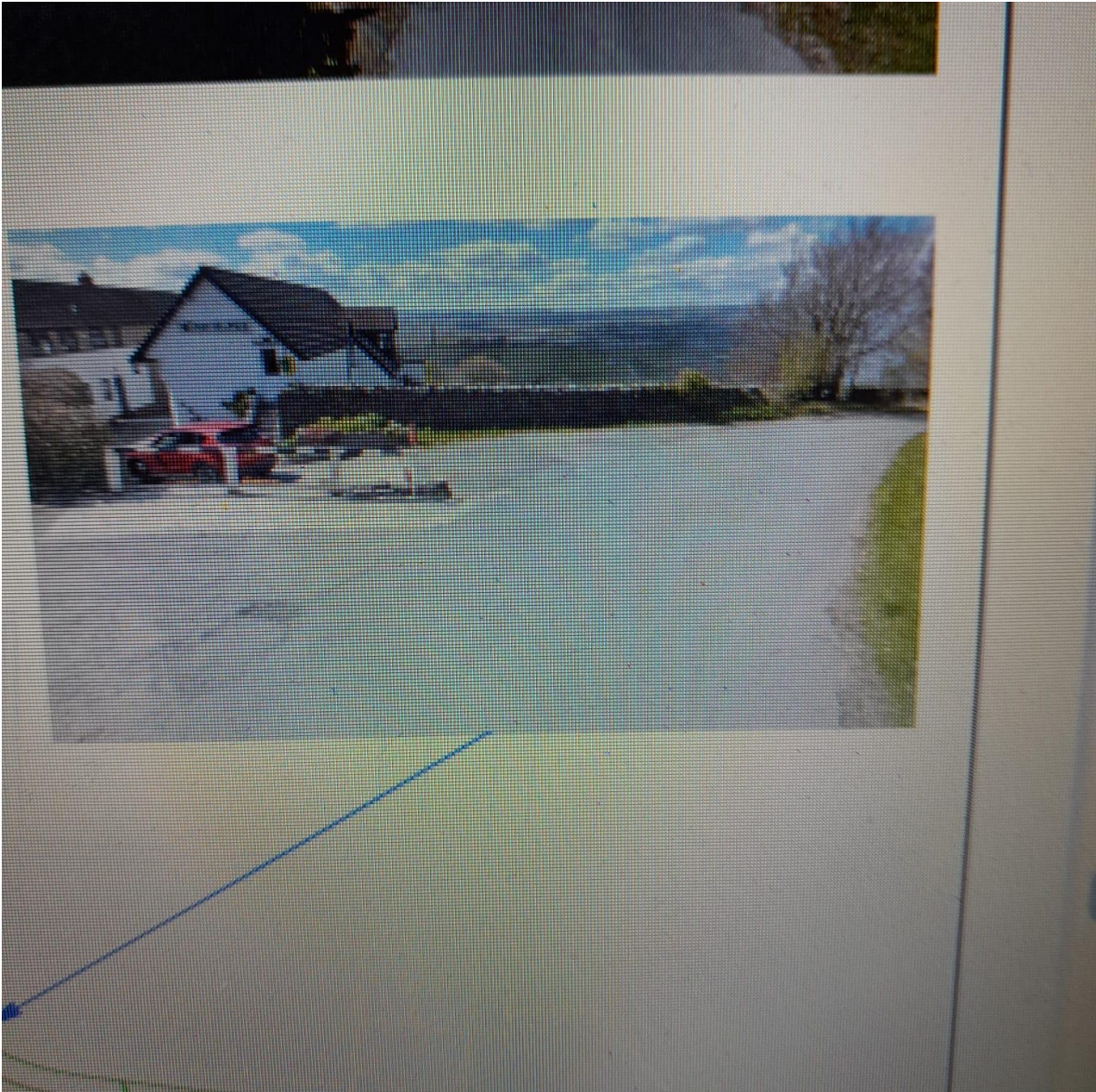












From: [REDACTED]
To: [Hopkins, Kathryn](#)
Subject: Corner of Church
Date: 19 September 2023 21:51:27

Further example of Lorry trying to get around Church.
Please add to Bundle Kathryn
Many thanks Angela

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)







From: [REDACTED]
To: [Hopkins, Kathryn](#)
Subject: Fwd: Nov 2016
Date: 19 September 2023 21:44:24

As below and please add to Bundle Kathryn. Confirms lorries are not suitable around Church.
Best wishes

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

From: [REDACTED]
Sent: Tuesday, September 19, 2023 8:45:55 PM
To: [REDACTED]
Subject: Nov 2016

Artic lorry took 2 walls down around church and our leamage wall.







This page is intentionally left blank

Resident Representation

Mrs P.K. Presley
Pennar Cottage
New Bethel
Mynyddislwyn
Blackwood
NP12 2AY

23rd August 2023

Caerphilly County Borough Council
Ty Penallta
Ystrad Mynach
Hengoed
Ci=82 7PG

Attn: Licensing Dept.

Dear Sir,

Re: Mr & Mrs Hobbs, Ty Cae Brith Farm, Mountain Road, Mynyddislwyn, NP117BB

I wish to object to the new premises licence ie The Lodge at the above premises for the following reasons:-

The access to this venue is via single file lanes which are inadequate for the amount of traffic this venue will generate.

The rural road network cannot safely absorb the predicted increase in traffic thereby leading onto the subject of highway safety.

Highway safety-Will be compromised by the volume of traffic and could also encourage a drink drive culture that these licensing hours will generate.

You will see a variety of people using these rural lanes on a daily basis throughout the year, for a range of daily activities such as dog walkers, ramblers, families going for a walk with young children and/or in pushchairs as well as the numerous horse-riders in the area.

This venue will also have an impact on the funerals and weddings which are held at the nearby St Tudor's Church, Mynyddislwyn on a regular basis, which generates yet more traffic on these rural lanes. Plus you have people coming to the cemetery paying their respects to their loved ones 365 days per year which again generates more traffic.

I am situated at the bottom of the lane leading up to this venue and on numerous occasions I have had near misses whilst trying to pull onto the main lane from my property as vehicles come speeding around the bends and are on top of you before you know it.

Resident Representation

Public Safety - I am very concerned for public safety on these rural lanes and its only by good fortune there have not been serious incidents involving vehicles and the public, including horse-riders - there have been plenty of near misses.

Noise Nuisance - To grant the licence would only serve to prolong any noise from this venue and when the wind is blowing in a certain direction more of the residents will be encountering this problem. Plus there is livestock on the adjoining farms to this venue to be considered.

Just so as you are aware none of the residents/community or their adjoining neighbours knew about this business/venue.

It would have been nice for the close neighbours and other residents to have been consulted on this development as they are the ones who are likely to be affected in their day to day farming businesses.

Policies for diversification or rural economy should be realistic and with a clear understanding of local needs.

So to grant the licence would **not** be beneficial to the well-being of any of the residents on Mynyddislwyn.

Yours faithfully



Mrs P.K. Presley

Resident Representation

Mrs E. Morris
Pennar Villa
New Bethel
Mynyddislwyn
NP12 2AY

24th August 2023

Caerphilly County Borough Council
Ty Penallta
Ystrad Mynach
Hengoed
CF82 7PG

Attention: Licensing Department

Dear Sir,

Re: Ty Cae Brith Farm, Mountain Road, Mynyddislwyn, NP1178B

I would like to object to the new premises licence ie The Lodge re the above for the following reasons.

My house is adjacent to one of the lanes leading to this venue and my main concern is the **Highway Safety** issue.

The road leading up to this venue consists of a single file lane with no or very few passing places for vehicles. A lot of vehicles that will be going to this venue would pass directly outside my boundary and I will/ could be disturbed through to the small hours of the following day after an event has taken place.

The cars/vehicles go speeding up and down these lanes with no thought of anyone's safety especially if you happen to be walking on the lane - the lanes are very popular with a lot of dog walkers and families who encounter this problem on a daily basis.

I am also concerned with the **noise** that the residents will be subjected to over a prolonged number of hours more so in the late evenings and night.

As a resident of Mynyddislwyn I am extremely concerned with any **crime and anti-social behaviour** that could be caused by people leaving this venue late at night and wandering around the mountain, as not everyone will have a vehicle at their disposal, especially if they've been drinking all day and night.

Just the other week I was woken up in the early hours of the night by two people who had torches walking on the lane outside my property. Although I can't say where they were coming from it was very worrying especially as I live on my own. I have lived in this house all my life (* years) and this is the first time that I have encountered this problem.

Resident Representation

As I do not have internet access this letter will be forwarded to yourselves by Mrs Presley but you can communicate with me directly at the above address and I would like written confirmation that you have received this objection letter.

Yours faithfully,

A solid black rectangular box used to redact the signature of Mrs E. Morris.

Mrs E. Morris

Resident Representation

Lee Summerhayes/
Sharon Fleet
Crestleigh
New Bethel
Mynyddislwyn
Blackwood
Gwent
NP12 2AY

29th August 2023

Mr L. Morgan
Licensing Officer
Ty Penallta
Pare Tredomen
Ystrad Mynach
Hengoed.
CF82 7PG

Dear Mr Morgan

I am writing to raise my concerns and objections to both the existing and new licence applications for The Dog House/The Sunset Lodge, Ty Cae Brith Farm, Mountain Road, Mynyddislwyn, NP11 7BB. My concerns are as follows:

Highway & public Safety

The lanes from the lower part of Mynyddislwyn (New Bethel) to Ty Cae Brith Farm are narrow single-track carriageways, with long straight sections, followed by blind bends, and a surface condition comparable with some of the major roads in Caerphilly Borough. There are absolutely no measures to reduce or restrict the speed of vehicles in these lanes, which results in vehicles travelling at excessive speeds detrimental to road safety. Additionally, Mynyddislwyn is a picturesque area regularly enjoyed by numerous walkers, horse riders and cyclists, myself being one of them. Until now there have been numerous collisions between vehicles in the vicinity, but, as far as I'm aware, no accidents involving people using the area for recreational activities. However, with the performance and cocoon that modern vehicles offer, and the natural increase in the volume of traffic I feel it is only a matter of time before this happens. Considering this, it will be totally irresponsible for CCBC to grant a licence for Sunset Lodge, resulting in a significant increase of traffic, mainly used by drivers with little or no knowledge of the area.

Resident Representation

Noise Impact

We chose to reside in the rural area of Mynyddislwyn for the tranquillity it provides, therefore, we are very concerned about the noise that will be generated from such events as wedding parties. When there have been events held in areas of proximity to Mynyddislwyn, these can be heard clearly, disturbing the peace, especially when spending leisure time outdoors. Having lived here for 17 years, it was a blessing when the motocross events were terminated on the mountain due to the noise created, and these were a similar distance from my residence to that of Ty Cae Brith Farm. Should this application be approved, we would be adversely affected by the noise created playing loud music inside a marquee, which offers virtually no sound proofing to prevent noise travelling to other residents.

Yours Sincerely

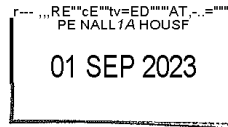
A large black rectangular redaction box covering the signature area.

Lee Summerhayes/Sharon Fleet

Resident Representation

Yr Arolychiad Cymdeithas
 Directorate of the Environment
 i.o.

Date Received 01 SEP 2023



Part 7 - Trwyn
 Mountain Road
 Mynyddislwyn
 NP11 7BB
 30 AUGUST 2023

Date Answered

To Whom it may Concern.
 Referred to

I write this letter in connection to the application made at the premises of Sunset Lodge Weddings Ltd, Ty Cae Brith, Mountain Road, Mynyddislwyn to supply alcohol, Sunday to Thursday 12.00 - 11.00pm, Friday to Saturday 12.00 - 00.00, Boxing day and New year Eve 12.00 to 2.00pm.

I have been happy to support Mark and Lisa's decision to have weddings at the marquee for up to 10 times per wedding season May through to September as discussed by myself and them. I am also happy to support their decision to open the Lodge for up to 28 market days per year to hold small weddings, baby showers and other light hearted celebrations as discussed by myself, Mark and Lisa. However, I would not be happy to support any events that would infringe on my personal space such as noise above a comfortable level (comfort for myself and my household), when people sleep on the north side of my house which faces Ty Cae Brith we can hear higher than normal noise levels with people shouting above the music. We have never made a formal complaint because we were being neighbourly and thought they were just personal parties and everyone should be allowed to have private parties (withun reason) on their own property.

The licence is a worry because these will no longer be private parties of family and friends but will be open to the public over extended dates and times, 7 days a week 365 days a year from midday to a variety of times ranging from 11.00pm closing to 2.00am closing. I feel they have the right to diversify and make the farm earn money, but I also worry about the extended time the lodge will be open and am extremely worried that they have applied for an outside music licence, which if not regulated will make peoples lives an absolute misery and I also feel we should have the right to live comfortably in our own homes.

Resident Representation

While from our discussion I am willing to support a restricted number of dates for their events, no outside music licence and sensible closing times, I am totally opposed to the application for outside music or an alcohol licence which means they could if they so wish open the lodge for up to 365 days each year.

your Sincerely
Mrs Lynne Harris

Caerphilly County Borough Council
Directorate of the Environment
No.

Date Received 01 SEP 2023

Date Answered

Referred to

Resident representation

From: DONOTREPLY@caerphilly.gov.uk
To: [WWW: Licensing](#)
Subject: Website Contact --- Licensing and permits
Date: 25 August 2023 09:20:57

Name -

rhys cook

Email Address -**Phone Number -****Date Submitted -**

23/08/2023 11:49:01

Message -

Dear sir / madam I'm writing in my objections / complaints of the license application about the location of :np11 7bb Ty cae brith mynyddislwyn , I'm the owner of the neighbouring farm My main concerns is the noise disturbance coming for the venue of Ty cae brith , as a neighbouring farm , we are affected mostly by the very loud music from the marquee on site of Ty cae brith and the dog house/ Logde also located at Ty cae brith, When events are taking place we hear the noise very clearly from our property, we are a working farm with our livestock very close by the venue and concerned about the safety and the disturbance of the livestock. The other main concern is that we have a two year old son which plays around our farm yard , normally the yard is very safe place for him but when Ty cae brith hold a event we have unexpected vehicles in convoy coming down our drive lost, making it unsafe for our son and our pets. Also with that the mountain road is a rural single lane road to our property and Ty cae brith , it's traffic and usage has Dramatically increased from the use to and from the events held at Ty cae brith , the road is used by local farmers / walkers and horse riders, the amount of traffic increase has made the road very unsafe for all concerns. The type of road is not adequate for this type of use for 200 + guess coming to and from one location at any one time . I lived here on the mountain all my life and had no worries driving or walking the lanes until Ty cae brith started holding large events with over 200 guess are travelling by cars/ taxis. There is going to be an accident here. Is really beyond belief that licensing and highways has aloud this to happen to this point. The original license for the "dog house"that was obtained approximately 2 years ago , had no objections quite simply because no one in the surrounding area knew about it . There was no letters, emails or advertisement to local residents. Thank you

Reference -

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

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Resident Representation

Mr & Mrs C. Barnsley
1 Brynheulog Cottage
Mynyddislwyn
Blackwood
NP12 2AZ

24th August 2023

Caerphilly CBC
Ty Penallta
Ystrad Mynach
Hengoed
CF82 7PG

Attn: Licensing Dept.

Dear Sir

Re: Mr & Mrs Hobbs, Ty Cae Brith Farm, Mountain Road, Mynyddislwyn, NP11 78B

We wish to object to the new premises licence ie The Lodge at the above premises.

Highway Safety

We live on the main lane that leads up to the above venue and we have noticed a substantial increase in the traffic use. We have witnessed a lot of near collisions with vehicles using the lane and cutting the bends whilst travelling at speed -thus putting lives at risk.

The single narrow lanes leading to and from this venue are unsuitable for the amount of traffic that will be using them.

A lot of people use these lanes to regularly walk their dogs and many times they have had to 'get out of the way' of these vehicles as there is no footpath for them to walk on - again putting lives at risk.

Quite a lot of cars have misjudged the bends and have landed up in hedges and fields etc and they have had to be pulled out by tractors - these occurrences will be more profound when more traffic is using the lanes who do not know the layout of the lane.

Noise Impact

This will be more pronounced if the wind is blowing in a certain direction and will have an effect on the neighbouring farms and local residents especially late at night when sound carries.

Will there be intoxicated strangers walking around the mountain at all hours of the night who will be causing a disturbance?

As the venue will be in an out of the way place will this be encouraging motorists to drink and drive?

Will the police turn up to a disturbance at the venue promptly?

Resident Representation

These are just a few questions that are concerning us and the local community.

There is already one pub on Mynyddislwyn mountain which caters for the needs of the local residents/ community and general public.

This licence if granted will have a detrimental effect on this close knit community by causing a lot of problems and safety concerns.

Mrs Presley will be forwarding this letter to yourselves on our behalf as we do not have internet access but you can communicate directly with us at the above address.

Yours faithfully.

A solid black rectangular redaction box covering the signature area.

Mr & Mrs Barnsley

Resident Representation

From: [REDACTED]
To: [WWW: Licensing](http://WWW.Licensing)
Subject: ALCOHOL/MUSIC/LNR
Date: 18 August 2023 13:30:27

Ref: Sunset Lodge Weddings Ltd, Sunset Lodge, Ty Cae Brith Farm, Troed Y Rhiw Road??? Mynyddislwyn, Blackwood. NP11 7BB.

Re: Alcohol Sales for the Lodge and Marquee - Recorded Music Marquee and outside area - Recorded Music Lodge - Late Night Refreshment.

I am writing to object about license(s) being issued for the above application(s). The notice is not clear to me whether more than one license is required.

My objections are as follows:-

Public Nuisance:

Events have been held at these premises in the past which have resulted in loud music being played which we can hear from inside our house. We have also heard loud voices and swearing from the area. As the crow flies we are not too far from the venue(s) and as sound travels downward we hear the noise clearly. This is not acceptable and especially when it is going on late into the night. This noise has an impact on our well being and also the peace and tranquility which should be enjoyed by residents and the many visitors to our beautiful rural mountain area.

Public Protection:

I am also concerned for the safety of families walking the lanes, which they should enjoy. Sometimes they have a pram/pushchair and nowhere to conveniently go when vehicles are passing. This area also encourages cyclists, hikers, runners, dog walkers, horse riders and children on ponies. We have no pavement's on our lanes, and there is enough traffic using them already.

We are farming sheep and regularly have to cross the road to different pasture - as do many other farmers on the mountain who have to move their stock.

Tractors towing large implements and stock lorries frequent the lanes.

We certainly cannot safely have the additional capacity on the road to transport up to 300 people which would include guests and all the staff to Ty Cae Brith Farm, Sunset Lodge, Marquee, Lodge. Also the additional transport for preparation and the clean up before and after.

Prevention of Crime and Disorder:

Crime, disorder and alcohol go together! Alcohol being served for hours in this rural area could result in people deciding to walk home, using footpaths they think they know, and end up knocking on farmstead doors to enquire directions. This can be very disturbing for residents. There are no streetlights and no pavements. Some residents are quite elderly and haven't had the best of health, strangers under the influence of alcohol roaming the mountain at night is unnerving, prevention has to be the best option.

I hope you will give our objections due consideration.

Best regards
Mrs Deborah Brown
Mr Gareth Brown

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Resident Representation

Windebank
Mynyddislwyn
Blackwood
NP122BG

18 August 2023
Licensing Department
Caerphilly County Borough Council
Penallta House
Tredomen Park
Ystrad Mynach
Hengoed
CF827PG



RE: Alcohol on and Offsales for The Lodge and Marquee • TyCaeBrith Fann.Mountain Road, Mynyddislwyn NP11 7BB

Dear Sir/Madam,

I wish to formally object to the granting of a licence for the above premises as the road leading to it will not allow for the increased traffic should the licence be granted.

Mr & Mrs Hobbs have stated on social media that The Lodge (previously known as The Dog House) can accommodate 90 people and the Marquee can also accommodate an extra 200 people for weddings.

The Mountain Road on Mynyddislwyn is not capable of accommodating this increase volume of traffic. There is a horse shoe bend going around St Tudors Church where it is impossible for two vehicles to pass. There is no pavement and no street lighting, so any people walking to or from the venue will find it extremely dangerous. This is a public safety issue.

The Lodge could be used for 'Hen and Stag' parties and other events with loud music which their neighbours have already complained about.

Yours faithfully

A solid black rectangular box used to redact the signature of Dorinda Jones.

Dorinda Jones (Mrs)

Caerphilly County Borough Council
Directorate of the Environment
No.

Date Received 24 AUG 2023

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Resident Representation

From: [REDACTED]
To: [WWW: Licensing](http://WWW.Licensing)
Subject: New premises license - Sunset Lodge, Ty Cae Brith Farm, NP11 7BB
Date: 03 September 2023 18:19:49

Dear Sir/Madam

Further to the application for a new premises license for Sunset Lodge, I would like to make an objection.

Under your guidance notes for new applicants it states that all applications must be served on the same day of receipt by the Licensing Authority to the following authorities: Fair Trading Officer, Police, Fire, Health & Safety, Planning, Environmental Health, Trading Standards, Protection of Children from Harm and the Local Health Board.

Is the Licensing Authority aware that Sunset Lodge, aka The Dog House which is also licensed, does not have planning permission?? Surely Fire, H&S, Planning and Protection of Children from Harm should be made aware of this issue. How can the licensing authority possibly condone this? No planning permission, no building regs or inspection! Surely this contravenes 2 of the 4 licensing objectives. How can you ensure public safety and protect children from harm when the building that they will be entering has no planning permission, building regs or inspection.

Prevention of crime and disorder/public nuisance - this WAS a very peaceful hamlet. However, with new premises license and the proposed extended hours of opening coupled with irresponsible promotions, bottomless brunch etc, the noise levels, human and musical, have risen to an unacceptable level. If I had wanted a pub/club next door to me I would not have moved here. I have lived here for 17 years and feel that I am being pushed out of my home and lifestyle so that Sunset Lodge can carry on breaking all the licensing objectives. We have had unacceptable levels of noise from the Marquee and that music was inside with the doors closed. Now they want music outdoors as well. This is not acceptable and clearly a public nuisance. I, and all the immediate neighbours, are feeling the effects of their activities and being forced to stay indoors of an evening rather than enjoying the clear benefits of fresh air and our own gardens/land. 1 neighbour sometimes has to retire to bed early as the noise levels actually make it unbearable to sit in their lounge. Another neighbour has a toddler and they are unable to get him to settle of an evening due to noise.

Public safety - the Mountain Road is not suitable for extra traffic. It is used by walkers with and without dogs and children, horseriders, cyclists etc. The increase in the volume of traffic is not sustainable. I am aware the Highways surveyed the road to the north of Ty Cae Brith but found no increase in traffic in that direction. Also the extra traffic on the road is detrimental to everyone's health.

Public nuisance- with an increasing number of vehicles attending Sunset Lodge and the Marquee, there will not be sufficient parking for all the vehicles and this will result in cars being left on the lane (single track) or other peoples' driveways.

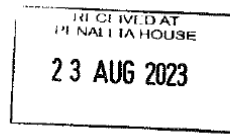
I cannot voice my objection to the application strongly enough.

Regards.

Penelope Hambleton

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Resident Representation



Licensing Department
Caerphilly County Borough Council
Penallta House
Tredomen Park
Ystryd Mynach
Hengoed CF82 7PG

66 Lanfach Rd
Abercarn
NP11 5LA

From Mr Robin Vesay and Mrs Jan Vesey

20/08/23

Regarding Sunset Lodge Weddings Ty Cae Brith Farm Mountain Rd., and Premises Application

Dear Sir/Madam

I have always walked across the mountain of Mynyddislywn and also cycled; on my own and with my family for many years. We walk the lane regularly to the Church and have noticed much more traffic of late that does impact on safety, there are no pavements and the lane is single and very narrow particularly the summer months because the hedges cannot be cut.

Recently, we were asked why we have not been seen much on the mountain and it is because of the amount of traffic that has become worrying and a near miss with a family member having to be pushed into the hedge because of a speeding car.

We are now aware of the above application and it is absurd to consider this business operating the area it is placed – there are a number of reasons but safety and common sense are uppermost. It is paramount highways/planning investigate this business as it will definitely stop visitors; and a number of people who walk the mountain lane. Including those with dogs, children and several who are kind enough to pick up litter that we meet (used to meet) occasionally from the roundabout who visit loved ones in the cemetery, attend Church Inn or just to enjoy the views.

Also, we know a number of older residents and their family or carers visit them and this will become very difficult with the number of cars attending weddings and it will not just be weddings until 2 a.m!

I/we hope the Council see sense
Robin & Jan Vesey



Resident Representation

From: ANGELA PHILLIPS <[REDACTED]>
Sent: Monday, September 4, 2023 6:01 PM
To: Hopkins, Kathryn <HOPKIK1@CAERPHILLY.GOV.UK>
Subject: Fwd: Mr & Mrs Robin & Jan Vesey 66 Llanvaches Rd Llanvaches Abercarn

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

From: ANGELA PHILLIPS <[REDACTED]>
Sent: Sunday, September 3, 2023 1:06:31 pm
To: Rees, David L. <REESDL@CAERPHILLY.GOV.UK>
Subject: Mr & Mrs Robin & Jan Vesey 66 Llanvaches Rd Llanvaches Abercarn

Dear Mr Rees, I have just been advised that the above have received a response from you asking for further information/clarification.

Unfortunately they are unable to reply at this time and may not be able to attend a review meeting because of unfortunate circumstances; thus, I am emailing on their behalf.

You may remember, you gave out my email address to several residents and my email address has been shared further in error.

Mr & Mrs Vesey are clearly disappointed with your response and arguably confused as they believe they certainly referred to the fact they often walk/cycle in the lane to/from e.g the Church and the traffic increasing because of Ty cae Brith non working farm's premises application is dangerous given the application as a whole

To avoid doubt Mr & Mrs Vesey were referring to the traffic/public safety given the narrow lanes to the premises NP11 7BB and no pavements. Public nuisance/child protection is also evident as they are now aware of afternoon unlimited drinking advertised on Snapchat as well as those drinking may drink & drive, may walk the lane drunk when families are walking and/or cause a disturbance.

Resident Representation

Resident Representation

Regards
Angela Phillips

Please ensure you reply directly to Mr & Mrs Vesey.
Thank you
Angela Phillips

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

Resident Representation

From: Shannon Sterry [REDACTED]
Sent: Sunday, September 3, 2023 9:43 PM
To: Harry, Elin [REDACTED]
Cc: [REDACTED]
Subject: Representations to Licensing Agreement of Sunset Lodge, NPII 78B
Importance: High

Good evening,

I am writing on behalf of Mr and Mrs Jones who live at Caerllwyn Isaf Farm, Mynyddislwyn. This is regarding the proposed licensing agreement that has been applied for by Mr and Mrs Hobbs at Sunset Lodge, Ty Cae Brith Farm, Mountain Road, Mynyddislwyn, Blackwood NPII 78B. The proposed licensable activities are as follows:

*"The sale by retail of alcohol for on and off sales Sunday to Thursday between 1200-2300 hours and 1200-0000 hours Friday and Saturday.
 Boxing Day and New Years Eve 12:00 to 02:00 Sunday prior to the bank holiday Monday 12:00 to 00:00 on and off site for the Lodge and Marquee.
 The provision of late night refreshment Friday and Saturday 2300-0000.
 Boxing day and New Years Eve 2300-0200 Sunday prior to a Bank Holiday Monday 2300-0000.
 The provision of recorded music in the Marquee and outside area on a Saturday 1200-2330.
 The provision of recorded music in the lodge New Years Eve until 0100 Sunday prior to a bank holiday Monday until 2345.
 Licensing activities to take place in the Marquee and outside area between the 1st of May-30th of September only."*

Mr and Mrs Jones have the following representations to make about this issue.

With a bar already in place at the above address, this has been a constant nuisance for not only Mr and Mrs Jones, but several other property and business owners who reside on Mynyddislwyn mountain. There have been countless occasions where the noise coming from the premises has disrupted their evenings and have kept them awake at night.

Most businesses run on Mynyddislwyn mountain are farming businesses, and with that comes extremely long hours, especially during the Spring and Summer months. With this proposed licensing agreement, it would allow Mr and Mrs Hobbs to continue to put the health of farmers, due to poor sleeping conditions, and the future of farming on this mountain, at risk.

As mentioned, even before the licensing agreement has been granted, this property is known to host loud events that go on well into the night, and at all times of the year. Mr and Mrs Jones live on a farm within sight of Sunset Lodge and are well within earshot of all the shouting and music that occurs on a weekly basis, from the bar and drinking facilities that are already in place at the venue. If this agreement is granted, this is running the risk of this being a nightly occurrence. Also, with these weekly events, they go until the very early hours of the morning. I have personally experienced this as I live with Mr and Mrs Jones on occasions. If Mr and Mrs Hobbs do not respect the other residents of the mountain now without an agreement, this gives them a route to carry this on with the law on their side.

The roads on Mynyddislwyn mountain are that of single vehicle width, not suitable for what will be the high volume of visitors to the mountain if this agreement is granted. Many premises on the mountain are home to horses, who are often ridden out on the roads. I, again, have experienced the complete lack of respect given by motorists to horse riders, and the increase of vehicles, due to this proposed agreement, will only put horses and riders at more risk. In previous years, Mr and Mrs Jones have applied for planning permission on old barns on their land. This permission has never been granted with one of the reasons being, among others, that the council did not want an increase in the number of vehicles using the lanes on Mynyddislwyn mountain, due to them not being suitable, as mentioned. This licensing will create a much higher volume of traffic than any new house would cause.

The representations for this licensing agreement are due to be submitted by tomorrow, the 4th of September 2023, hence why this

Resident Representation

email is marked as high importance. Please take into consideration the views of Mr and Mrs Jones, as they are also shared with other members of the Mynyddislwyn community.

Contact details for Mrs Jones are as follows:

Email: [REDACTED]

Mobile: [REDACTED]

Kind regards,
Shannon Sterry

Resident Representation

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Dog house, cabin, sunset lodge weddings Ltd , angry dog, Ty Cae Birth, Mountain Road, Mynyddislwyn NP11 7BB
Date: 28 August 2023 11:30:16

Dear Sir/Madam,

We are writing to you because we are concerned that the above license should not be granted.

1, The Prevention of Crime and Disorder. Could cause driving under the influence of alcohol, drunk and disorderly, loud abusive language which already takes place with the existing license.

2, Public Safety. Mynyddislwyn mountain road, has a lot of people that use it. Day to day to walk their dogs, horse riders, rambler's, also young families with their children all walk the mountain road. The farmers have tractors and other large machinery, there been numerous incidents, already. As there would be more traffic on this said road, it is only a matter of time before there is going to be a fatal accident! As the drivers that would be using this road are not used to the narrow single track lanes, that has no pavement or street lights, that is also marked up as National speed limit!

If they use the other route to the venue up Troedy Rhiw Road, the traffic would be coming through the residential streets of Wattsville. Also this road is known as Murder Mile be the locals due to the severe incline and no safety barriers on the side of the single track lane. Where there has been 2 fatalities already over the years!

3, The Prevention of Public Nuisance. Is also a problem. As the noise that will come from the weddings,bbq's, get togethers is going to cause a lot of noise. Did you know that the scale of a normal volume TV is between 40-60 decibels. 60-70 decibels is noisy and can cause nerve damage. Then 70-90 decibels is very noisy, and will damage nerve cells. Over 90 decibels increased hearing loss. We do believe that the noise has been above the normal level.

Light pollution, plus the noise is an environmental issue.

4, The Protection of Children from Harm. Our cousin lives next door to Ty Cae Birth, they have a very young child! The noise that comes from the license premises can and could cause problems. Also as the weddings and some other parties are during the day, and Mynyddislwyn is used regularly by young families to go walking, the extra traffic plus alcohol does not mix well.

As far as we are concerned all the above applies, and careful consideration should be taken when deciding on the outcome of the the application.

Best regards

Mr Stewart Cook and Mrs Annabel Bunny-Cook

Sent from my iPad

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Applicants Response

Dear Neighbours

We have received all your objections and we have read through them all and taken them all on board, rather than reply to each individual objective we feel it was more appropriate to combine them to one response.

Although the Highways is not part of the licensing objectives, we can see this is a major concern, therefore we have included this in our response.

Please see below the response to all objections, I hope this adds further clarity on the reason for the licence application.

Highways

On reading the objections the most common theme we are coming across is the road to our farm, with there already being residents expressing witnessing incidents of cars speeding, several near misses, a few crashes into fields and heavy farm traffic. It is also felt that the road is not suitable for drivers that are not familiar with driving the lanes, however there are mixed opinions as the majority believe these issues are with 1 mile stretch of road between the church and our farm. We're not denying the road is narrow but within that 1-mile stretch there are 10 passing points. In our experience its people that use the road regular that drive at higher speeds. We've all experienced cars parked on the verges due to the car parks being full at the Church Inn or the St Tudors, sometimes even down as far as the junction by Coed Y Ridder Cottage and the opposite side of the St Tudors, causing pinch points especially on a sunny evenings or when there is a large funeral, I have on some days not been able to pass to get home due to the road being blocked but the traffic going to and from the wedding will not be stopping at these locations or parking on the verges of roads.

Prior to starting the temporary events we did employ a rural traffic management specialist to carry out a road traffic assessment, on receipt of their report the findings were that there were sufficient passing places and the calculated maximum vehicle usage would be around 40 vehicles based on our maximum occupancy of 150 guests which we have found highly accurate following the 3 weddings we hosted this summer, we've measured on the cctv between 20 vehicles on the first and 40 on the last and this did include 3 minibuses.

We have submitted a traffic management plan to the planning department, and we are in the process of putting traffic warning road signs on our land that will be adjacent to the road, not just to warn our guests of cyclists and walkers but all the drivers that use the road.

If the venue does become popular and we find that we have more than 5 bookings per year, then we will look to purchase a minibus to allow pick up and drop offs to local accommodation. (The maximum number of weddings we will prebook in is 10 and we are unlikely to achieve 10 weddings in a year, next year will be our 2nd year and we have not taken any bookings).

We have a field to utilise for parking and although we could probably accommodate 60+ vehicles we are stipulating in our information to potential bride and grooms that we can only accommodate a maximum of 40 vehicles, therefore they are to encourage their guests to car share or get taxis/minibuses where possible.

Page 1

We do have CCTV to the entrance of our property that allows us to see vehicles entering and leaving the property allowing us to monitor this.

Applicants Response

It's also worth noting that the weddings will be on a Saturday and most guests would be attending prior to the Church inn opening so there wouldn't be an excessive amount of traffic it is anticipated that within 45-60 minutes of the wedding starting there would be around 25 cars making their way up to our farm some from Blackwood side and some from Wattsville side, similar numbers to what the Church Inn or shooting club would have. And with the shooting club having ceased trading this will also help offset the additional traffic that would be seen on the 10 days a year we hope to be holding weddings in the marquee.

Noise

A lot of the issues arising around noise seem to be historical from when we have had speakers outside or when we have had live artists performing, however on being made aware of the noise levels travelling from the Lodge we have since stopped using the amplified speakers (both indoors and outdoors) and only play music through the tv speakers, we may still on the very rare occasion have an artist but will be very mindful of how loud they play and will check the sound levels with our local neighbours. These will only be for our own personal parties and finished by [10.pm](#) at the latest.

Since being made aware of the noise issue in June of this year (first time anyone has mentioned it to us in the 6 years we have been using the lodge) we have stopped using the amplified speakers, stopped playing music outside and are mindful of how far the sound travels. Had anyone of brought this to our attention we would have turned the music down or removed the amplified speakers completely.

We had been in contact with 4 of our neighbours during the weddings and all local neighbours have our mobile numbers and we were checking in with them regularly to ensure the noise levels were not causing them a disturbance and we will continue to do this. We have heavily invested in a sound system that has noise cancelling technology so effective that at a level considered very loud on the dance floor in the marquee at a distance of 75m it can barely be heard. We can manage the volume levels and if we are informed the music is too loud or causing a disturbance or we carry out a check and find this then we can adjust the maximum noise output from behind the bar. We have tested it at different levels and live artists and as a result will not be having any bands or live artists in the marquee. Our house is 150 metres away from the marquee and we can not hear the music unless we are trying to hear it and then its very quiet, if a car goes across the top road, the wind picks up or a plane fly's overhead we cannot hear it. We aim to achieve this level for everyone.

As of May/June next year when we start the wedding season (End of May to September) we will be getting the system re calibrated and working with local neighbours to reset acceptable sound levels, we are aware that some neighbours do not want to be able to hear even the faintest sound of music and this is something we will work to achieve.

We have been working with environmental health on an acceptable noise management plan and this will be continuously monitored and updated.

Numbers of guests

The maximum number of guests we will allow is 150 in the marquee, at present there are no guests permitted to use the lodge, however we are considering applying for a mixed change of use to allow us to hold the wedding ceremony/blessing before proceeding to the marquee and the maximum number for the lodge for a ceremony/blessing would be 70 people. Of course relevant approval/planning will need to be sought if we intend to hold legal ceremonies.

Although concerns have been raised regarding numbers exceeding 290+ guests, we can assure residents that as advertised and informing people this year the maximum occupancy for the marquee is 150 guests, regardless of a comment placed on [Page 2](#) over a year ago which was before we purchased our marquee, took bookings or met with any potential customers. On review of the weddings held this

Applicants Response

year, the size of our marquee and the layout we have 150 guests is the maximum we will allow. We feel it's possible the confusion has also been people are assuming we will have guests both in marquee and lodge at the same time but with any wedding there will be a certain number of day guests then nights guests, hence 70 in the lodge, for the ceremony (if planning is granted and if required) before moving to the marquee for the meal and formalities with an additional 80 in the night making a maximum number of 150 guests, on alternating Saturdays over summer for 10 days.

Number of days to use marquee

As advertised on our website www.sunset-lodge-weddings.com our intention is to hold weddings from end of May – September on alternating weekends, however we understand people have been privy to comments on social media which may have seem contrary to this but we were are the planning stages and considered hosting weddings through the summer months every Saturday but following the recent weddings we decided that alternating Saturdays would be more appropriate thus given us around 10 weddings a year.

The Lodge

For the last 6 years we have hosted BBQ's, get togethers and parties in the lodge, this has only been for friends and family, these have been mostly on weekends and usually no more than 6 a year with around 25/30 people and usually there is no more than 12 vehicles used for this (Our yard cannot accommodate more than 12 other vehicles).

Some weekends, on average once a month, we have maybe 6-8 friends around with normally no more than 3 cars. Through the week we may have the odd day where we may have someone pop up and visit us, sometimes we host these in the house other times we may use the lodge, it depends on the weather or where we are spending our time that evening.

Contrary to local rumours the lodge is not a pub, or available for private hire. It's basically our summerhouse and decking area which we use for our own pleasure and hosting family get togethers. We have on 1 occasion let someone use it for a hen party which was a big learning curve and not something we would ever consider doing again. In fact, this year due to hosting the 3 weddings on the farm we have only had 2 days where we have had 25/30 friends/family around to the lodge.

We are **considering** applying for mixed use so we can hold a legal wedding ceremony in the lodge. With no tables and with chairs set out in rows we could safely accommodate 70 guests sat down. There would be no room for anything else i.e. tables after the ceremony they would need to move to the marquee. We are also considering the possibility of allowing the lodge for an additional few days, no more than 6 days out of season for small intermate weddings where they do not want any live or amplified music allowing a close and personal wedding. (Ideally suited for 20-45 guests). As the cabin is our personal space this maybe something we choose is not suitable for us and just stick with the seasonal weddings in the marquee.

Wedding Signs

We were recently made aware of vehicles going to the wrong farms this is due to us sharing a postcode with 4 other farms, although we were not made aware of this until several days later, as soon as we were made aware that this had happened we agreed to put signs up the night before or morning of the weddings and take these down the following day, which we did. If we are being made aware of issues we do react quickly to try and resolve them.

Applicants Response

We have had a home bar for 6 years with a draught beer system and very often friends had asked if they could buy a drink instead of drinking cans or bottles, this eventually resulted in people going in shares for their own kegs but again this was not practice as some people drank more than others so eventually we figured that best way to resolve this was to apply for a premises licence and then we could legally supply alcohol, this saved our guests having to buy alcohol in town and bring it up with them. We applied for this daily so even if someone “popped up” during the week and we were in the lodge, or if one of our friends wanted to come up to watch the football or rugby and they wanted a drink from the draft we could supply this legally. We do not have planning permission to use this as a fully commercial property nor do we wish to, however now it is looking highly likely that we will have to apply for this. There is cctv at the top of the drive, stables, in the lodge and marquee so the numbers of people and cars at any location over the previous 60 days can be evidenced. Most weeks we won't see anyone but other weeks we do have 1 or 2 family members or friends visit for chat.

Reasoning for obtaining a licence for the Marquee

We considered just applying for temporary events notices (TENs) which if agreed with the local authority and other representatives such as licencing, environmental health officers, the police, health and safety officers for each event would allow us to host the wedding however, if we had someone visit the marquee in the week and asked to book for the following year we would have to apply and pay for the TENs wait for all the above persons to make an assessment and then confirm if that date was available, if they then decided that that date wasn't suitable or they found a different venue then we would have to retract the TENs application wasting everyone's time and costing us money every time someone wanted to check on a date.

If we were licenced we could inform the bride and groom on enquiring if the date they wanted was free so they were able to proceed with sorting rest of their wedding plans.

In summary our plan is to host around 10 weddings per year on alternating Saturdays during the end of May to September in the marquee with a maximum of 150 guests (this is subject to planning, without planning this will be reduced to 5 weddings a year).

And we are considering the potential of holding a small number of intimate weddings in the Lodge should planning be granted and should there be interest that justifies the cost to modify the building, and it is something we wish to pursue.

We host around, usually on Saturdays 6 family and friend get togethers a year with around 25/30 people attending. We have smaller groups of around 6-8 people around on occasional weekends and sometimes in the week may have visitors, we may choose to host these in the lodge or the house.

We have not received any complaints from our neighbours, environmental health or the police with regards to noise or disturbances. We follow the licencing laws and as soon as we were made aware of the occasional noise issues, we started to address these. If we receive any further complaints we will address these and do our best to rectify them and prevent them from reoccurring.

We will NOT be having 200-300 guests, we are not holding weddings daily or even weekly, we are not setting up a fulltime wedding venue, we have not nor will we be opening the lodge to the public as a pub we are not open 5-6 hours every day and have cctv footage over the last 60 days to prove this. There will not be “hundreds” of cars turning up. These are all rumours.

This year we have had:

1 Hen party. We did not count the traffic at this event however there were around 40 people so roughly would have been around 13-15 vehicles. With a DJ and saxophonist via their own speaker systems. (This will never happen again!).

Applicants Response

We had a family party with around 25/30 people, around 10 cars. (This was with our new amplified speakers connected to an iPhone but placed outdoors). Pretty much all the same friends and family that we have had for the past 6 years.

3 weddings over the month of July with the maximum number of vehicles being on the last weekend that being around 40 cars/vans minibuses. The 2 previous had considerably less. (During these weddings we learnt a lot of lessons and made changes to our future plans, which we explained at the residents meeting in the Church Inn, namely reducing from 20 weddings a year to 10).

On the August bank holiday Saturday, we had around 25/30 people, pretty much all the same friends and family that we have had for the past 6 years but with music played via tv speakers and the amplified ones removed, this was monitored throughout the evening. This was the bottomless brunch. Again, there were around 10 vehicles.

There has been other licensable uses of the lodge but with no more than a few guests and no amplified music so no one would have been affected by this.

I trust this covers all the areas raised in the objections, however if further clarity is needed on anything please feel free to get back in touch and we would be happy to supply any further information required relevant to the objections or licensing objectives.

Mr and Mrs Hobbs

Ty Cae Brith Farm

14/09/2023

To whom it may concern,

I have added some further information to provide more clarity over the licensable area and concerns around highways, noise, and operating schedules.

I have taken some extracts from the traffic assessment that we had carried out and included these in this document, the document itself is 94 pages of information, I have included what I think are relevant to this hearing and suitable as evidence around public safety around this area.

With regards to traffic speeds: the report shows in paragraph 2.7 *“The posted speed limit in the vicinity of Ty Cae Brith Farm is 60mph, but given the nature of the road it is likely that vehicles will be travelling at far lower speeds. The results of the survey indicate that the 85th percentile speeds just to the north of the Farm access are approximately 30mph in both directions. Just to the south of the Farm access there is a noticeable difference in northbound and southbound speeds, being observed at 24mph and 35mph respectively.*

Passing points: 2.3.5 -2.3.8

While large sections of the road are narrow and not suitable for 2-way traffic the low level of traffic flows using the road and with numerous passing bays being available, as shown in Photograph 2.1, the road can accommodate the 2-way traffic demand. There are two solar farms located in close proximity to Ty Cae Brith Farm, as shown in Figure 2.2, one to the north and one to the south.

All of the equipment and construction traffic accessed these sites via Troed Y Rhiw Road to/from the A472. **2.3.7** A large static caravan, as shown in Photograph 2.2, has also been delivered in recent years to Ty Cae Brith, making use of Troed Y Rhiw Road from the north. **2.3.8** These examples demonstrate that the road to the north of Ty Cae Brith Farm is capable of accommodating larger numbers and sizes of vehicles than would be generated by the proposed development.

Observed traffic flows: 2.6.4

Applicants Response

This data provides evidence of the low level of traffic flows along the road, with a 2-way weekday total of 81 vehicles on an average weekday and 88 vehicles on the Saturday for site 1 to the north of the Farm Access. The peak hourly 2-way flow for site 1 is **9 vehicles** between 17:00 and 18:00 for an average weekday with a peak of **13 vehicles** between 15:00 and 16:00 for the Saturday.

Highway safety 2.8.3

As can be seen from the above, there are no collisions along the unnamed access lane to the development site. See figure 2.9.

Conclusion, 2.9 - 2.9.1 of Section 2 which describes the existing transport conditions surrounding the development and reviews personal injury accident data for the study area:

This section of the report has reviewed the existing transport network within the vicinity of the site and its accessibility to travel by sustainable modes. It has also examined the safety record of the local highway network which is considered good.

Development Proposals 3.1.2

The applicant has confirmed that the venue will operate during peak months only (likely May to September), hosting one wedding per week on a Saturday. *(Please note this has since been reduced to alternating Saturdays)*

Operation and Guest Numbers 3.21

It is intended that the wedding venue will host a maximum of 150 guests, the majority of which are likely to car share, use taxis and/or mini-buses. The marquee is stored on site, with no impact upon the public highway.

Trip generation 3.3.1

The likely maximum trip generation for a wedding function at the site is summarised in Table 3.1, with a total forecast trip generation of 38 vehicles.

For the purposes of this assessment the assumed person occupancy of each vehicle has been defined as: • Car & Taxi Guest: 3 persons per vehicle.

- Car & Taxi staff: 1.5 persons per vehicle.
- Mini-bus: 12 persons per vehicle.
- Van: 2 persons per vehicle.

Access route: 3.5.2

Swept path analysis for this route has been undertaken for a mini-bus and is included in Appendix C. This demonstrates that the road is suitable for the forecast traffic movements and vehicle types with numerous passing places where necessary.

3.6.3:

From a site visit and photographic evidence, the OS mapping used in this analysis is not entirely accurate within the curtilage of the Farm and underestimates the width of the internal access roads. This shows that the internal access roads within the Farm are of sufficient width and standard to accommodate the proposed wedding venue staff and guest vehicles.

Summary and Conclusions 4.1.1

Applicants Response

There proposed development is for a seasonal (summer) wedding venue at Ty Cae Brith Farm. An assessment of the forecast trip generation and the swept path analysis of the designated access route to/from Ty Cae Brith Farm, via Troed Y Rhiw Road to the north and the A472 roundabout at Pontllanfraith, provides evidence of the suitability of the Farm for the proposed development. 4.1.2 In conclusion, there are no highways reasons to object to the proposed development of a seasonal (summer) wedding event facility at Ty Cae Brith Farm.

Noise:

In June of this year and after hearing several concerns from neighbouring farms with regards to noise levels from music and the bass we contacted *Direct Acoustic Solutions* who we hired to visit our farm and demonstrate their bespoke system, their solution was.

"a mitigation design and noise limiting platform are required to have the capacity to control and attenuate the breakout of amplified music whilst meeting pertinent acoustic criteria. In order not to disturb nearby dwellings, Direct Acoustics are proposing the installation of acoustic linings and the option of a highly directional speaker system, called a Zone Array. Together with bespoke process-limiting, we can provide the means to control amplified music without disturbing noise-sensitive receptors.

In addition, to control bass the CPENCC recommends that low frequency levels do not exceed 70dB in either the 63Hz or the 125Hz octave bands at 1m from the facades of sensitive properties. Due to the predominantly rural character of the area, we suggest that tightening of this value to 50dB in these octave bands would be a more appropriate target to restrict the impact to not more than a LOAEL within the planning policy framework"

On seeing and hearing the system we phoned several nearby farms and asked the sound engineer to adjust process limiter whilst we were in contact so we could establish maximum sound levels from the marquee to the nearest dwellings. This proved very effective and when running sound checks at 75m it was barely audible however these were only run during the weddings and unfortunately on each occasion there was high winds and heavy rain showers. At approximately 22.20 on the 8/7/23 during a check on sound levels we were made aware that the music was audible to the point they could identify the song, we adjusted the maximum volume from behind the bar and to the satisfaction of our neighbour resolved the issue. This also identified that during the evening and with the rain and wind stopped there was a need to adjust the maximum levels through the process limiter to prevent sound escaping when the weather was more pleasant. Lessons were learnt and changes were made, and a positive note was that there were no concerns over bass levels, as usually bass levels are the main issue. Based on the performance of the system and the feedback from local farms we "off hired" and purchased the system.

It is intended that when the zone array system is being refitted into the ceiling frame of the marquee that the engineers reduce the output by around 10db and this tested again at the nearest farms. We are also intending on installing several acoustic panels and some glass doors to further improve the acoustic properties of the marquee.

All sound checks have been carried out during the weddings and these are monitored by door staff, bar staff and the land owners to ensure that the levels are not intrusive, sound checks are recorded in a log as well as recorded audio footage and cctv, in several audio files at 75 meters from source you can hear background noise levels such as birds, sheep and wind in trees much more clear than the music from the marquee. We are committed to reduce these levels further. There is no intention or desire to run more than 10 of these a year, however as previously advised with the flexibility of up to a maximum of 16 days to allow for last minute bookings due to personal circumstances, and these will be over 4 months on alternating weekends.

There has been some mention of outdoor music, we have stated that we would like to provide this however this is restricted to an outdoor wedding ceremony and low-level background music suitable to a marriage ceremony, i.e. light music before the bride arrives, music to walk down the isle and music on walking back up the isle. Live music would be in the form of a violinist or harpist style and again played at a respective level. After the ceremony this would be moved inside and any amplified music played via our zone array system. Outdoor music other than mentioned will not take place.

Applicants Response

Operating schedule:

It is intended that the operating schedule for the marquee is based on availability from the last Saturday in May then alternating weekends from June until September. The request for licensable activities from the beginning of May is purely for convenience to allow the supply of alcohol to the team on completion of the set up of the marquee which is reliant on weather conditions.

From the end of September, the Marquee will be taken down and placed in storage until the following year. The time guests can arrive on the wedding day are discussed with the bride and groom and we encourage that these are not during peak times.

Planning permission is being sought to allow the marquee to stand longer than the 28 permitted days, to prevent the need to take this down between bookings and allow us to achieve the 10 weddings a year and a request to has been given to licencing to only permit licensable activities on Saturday to reassure residents that these can not take place during the week.

Please also note the extract from our website that also evidences the seasonal wedding venue and not a “365 day a year business”:

“Our marquee is set in 20 acres of farmland set within the beautiful Mynyddislwyn countryside offering stunning views and scenery. The marquee comes with solid floor, carpets, ivory linings, starlight cloth above the dancefloor, a heating system, a 5 x 5 metre mirrored dancefloor, uplighters, full speaker and pa system, 6ft round tables and 8ft long trestle tables, up to 150 Chiavari chairs, a mobile toilet block and a licenced bar. You will have exclusive use of the marquee and the grounds on which the marquee is situated. The marquee is only available for up to 10 weddings a year with these on alternate Saturdays from late May until September after which the field is reverted back to winter grazing for horses.”

You are able to add your own personal touches to the marquee and we can recommend some great local companies that have worked with us. We are also able to recommend caterers for your event or you can choose to self-cater.

There are a number of companies on the mountain that offer accommodation including luxury apartments, a self-catering cottage, log cabins as well as camping, all within a couple of miles of the venue.

We aim to provide an amazing venue with all the necessities that you need so all that is required is for you to add your own personal touches to make the venue perfect for you.

As we are in a rural location we aim to keep noise levels to a minimum, therefore we have installed a directional zone array speaker system so that our guests can still enjoy music and dance late in to the night without causing a disturbance to the countryside.”

The brochure which can be downloaded from our website states:

“You’ll have exclusive use of a marquee for up to 150 people, situated in the countryside, which sets for a truly magical day with an amazing back drop for you to capture the unforgettable memories”

Here are some extracts from the FAQ’s within the brochure and on our website:

What’s the maximum number of guests? We have 10 x 6ft round tables accommodating up to 10 people per table, therefore reception guests would be up to 100, however for the evening we have 8ft long tables that seat up to 8 people and 150 chairs therefore we can accommodate up to 150 people.

Can we have a band? Unfortunately not due to being a rural location and the sound travelling. And any artists/DJs will need to finished playing music by 11pm.

How much parking is available? Parking is provided in the field on the right as you enter the property and there should be enough for around 40 cars this field, therefore we do ask that you encourage people to car share where possible or book taxi’s/minibuses. If anyone has issues with walking to far then you are able to drive them down to the entrance to the field where the marquee is.

Applicants Response

Are we able to camp? There is no onsite camping other than the option of the bell tent for the Bride and Groom.

Is there local accommodation? Yes, there are The Old Mountain Stables – website www.theoldmountainstables.co.uk or call or email jennie@jslee.co.uk or 07967588153, they are located at the bottom of the mountain and they have several one bedroom apartments and there are also Safe Haven Lodges which are down the hill from us and they have 3 large log cabins sleeping between 2-5 people – website www.safehavenlodges.co.uk or contact Dafydd on 07769946272.

We also have 1 other campsite to add as well as a luxury cottage to be included for 2024 that are on the mountain.

Addressing of joint resident objections:

A) The licensees candour is dubious and thus does not follow the good character expected and they are already trading illegally in not having planning having done so since at a minimum 2022.

It is our understanding that we were advised by a planning specialist that the structure appears to be within the residential curtilage and of appropriate design and scale for residential use in this area. The building is not in the main elevation of the house and less than 50% of the curtilage. (This was in August of 2022) At this stage we were still considering and assessing whether or not we wanted to make our cabin available for private hire, to this date we are still undecided but it is highly unlikely we will. As for illegally trading this is untrue, where we have been trading is in the marquee and we are permitted 28 days for this per year, which was stated at a meeting by myself and other land owners/farmers. With regards to our candour, we were open and honest we explained clearly that we intend normal use of the marquee for 10 days a year and are considering up to 6 ad hoc days, we explained it would have a maximum occupancy of 150 guests, we explained that planning is not required but that limited us to 28 days, we explained that the lodge was not open to the public, We also explained that at this time we were still working on the business plan on review of how the weddings had unfolded. This plan will be submitted to the planning authority for them to determine if the time the marquee is standing is acceptable.

B) The licensees state in their original application that the premises (now called the lodge) can cater for a maximum of 35 persons including staff. However, (see screenshot of an interested customer). The licensee is stating catering for 90 persons in the lodge and they already have an on and off premises licence (including a 30 x 9 tent/marquee) that can accommodate over 230 persons seated with tables.

This is correct, we reassessed the risk assessment on maximum occupancy based on how many people we could have seated safely in rows with no tables and with tables, this was pending a change in planning to mixed use. As mentioned above we had not decided on what action we wanted to pursue with the weddings, at that point we were judging interest. The screen shot also stated up to 200 and not 230 in the evening, again this was us gaging interest and no bookings were planned or taken. This screen shot we believe is from June or July in 2022. As stated at a meeting with Angela and Alan this is not the case anymore and the website provides the most recent infomation.

C) The licensees have already been acted irresponsibly in holding an event to promote their services including as a wedding venue without tickets that may have attracted hundreds of potential patrons as is often the norm for wedding fayres etc. luckily it rained!

When planning the open day, (not a wedding fayre!) measured with the interest levels and messages we were receiving it was evident that we would not need to sell or manage tickets, a marquee on a farm in a rural location without a client base or many reviews or photos, and only shared on social media was never going to attract a large number of visitors, it's an open day with the marquee dressed, not a wedding fayre where you

Applicants Response

have a large number of stands, stalls, vendors and sales. We assessed this and planned the day accordingly, we didn't achieve the numbers we hoped for but did meet the bottom end of what we expected and planned for which was between 20-40 people throughout the whole day, this went ahead with no complaints or concerns and signs were placed out next to other farms to prevent any persons driving to the wrong location.

D) The licensee have fallen foul of the 2003 licensing act as amended in 2014 in July 2023 advertised irresponsible promotions of-for an amount of money to drink and eat as much as wanted. This is against the law (note licencing dept were aware but chose to ignore this).

As explained in the meeting bottomless brunches are popular and if being well managed and combined with food, provided via table service and rules are followed these can meet the objectives, the bottomless brunch was risk assessed, well planned and there were extra staff on duty, there was a drink limit and the afternoon went ahead with no issues, complaints, phone calls or text messages from neighbours. Just a quick search on google and you can find at least 7 local businesses offering bottomless brunches on must weekends.

E) The licensee stated during a meeting that the licensing dept tell told them what to say. Further that they only wanted a licence for family and friends to pay for drinks at BBQ's/family parties.

As explained to Mr Sharpe the licensing department did not tell/told what to say, I explained that the forms are preset so you are unable to put in ad hoc dates and times based on when you think you may need the premises licenced i.e. only when friends arrive, this came from a conversation around why we can't have TEN's for family parties or the licence only being in effect only when we have friends around and not for the 365 days. No member of the licensing department told us what hours we wanted, they actually put in an objection against them which we accepted, the hours granted were less than what we applied for.

F) The licensees state at a meeting that planning said they did not need planning.

See reply to point A,

The licensees intend to use their land 365 days of the year if lucrative and weddings has already increased traffic significantly and the numbers the licensees can offer to carter for includes over 300 persons, plus staff, plus caterers, plus equipment etc throughout the week as well as at the actual event.

This is yet another mistruth being told to residents and neighbours, one of many and one we have had to correct over and over again!

Other info:

As stated at the beginning the road was a concern and we wanted to make sure that the road was suitable, our children albeit adults now use the road daily, I often run along the road, my wife rides her horse on these roads and my son walks his dog here.

We wanted a professional assessment to assess if the road could safely accommodate the number of vehicles that a wedding venue of this size and frequency would generate. The frequency of these weddings has also been halved from 1 a week to 1 a fortnight and there have been further reductions in vehicles accessing the roads due to South Wales 2000 shooting ground closing down. On a Saturday the Church Inn opens at 17.30 and usually closes before 22:30 so there should not be a clash in times with guests. I believe that the attached traffic assessment evidences that the road is suitable.

My wife and I work fulltime, so this part time business venture is solely weekend and seasonal based, we will both be hands on managing during the weddings that will be held on our weekends off work, with the increased costs of living and increasing mortgage rates we are looking to diversify and try to earn some extra income from the 20 acres of land we own on our farm as well as support other local businesses. We may feel that 10 weddings a year is too much for us, we have already decided that 20 which was the original plan was! We may remove the additional 6 ad hoc days we have in our plan, the point is we are finding our feet on what works for us and how to minimise impact on local people, what we won't do is increase what we are applying for.

Applicants Response

We've not taken any bookings for 2024 or 2025 but in any case we would not be taking the full 10 bookings in the first 2 years as we plan to use this time to address any unforeseen problems or complaints. We are not in a rush to get this established, we want to manage this responsibly with minimal impact to local residents. My wife is a lead person working in HR and I have owned and managed my own business for over 18 years so we are both competent in management and the responsibilities associated with sustainable management including the need to prevent issues from happening and especially reoccurring that could jeopardise the longevity of a small business.

With regards to the lodge and with further consideration this will not be used for small weddings and if used at all in a commercial aspect, which is not likely, it will only be for incidental use with the marquee, subject to planning and as previously mentioned regulations, however, it will remain as residential use with legal supply of alcohol to remain in place. We hope to have made a decision on this before the hearing.

Please see the attached document named as TARR this is the condensed traffic assessment it also shows photographs of the road.

Kind regards
Marcus and Lisa Hobbs

Owners
Ty Cae Brith farm.



Transport Planning Consultants
Ymgynghorwyr Cynllunio Trafnidiaeth

Project Number	T22.155	Project Name	Ty Cae Brith Farm
Contact/Participants	Lisa and Marcus Hobbs	Date	18 May 2023
Noted by	Asbri Transport	Page 12	
Subject	Proposed wedding venue		

Technical Note

1 Introduction

1.1 Background

1.1.1 Asbri Transport Limited has been appointed by Lisa and Marcus Hobbs to produce a Technical Note (TN) in support of a planning application in support of a wedding and function venue on land at Ty Cae Brith Farm, Mynyddislwyn.

1.2 Purpose of the Report

1.2.1 This report will detail the likely transport characteristics of the proposed development and identify the potential impact of the proposals on the surrounding transport network.

1.3 Structure of the Report

1.3.1 Following this introductory chapter, the report is structured as follows:

- Section 2 describes the existing transport conditions surrounding the development and reviews personal injury accident data for the study area;
- Section 3 outlines the development proposals, including access and parking arrangements and trip generation;
- Section 4 provides the conclusions of the report.

2 Existing Situation

2.1 Introduction

2.1.1 In order to assess the impact of the development proposals, it is necessary to establish the conditions that exist within the surrounding transport network. This section of the report therefore describes the current highway network, together with a description of the existing transport infrastructure including public transport, pedestrian and cycle facilities.

2.2 Site location

2.2.1 The development site is located southeast of Blackwood and to the south of the small community of Mynyddislwyn as shown in **Figure 2.1**. The farm is located centrally within a sparsely populated upland rural area bounded to the north by the A472, to the east by the A467 and to the west and south by the B4251.

2.2.2 The site is accessible via a road linking the A472 at Pontllanfraith and the B4251 at Wattsville. To the south of the farm, the road is formally known as Troed Y Rhiw Road.

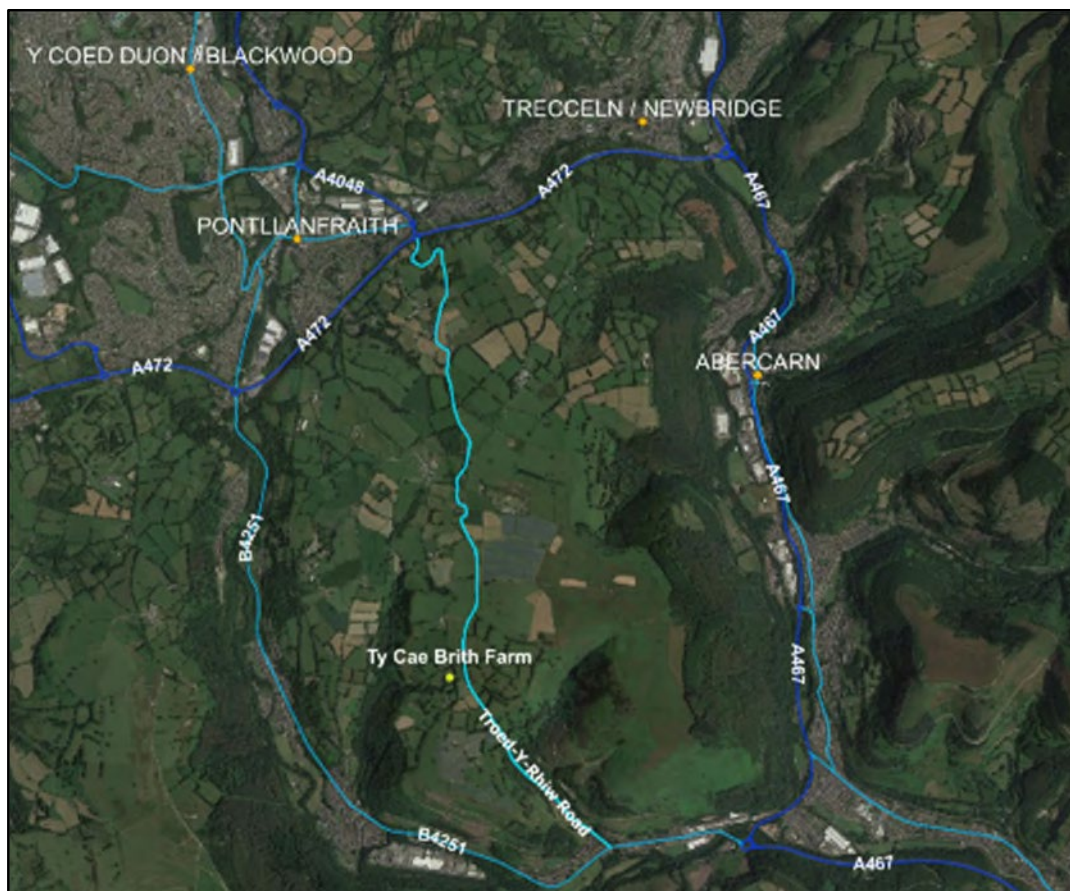


Figure 2.1 Site location

Applicants Response

2.3 Highway Network

2.3.1 The highway network within the immediate vicinity of the site is a single carriageway rural road.

Troed Y Rhiw Road

2.3.2 This rural road runs north-south between the A472/A4048 roundabout and the B4251 Nine Mile Point Road/Troed Y Rhiw Road priority junction. The A472/A4048 roundabout is located 3.3km north of the site access and the B4521 Nine Mile Point Road/Troed Y Rhiw Road priority junction located 1.5km to the southeast.

2.3.3 For a significant section of Troed Y Rhiw Road between the Farm Access and the B4251 at Wattsville the road is narrow and steep and not suitable for large vehicles. From local knowledge vehicles avoid accessing Ty Cae Brith Farm from this direction if possible. The road between Ty Cae Brith Farm and the A472 at Pontllanfraith is of better quality and suitable for a greater range and magnitude of movements.

2.3.4 The road is nominally subject to national speed limit of 60mph though the characteristics and nature of the road serve to restrict the speed of vehicles using the road (discussed later in the report). For its entirety, the road is tarmacked, unlit and without footway.

2.3.5 While large sections of the road are narrow and not suitable for 2-way traffic the low level of traffic flows using the road and with numerous passing bays being available, as shown in **Photograph 2.1**, the road can accommodate the 2-way traffic demand.

2.3.6 There are two solar farms located in close proximity to Ty Cae Brith Farm, as shown in **Figure 2.2**, one to the north and one to the south. All of the equipment and construction traffic accessed these sites via Troed Y Rhiw Road to/from the A472.

2.3.7 A large static caravan, as shown in **Photograph 2.2**, has also been delivered in recent years to Ty Cae Brith, making use of Troed Y Rhiw Road from the north.

2.3.8 These examples demonstrate that the road to the north of Ty Cae Brith Farm is capable of accommodating larger numbers and sizes of vehicles than would be generated by the proposed development.



Figure 2.2 Nearby Solar Farms



Photograph 2.1 Informal passing bays (Google Maps)



of ca

Photograph 2.2 Static Caravan at Ty Cae Brith Farm

2.4 Active Travel

Pedestrians

2.4.1 As described above, the site is access by an unclassified rural lane, therefore no footways are present.

Cycling

2.4.2 While there are no formal cycle routes along the Access Road/Troed Y Rhiw Road, there are a number of designated cycle routes on the surrounding road network along the

Applicants Response

A472, A467 and B4321 as shown in the Active Travel Network Map provided by the Welsh Government included as **Figure 2.3**.

- 2.4.3 This includes NCN route 47, which links Newport and Fishguard is accessible 1.7km to the southeast of the site.

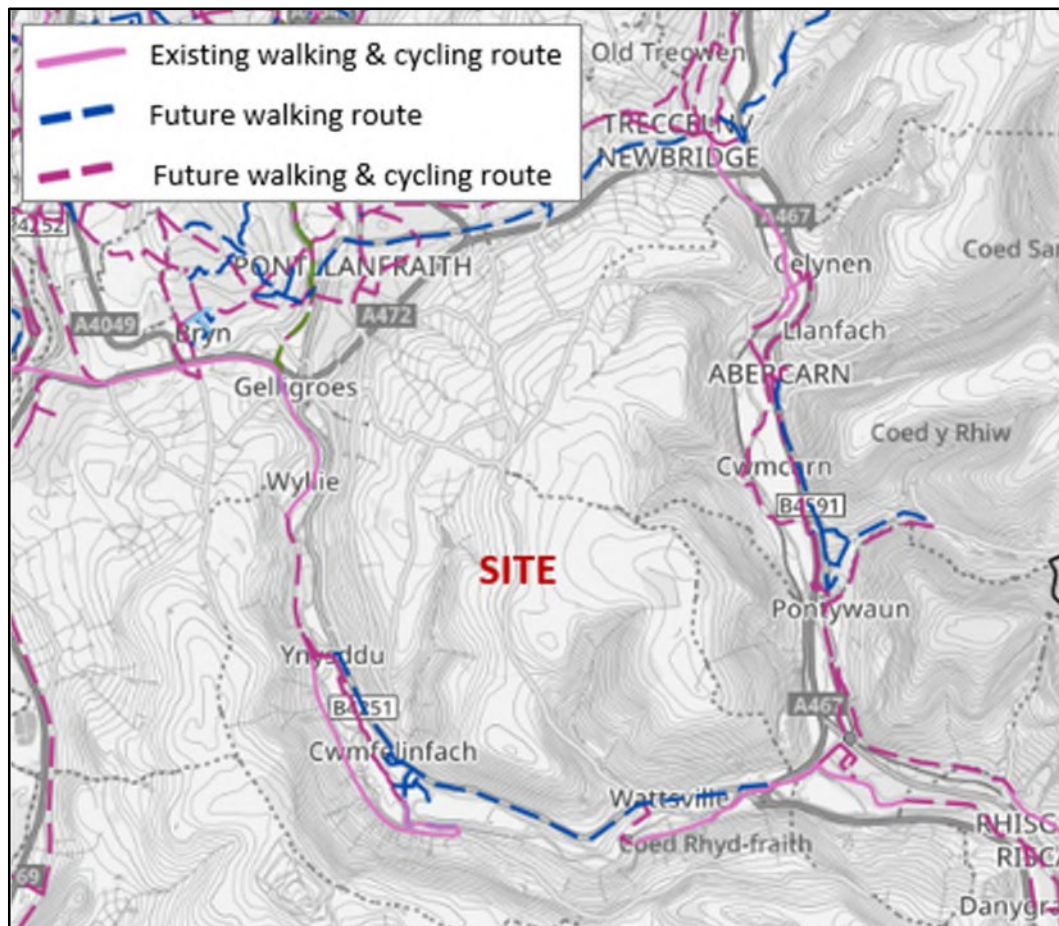


Figure 2.3 Active Travel Network Map

2.5 Public Transport

- 2.5.1 There is no public transport infrastructure or service along the Access Road/Troed Y Rhiw Road. The nearest bus stop to the site is located approximately 1.8km to the southeast, located along the B4251 Nine Mile Point Road to the east of Troed Y Rhiw Road.
- 2.5.2 This route hosts bus services as summarised in **Table 2.1**. Bus stops are present in both directions, equipped with bus shelters, raised kerb bus boarders and bus cage markings.

Applicants Response

Route No.	Destination	Frequency
55	Newport - Blackwood	Mon-Sat: Hourly from 08:45-19:45
	Blackwood - Newport	Mon-Sat: Hourly from 07:29-18:47
56 / 56E	Newport - Tredegar	Mon-Sat: ~ hourly from 07:36-22:58
		Sun: Every 2 hrs from 10:45-18:45
	Tredegar - Newport	Mon-Fri: ~ hourly from 06:08-22:31
		Sun: Every 2 hrs from 09:21-17:48
96	Crosskeys - Hollybush	Mon-Fri: 08:47
	Hollybush - Crosskeys	Mon-Fri: 15:34 & 16:14

Table 2.1 Bus Service Frequency

2.6 Traffic Volumes & Speeds on Troed Y Rhiw Road

2.6.1 In order to determine the volume and speed of traffic using Troed Y Rhiw Road to the north and south of the Farm access, Automatic Traffic Counts (ATCs) were undertaken over a 7-day period between Friday 21 and Thursday 27 April 2023.

2.6.2 The counter locations are in **Figure 2.4**, with the raw survey data included in full at **Appendix A**.



Figure 2.4 ATC Locations

Observed Traffic Flows

2.6.3 **Table 2.2** summarises the average weekday traffic and Saturday flows at both sites, in terms of direction and time of day. A comparison of the average weekday traffic flow

Applicants Response

profiles for each count is shown in **Figure 2.5** with a comparison of the Saturday traffic flow profiles shown in **Figure 2.6**. A comparison of the average weekday and Saturday traffic flow profiles for site 1 is shown in **Figure 2.7** and for site 2 in **Figure 2.8**.

2.6.4 This data provides evidence of the low level of traffic flows along the road, with a 2-way weekday total of 81 vehicles on an average weekday and 88 vehicles on the Saturday for site 1 to the north of the Farm Access. The peak hourly 2-way flow for site 1 is 9 vehicles between 17:00 and 18:00 for an average weekday with a peak of 13 vehicles between 15:00 and 16:00 for the Saturday.

2.6.5 The site 2 observed flows are slightly lower than for site 1. Both sites have an overall HGV share of 2%, the majority of which are 3 axle rigid vehicles, which are likely to be large agricultural vehicles.

Hour Start	Observed Traffic Flows											
	Site 1: North of Farm Access						Site 2: South of Farm Access					
	Weekday			Saturday			Weekday			Saturday		
	NB	SB	2 Way	NB	SB	2 Way	NB	SB	2 Way	NB	SB	2 Way
0	0	0	0	1	0	1	0	0	0	1	0	1
1	0	0	0	0	0	0	0	0	0	0	0	0
2	0	0	0	1	0	1	0	0	0	1	0	1
3	0	0	0	0	0	0	0	0	0	0	0	0
4	0	0	0	0	1	1	0	0	0	0	0	0
5	0	0	1	0	0	0	0	0	0	0	0	0
6	0	2	2	0	1	1	0	0	1	0	0	0
7	0	1	2	0	0	0	1	1	2	0	0	0
8	1	3	4	1	1	2	1	2	2	0	0	0
9	2	1	3	3	0	3	1	1	2	3	0	3
10	3	2	5	5	3	8	2	1	3	4	3	7
11	4	4	7	2	3	5	2	2	4	3	2	5
12	3	3	6	7	3	10	2	2	3	7	3	10
13	3	3	6	2	1	3	2	2	4	3	3	6
14	1	4	5	3	2	5	1	1	2	1	2	3
15	5	3	7	8	5	13	3	2	5	5	3	8
16	4	3	7	1	6	7	3	2	4	1	7	8
17	5	3	9	3	6	9	3	2	5	2	3	5
18	3	2	5	5	3	8	2	0	2	2	4	6
19	2	3	4	1	3	4	1	1	2	1	0	1
20	2	2	4	2	0	2	1	0	1	1	1	2
21	0	2	3	2	1	3	0	1	1	1	0	1
22	0	0	0	0	0	0	0	0	0	0	0	0
23	0	0	0	0	2	2	0	0	0	0	1	1
Total	39	42	81	47	41	88	24	20	44	36	32	68

Table 2.2 Observed Average Weekday & Saturday Traffic Flows

Applicants Response

the survey indicate that the 85th percentile speeds just to the north of the Farm access are approximately 30mph in both directions.

2.7.2 Just to the south of the Farm access there is a noticeable difference in northbound and southbound speeds, being observed at 24mph and 35mph respectively.

2.7.3 The respective stopping site distances for vehicles approaching the Farm access are 41.4m for southbound traffic and 31.1m for northbound traffic.

Direction	85 th Percentile Speed (mph)		Stopping Sight Distance (m)	
	Site 1 - North of Farm Access	Site 2 - South of Farm Access	Site 1 - North of Farm Access	Site 2 - South of Farm Access
Northbound	30	23.8	43.0	31.1
Southbound	29.2	34.7	41.4	53.6

Table 2.2 85th percentile speeds and stopping site distances

2.8 Highway Safety

2.8.1 Personal Injury Collision (PIC) data was obtained for the most recent five-year period (2017-2021) from DfT road safety data.

2.8.2 A summary of these collisions is shown in **Table 2.3**, with the location and severity of the collisions assessed are shown in **9**.

2.8.3 As can be seen from the above, there are no collisions along the unnamed access lane to the development site.

2.8.4 To the north, 5 collisions have occurred at the A472/A4048 roundabout. To the south, there has been 1 serious collision occurred at the Nine Mile Point Road/Troed Y Rhiw Road priority junction.

Year	No. Personal Injury Collisions			Pedestrians	Cyclists	Vehicles	Casualties
	Fatal	Serious	Slight				
2017	0	1	0	0	0	1	2
2018	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0
2020	0	1	1	0	1	6	3
2021	0	2	1	0	0	8	3
Total	0	4	2	0	1	15	8

Table 2.3 PIC analysis summary

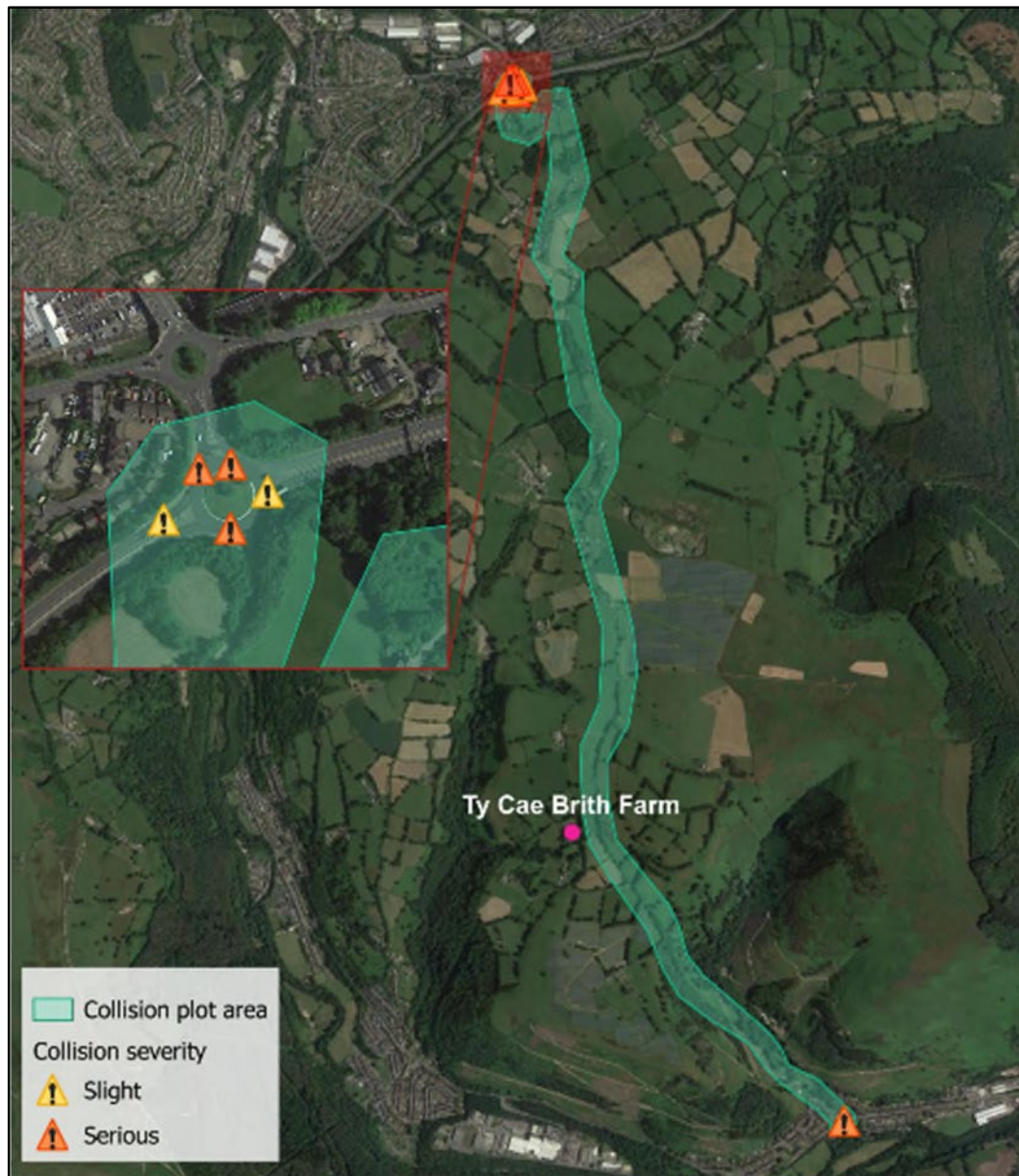


Figure 2.9 Collision analysis area

2.9 Conclusion

2.9.1 This section of the report has reviewed the existing transport network within the vicinity of the site and its accessibility to travel by sustainable modes. It has also examined the safety record of the local highway network which is considered good.

3 Development Proposals

3.1 Land Use

- 3.1.1 The development proposes a wedding and function venue on land at Ty Cae Brith Farm, Blackwood. The owners are seeking to formalise a seasonal temporary marquee function at the site, with no permanent structures being proposed as part of the planning application.
- 3.1.2 The applicant has confirmed that the venue will operate during peak months only (likely May to September), hosting one wedding per week on a Saturday.
- 3.1.3 The marquee will be located in a field to the north of the main farmhouse building as shown in **Figure 3.1** along with the proposed car parking areas. A view of the access to the proposed Marquee location is shown in **Photograph 3.1**.



Figure 3.1 Proposed Wedding Venue Layout



Photograph 3.1 Access to Marquee location

3.2 Operation and Guest Numbers

- 3.2.1 It is intended that the wedding venue will host a maximum of 150 guests, the majority of which are likely to car share, use taxis and/or mini-buses. The marquee is stored on site, with no impact upon the public highway.
- 3.2.2 Catering and entertainment facilities will be provided by specialist outside contractors and, with equipment and some staff arriving in vans, with remaining staff arriving by private car.
- 3.2.3 Due to the overall poor quality of Troed Y Rhiw Road to the south of Ty Cae Brith Farm all visitors to the site, whether guests, staff or contractors, will be informed and encouraged to access the site to/from the north only.

3.3 Trip Generation

- 3.3.1 The likely maximum trip generation for a wedding function at the site is summarised in **Table 3.1**, with a total forecast trip generation of 38 vehicles. For the purposes of this assessment the assumed person occupancy of each vehicle has been defined as:

- Car & Taxi Guest: 3 persons per vehicle
- Car & Taxi staff: 1.5 persons per vehicle
- Mini-bus: 12 persons per vehicle
- Van: 2 persons per vehicle

Applicants Response

- 3.3.2 While no specific start or finish time for any specific wedding function has been defined, for the purposes of this assessment the arrival correspond with the busiest observed hours on the Saturday afternoon with departures spread between over the end of the day.
- 3.3.3 While the departures are likely to spill over into the Sunday this analysis will provide an indication of the maximum numbers of vehicles forecast to be using Troed Y Rhiw Road on an event day.
- 3.3.4 It has been assumed that all guests will arrive over a relatively short period, while they will depart over an extended period. Therefore, the assumed maximum of 31 vehicles will arrive at the start of the function within an hour, with the departures spread over 3 hours.
- 3.3.5 The majority of the staff and contractors on site are likely to arrive before and depart after the guests. For the purposes of this analysis all staff are assumed to arrive in the hour before the guests arrive and departing in the hour after the guests depart.
- 3.3.6 For the purposes of this analysis the arrival hour for guests is 15:00-16:00 to coincide with the observed highest 2-way flow on a Saturday. This will provide for a worst-case scenario with regards to arrivals. The staff have been assumed to arrive over the previous 2 hours. Again, this is likely to represent a worst-case scenario as staff may arrive at the site over an extended period, depending upon the specific setting up requirements of any particular wedding event.
- 3.3.7 Adding the forecast trip generation and assumed trip arrival and departure profiles as detailed above will provide a robust analysis of the maximum forecast trip generation and produces the forecast 2-way traffic flow profiles as shown in **Figure 3.1**.
- 3.3.8 Such forecast trip generation will provide a distinct but short-lived peak at the start of a wedding event and an extended peak later in the evening and early the next morning when traffic flows are negligible. Given the low level of observed traffic using the wedding event route to/from Ty Cae Brith Farm there are unlikely to be any traffic issues in terms of forecast traffic volumes.

Applicants Response

	Total Persons	Car & Taxi		Minibus		Van		Total Vehicles
		Persons	Vehicles	Persons	Vehicles	Persons	Vehicles	
Guests	150	75	25	75	6	-	-	31
Catering	5	4	3	-	-	1	1	3
Entertainment	6	5	3	-	-	2	1	4
Total	161	83	31	75	6	3	1	38

Table 3.1 Trip Generation Summary

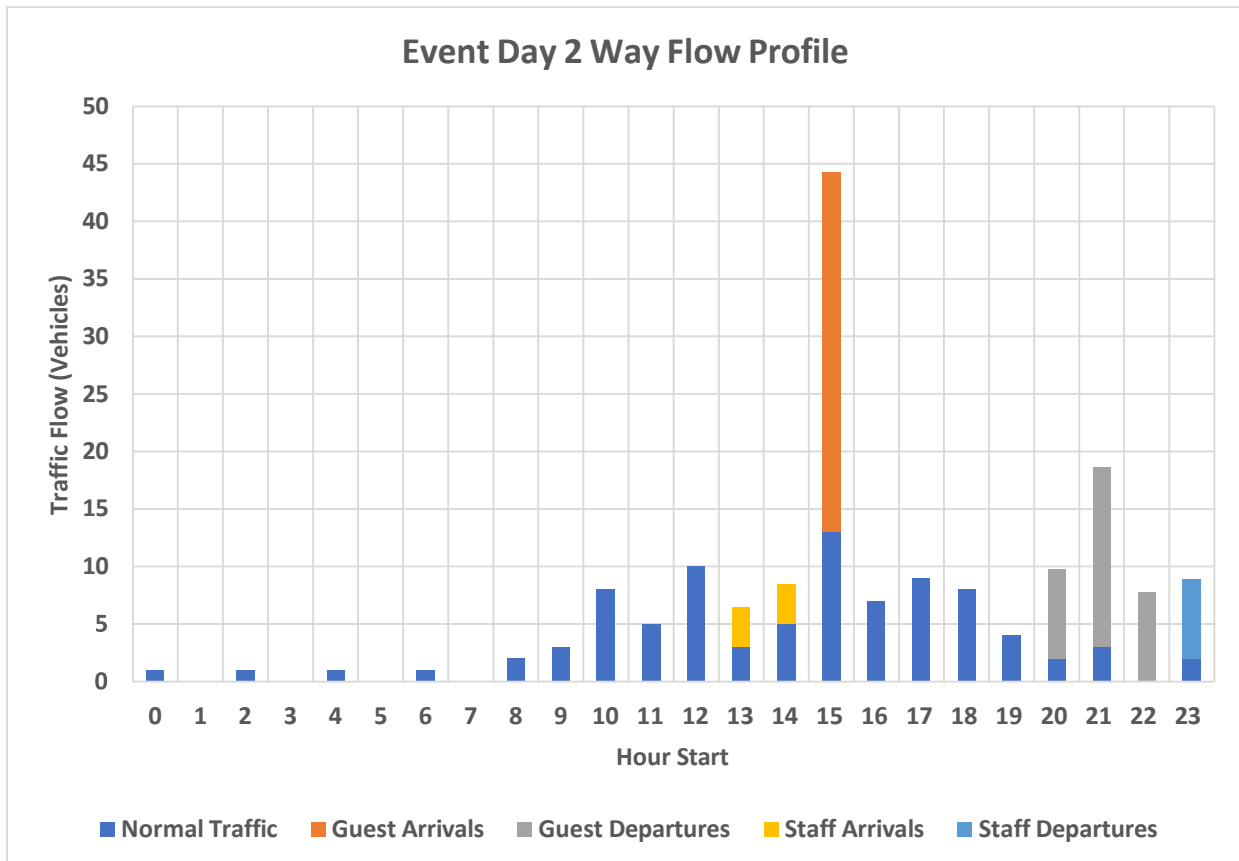


Figure 3.1 Event Day 2 Way Traffic Flow Profiles

3.4 Access

3.4.1 The development will make use of the existing farm access junction, with good visibility in both directions as shown in **Photograph 3.2** and **Photograph 3.3**. The visibility splay for the Farm Access is shown in **Appendix B**.

3.4.2 It is evident that the visibility splay exceeds the required stopping site distance in accordance with the observed 85th percentile speeds as shown above in **Table 2.2**.

3.4.3 The junction is of sufficient width to accommodate large farm vehicles and would therefore be able to accommodate the types of vehicles that would access the site for functions, including mini-buses for guests and vans for catering and entertainment contractors.

Applicants Response



Photograph 3.2 Site access visibility to the north



Photograph 3.3 Site access visibility to south

3.5 Access Route

3.5.1 The designated access route to/from Ty Cae Brith Farm is via Troed Y Rhiw Road to the north of the farm, connecting with the surrounding road network at the A472/A4048 roundabout at Pontllanfraith.

3.5.2 Swept path analysis for this route has been undertaken for a mini-bus and is included in **Appendix C**. This demonstrates that the road is suitable for the forecast traffic movements and vehicle types with numerous passing places where necessary.

3.6 Parking

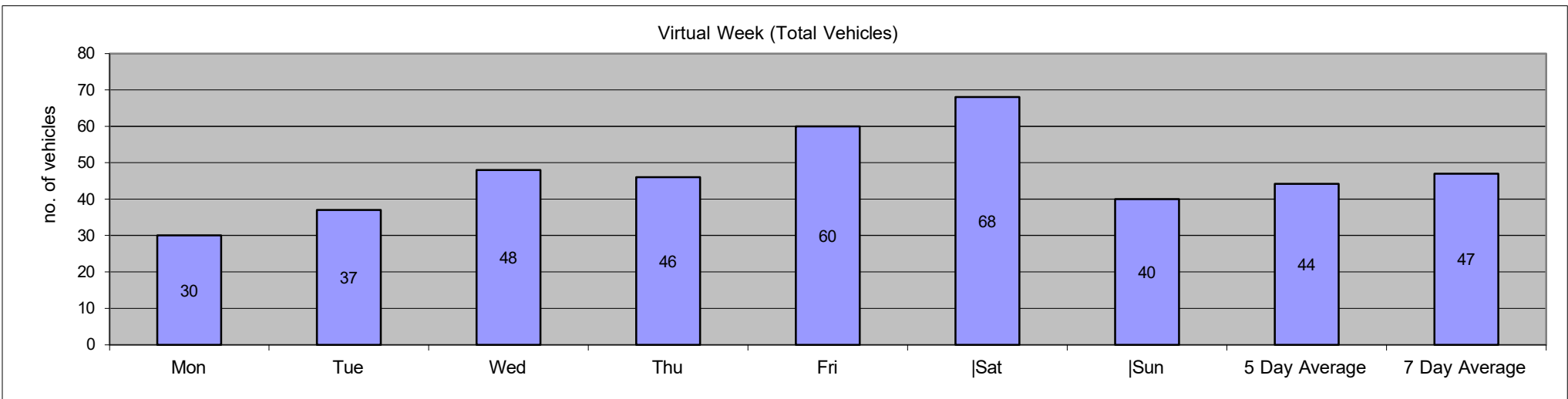
3.6.1 Car parking for the proposed wedding venue development will be accommodated comfortably within the grounds of the Farm as shown in Figure 3.1. Staff parking will make use of the existing parking area located to the south of the main farmhouse as shown in **Photograph 3.4**.

4 Summary and Conclusions

- 4.1.1 There proposed development is for a seasonal (summer) wedding venue at Ty Cae Brith Farm. An assessment of the forecast trip generation and the swept path analysis of the designated access route to/from Ty Cae Brith Farm, via Troed Y Rhiw Road to the north and the A472 roundabout at Pontllanfraith, provides evidence of the suitability of the Farm for the proposed development.
- 4.1.2 In conclusion, there are no highways reasons to object to the proposed development of a seasonal (summer) wedding event facility at Ty Cae Brith Farm.

Applicants Response

SS1082 Blackwood		Site	Site 2	Location Troed-y-Rhiw - No. 2 (51.62676, -3.16587)											
21 April 2023		to	27 April 2023		Direction	Two-Way									
TIME PERIOD	TOTAL VEHICLES	MOTOR-CYCLES	CARS OR CAR-BASED LGV	LIGHT GOODS VEHICLES	BUSES	TWO AXLE, SIX TYRE, RIGID	THREE AXLE RIGID	FOUR OR MORE AXLE RIGID	FOUR OR LESS AXLE ARTIC	FIVE AXLE ARTIC	SIX OR MORE AXLE ARTIC	FIVE OR LESS AXLE MULTI-TRAILER ARTIC	SIX AXLE MULTI-TRAILER ARTIC	SEVEN OR MORE AXLE ARTIC	
Virtual Week															
Mon	30	0	18	10	0	1	1	0	0	0	0	0	0	0	
Tue	37	1	26	7	1	2	0	0	0	0	0	0	0	0	
Wed	48	0	30	16	0	0	1	0	0	0	0	1	0	0	
Thu	46	0	35	10	0	0	1	0	0	0	0	0	0	0	
Fri	60	0	33	27	0	0	0	0	0	0	0	0	0	0	
Sat	68	0	44	23	0	1	0	0	0	0	0	0	0	0	
Sun	40	1	26	11	1	0	0	0	1	0	0	0	0	0	
5 Day Average															
[-]	44	0	28	14	0	1	1	0	0	0	0	0	0	0	
7 Day Average															
[-]	47	0	30	15	0	1	0	0	0	0	0	0	0	0	
Total Vehicles															
[-]	329	2	212	104	2	4	3	0	1	0	0	1	0	0	






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Drawing Title	Swept path analysis
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Client	Job Title
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Marcus & Lisa Hobbs

Cae Brith Far m	Suite D, 1st Floor, 220 High Street, Swansea, SA1 1NW
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Appendix 26


Applicants Response

Scale: 1:1000
Designed by: KEW KEW POC
Drawn by: 19/04/23
Ckd/Appd: T23.108
1st Issued:
Job No:

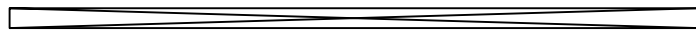
Rev.	Amendment.	Des. Dm.
Date.		Rev
Drg No:		



Page 32

<p>Drawing Title</p> <p>Swept path analysis</p>	<p>Client</p> <p>Marcus & Lisa Hobbs</p>		<p>Scale: 1:1000</p> <p>Designed by: KEW</p> <p>Drawn by: KEW</p>	
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	Job Title Ty Cae Brith Farm	Suite D, 1st Floor, 220 High Street, Swansea, SA1 1NW	T 01792 480535	Ckd/Appd:	POC	Rev.	Date.	Amendment.	Des.	Dm.
				1st Issued:	19/04/23	Drg No:			Rev	
				Job No:	T23.108					



7

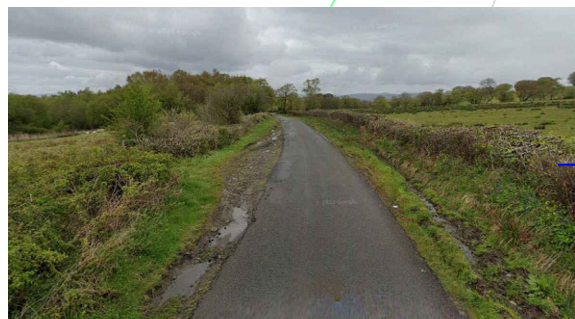


289.3m

CR

ED Bdy

Page 34



8



9

Blacksmiths

292.6m



302.7m

304.5m



N

Drawing Title

Swept path analysis

Client

Job Title



Marcus & Lisa Hobbs

Ty

Cae Brith Far m

Suite D, 1st Floor, 220 High Street, Swansea, SA1 1NW

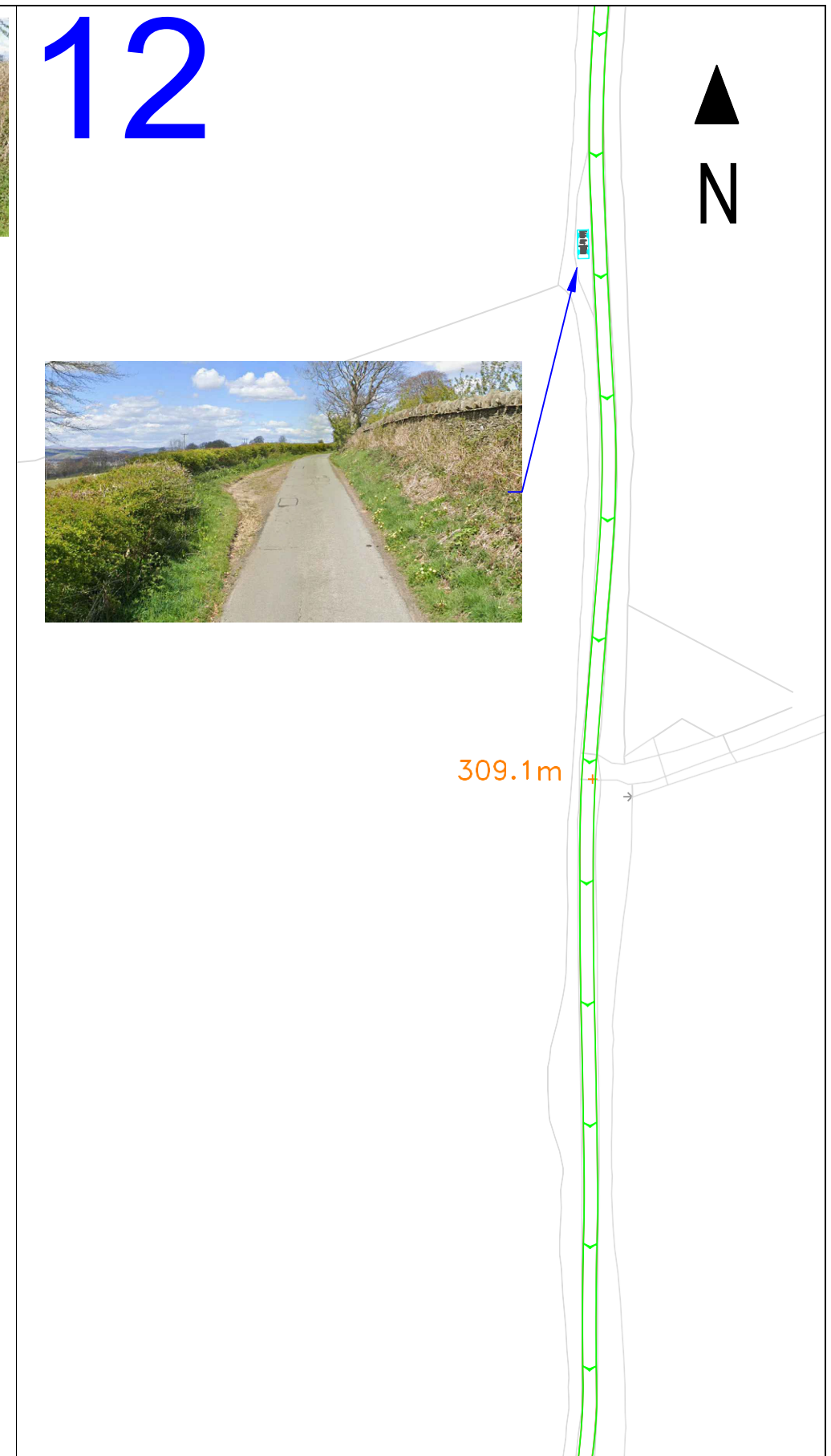
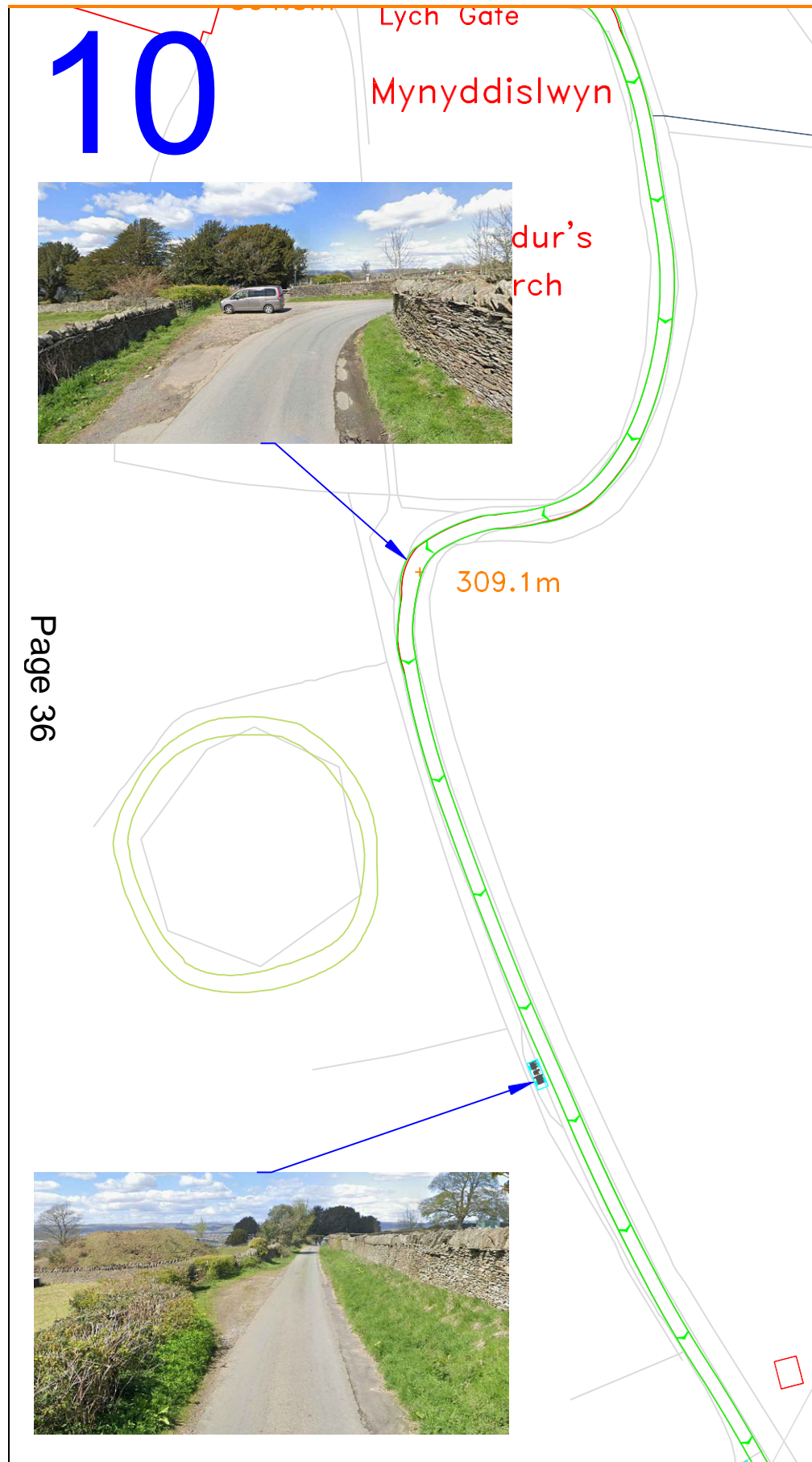
Appendix 26

Applicants Response

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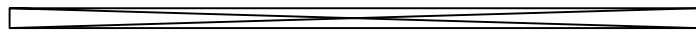
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Date.
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Des. Dm.
Rev



<p>Drawing Title</p> <p>Swept path analysis</p>	<p>Client</p> <p>Marcus & Lisa Hobbs</p>		<p>Scale: 1:1000</p> <p>Designed by: KEW</p> <p>Drawn by: KEW</p>	
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	Job Title Ty Cae Brith Farm	Suite D, 1st Floor, 220 High Street, Swansea, SA1 1NW	T 01792 480535	Ckd/Appd:	POC	Rev.	Date.	Amendment.	Des.	Dm.
				1st Issued:	19/04/23	Drg No:			Rev	
				Job No:	T23.108					



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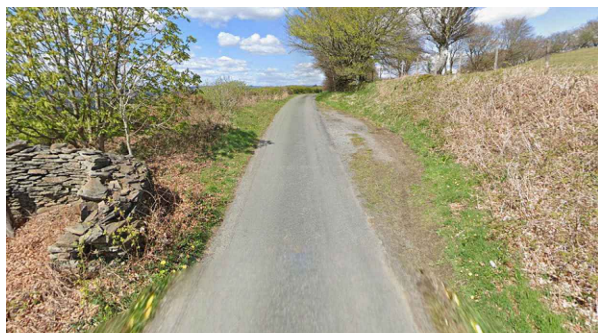
3

Appendix 26

14



307.8m



314.2m



297.5m

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Swept path analysis

path (m)

305.4m

Drawing Title

Marcus & Lisa Hobbs



Scale: 1:1000

Designed by: KEW

Drawn by: KEW

Ckd/Appd: POC

1st Issued: 19/04/23

Job No: T23.108

Rev. Date.

Drg No:

Amendment.

295.4m

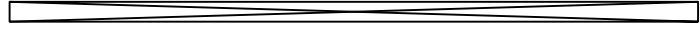
Rev

Job Title

Ty Cae Brith Farm

Suite D, 1st Floor,
220 High Street,
Swansea,
SA1 1NW

T 01792 480535



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Proposed Conditions of Licence

1. CCTV shall be in use at 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 the day the licence is granted.
 - (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 30 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) The system shall also record clear images permitting the identification of individuals and be of evidential quality.
 - (viii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during operating hours.

CCTV shall cover all areas the Public have access.
2. There will be a minimum of two SIA registered door staff from 19:00 hrs . The premises license holder/ DPS will risk assess the need for an earlier start time of door staff depending on the number of day guests.

If door supervisors are present then the premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:

 - (i) Full name;

- (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation);
 - (iii) The time they began their duty;
The time they completed their duty.
- (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.
3. A Challenge 25 scheme will be adopted in compliance with the age verification condition: Customers who appear to be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy.
- (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 / marquee and where practicable at each point of sale.
4. All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable. All records shall be kept for a period of 12 months.
5. The premises licence holder shall keep an 'incident / refusals' logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required. These records shall be kept for a minimum of 12 months.
6. All children to be supervised by a responsible adult during any licensable activity.
7. The Premises License Holder, Designated Premises Supervisor shall produce a noise management plan to adequately control noise from the premises. This is to include both internal and external areas and to be submitted and agreed in writing with the Pollution Control Team in Environmental Health. The noise management plan should include but is not limited to:

- a. A list of mitigation measures implemented to reduce noise from the licensable premises,
- b. Regular monitoring at the boundary perimeter during periods of amplified/unamplified entertainment, to ensure noise is not at a level to cause a nuisance at residential receptors,
- c. Training of staff to undertake such observations and implement controls to reduce noise level,
- d. To implement corrective actions to control noise during licensable hours,
- e. Maintaining a written record of such observations and actions taken, to be kept for review upon request by any responsible authorities.

This document once agreed should be enforced and updated regularly to ensure the continued compliance with the premises license.

8. The volume of amplified/unamplified live and recorded regulated entertainment must be at a level so as not to cause a nuisance at the nearest residential property.
9. Adequate notices shall be displayed in appropriate locations to instruct customers at each exit to respect the needs of local residents and leave the premises quietly.
10. The use of all outdoor areas of the "Lodge" is not permitted after 23:00. Other than access solely for the use of a smoking area. The smoking area shall not exceed the capacity of 10 persons at any one-time post 23:00.
11. The use of all outdoor areas relating to the "Marquee" is not permitted after 23:00. Other than access/egress to the toilet facility or for the use of a smoking area. The smoking area shall not exceed the capacity of 10 persons at any one-time post 23:00.
12. The Premises License Holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking-related litter, etc. by customers.

13. The access track from the tarmac road to the proposed marquee site must be maintained in a good condition and fit for purpose.
14. Suitable edge protection must be provided and maintained along the western area of the proposed marquee site to minimise the risk of a person falling.
15. Suitable signage must be displayed in the vicinity of the ponds warning of open water.
16. A suitable means of lighting must be provided along the traffic route between the lodge and the marquee site whilst licensable activities are taking place.
17. A sufficient number of suitable receptacles must be sited in appropriate locations for the depositing of waste materials such as food, food wrappings, drinks containers, smoking related litter etc.
18. The Licence Holder, designated premises supervisor, manager or other competent person shall manage any outdoor area by regularly patrolling these areas to ensure that customers do not behave in a rowdy, noisy or offensive manner.
19. The Licence Holder, designated premises supervisor, manager or other competent person shall risk assess the need for alcoholic beverages to be dispensed in polycarbonate, plastic or non glass containers when licensable activities are taking place.
20. The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.
21. The premises licence holder or other competent person shall ensure that customer transportation has been arranged and details provided prior to the event taking place, as part of the hiring agreement.
22. In relation to events in the marquee the additional measures will be in place:
There will be a minimum of 3 bar staff on at any one time, 1 of which will be the bar manager as well as the DPS or licence holder. The bar staff will make regular checks of the outside area ensuring that glasses are collected.
23. 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 and that a person aged 18 or over is accompanying the individual.