



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY– Licensing

Name and Address of Applicant	Brew Monster Ltd
Premises	Brew Monster, 1 Lon y Twyn, Caerphilly

Your Name	Annette Dicks Date: 13 th July 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 seeks to vary the current premises licence to extend the licensable area to include the brewery yard on Saturday and Sundays from 09:00 to 21:00 for consumption of alcohol, to extend current hours for the supply of alcohol for New Year's Eve from 09:00 instead of 16:00 and to include bank holidays from 09:00 to 23:00.</p> <p>I am aware from a visit to the premises on 27th April with Heddlu Gwent Police and Environmental Health that a number of planned events had been arranged, with the previous brewery yard undergoing renovation works as a seating area to be utilised for customers to consume alcohol and purchase food via independent food vendors. The applicant submitted Temporary Event Notices for the use of this area for the supply of alcohol.</p> <p>During a visit concern was raised regarding the monitoring of the premises as there is no direct access to the yard from the premises itself with customers having to walk via a public footpath to gain access to the yard following their purchases of alcohol. Further advice was given in relation to public safety, a recommendation that use of plastic/polycarbonate glasses be imposed and that customers be prevented from taking alcohol outside of designated areas and not to congregate outside the premises.</p>
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It is my understanding from the applicant confirmed that these measures were put into place following our visit for the event held from 29th to 1st May 2023.

The applicant however has not included within the application now submitted any measures in relation to the control and management of the area and number of staff that will be on site when this outside area is open. Reference has been made to the consumption of alcohol being consumed in the licensable area but not on how it will be managed/monitored. Given previous discussions and taking into consideration the layout of the premises, the Licensing Authority would have expected the applicant to have had regard to this and included measures within his operating schedule. In addition, as there is no direct access to the brewery yard from the premises and with the lack of CCTV within the public footpath area, there are concerns regarding the management of both areas and the difficulties/controls that may occur with customers not staying within the licensed areas and spilling onto the adjoining street.

The Licensing Authority is aware that a breach of planning permission has occurred in relation to the use of the yard for the events recently held and is subject to planning permission for its change of use. The Licensing Authority is also aware that a number of complaints have been received by Environmental Health in relation to public nuisance arising as a result of the events within the brewery yard, including noise from customers.

Taking into consideration the above, the Licensing Authority is not confident that the premises licence holder will not be able to promote the licensing objectives in relation to the use of the brewery yard and is likely to continue to cause nuisance to residents.

The Council's statement of Licensing Policy in Section 11.1 states '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.'

In addition, 26.2 of the Licensing Policy states '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.'

I would therefore lodge an objection to the variation application for the use of the outside area but would not object to the additional hours on New Year's Eve and the inclusion of bank holidays which would in effect, take place inside the licensed premises.

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

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

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	
Are you prepared to discuss these representations with the applicant by way of mediation?	No

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