

# Pecyn Dogfennau Cyhoeddus

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

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



[www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)  
[www.caerffili.gov.uk](http://www.caerffili.gov.uk)

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

**Dyddiad: Dydd Iau, 17 Ionawr 2019**

Annwyl Syr/Fadam,

Bydd cyfarfod **Is-bwyllgor Trwyddedu a Gamblo** yn cael ei gynnal yn **Siambr y Cyngor - Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Gwener, 25ain Ionawr, 2019** am **10.00 am** i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny. Bydd cyfieithu ar y pryd yn cael ei ddarparu ar gais.

Mae pob cyfarfod Pwyllgor yn agored i'r Wasg a'r Cyhoedd. Gofynnir i arsylwyr a chyfranogwyr ymddwyn gyda pharch ac ystyriaeth at eraill. Sylwer y bydd methu â gwneud hynny yn golygu y gofynnir i chi adael y cyfarfodydd ac efallai y cewch eich hebrwng o'r safle.

Yr eiddoch yn gywir,

**Christina Harrhy**  
PRIF WEITHREDWR DROS DRO

## AGENDA

Tudalennau

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

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

A greener place Man gwyrddach

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



- 3 Cais am Dystysgrif Mangre Clwb mewn perthynas â Chlwb Pêl-droed Ieuentid Cascade, Cae Chwarae Parc Dyffryn, Penpedairheol.

1 - 26

**Cylchrediad:**

Cynghorwyr D.W.R. Preece (Cadeirydd), M. Davies a R. Whiting

A Swyddogion Priodol



## LICENSING AND GAMBLING SUB-COMMITTEE

### REPORT BY SENIOR LICENSING OFFICER

DATE OF MEETING: Friday 25<sup>th</sup> January 2019

#### 1. Application Details

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Cascade Youth Football Club	Cascade Youth Football Club Duffryn Park Playing Field Gwaun Fro Penpedairheol CF82 8BU	Club Premises Certificate

#### 1.1 Application for a Club Premises Certificate

#### 1.2 Site Plan/Photographs

A location plan is reproduced as **Appendix 1**

Photographs of the premises surrounding area are reproduced as **Appendix 2**

#### 1.3 Comparison of sale / supply of alcohol times and proximity of nearby alcohol establishments

A schedule of nearby premises are reproduced as **Appendix 3**

#### 1.4 Proposed Licensable Activity

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

##### **Supply of Alcohol (On & Off Sales)**

**Monday to Friday 18.00 – 23.00**

**Saturday & Sunday 12.00 to 23.00**

##### **Recorded Music (Indoors)**

**Monday to Friday 18.00 – 23.00**

**Saturday & Sunday 12.00 to 23.00**

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

1. The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.
2. The Licensee shall ensure that any bottles or glasses are removed from persons leaving the premises.
3. Adequate access is produced for emergency vehicles.
4. All parts of premises, fixtures & fittings, lighting, heating, electrical, sanitary accommodation, washing facilities, will be maintained at all times in good order and in a safe condition.
5. Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.
6. Activities relating to the on-site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall not take place after 23.00.
7. Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.
8. The premises licence 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.
9. Children must be accompanied by a responsible adult.
10. (a) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 25' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.  
  
(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

## 1.5 RELEVANT CONSIDERATIONS

Caerphilly County Borough Council Licensing Policy Appendix 4

National Guidance Appendix 5

## 1.6 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS

### 1.6.1 Responsible Authorities:

#### Trading Standards

Document	Date Received	Appendix Reference
Representation	30/11/2018	Appendix 6

#### Environmental Health Pollution

Document	Date Received	Appendix Reference
Representation	21/12/2018	Appendix 7

### 1.6.2 Other Persons:

#### Residents

Document	Date Received	Appendix Reference
Resident A Representation	10/12/2018	Appendix 8
Resident B Representation	14/12/2018	Appendix 9

## 1.7 SUMMARY OF REPRESENTATIONS

The Police, Fire Authority, Health & Safety, Child Protection Officer and the Licensing Authority have indicated that they have no representations in respect of the Club Premises Certificate.

Both Trading Standards and Environmental Health Pollution have proposed further conditions relevant to staff training, awareness of proxy sales to minors of alcohol and preventing public nuisance in relation to noise from both recorded music and patrons/members of club.

Objections have been received from a number of local residents. These concerns relate to increased traffic, noise from traffic, parking congestion, littering and a rise in anti-social behaviour given the clubs position in a residential area.

## 1.8 APPLICANT RESPONSE

The applicant has responded to the comments of the Trading Standards and Environmental Health Officers suggesting further conditions, which have been agreed by the applicant. To date the applicant is yet to respond to the concerns expressed by local residents.

Document	Date Received	Appendix Reference
Response to Trading Standards	03/12/2018	Appendix 10
Response to Environmental Health Pollution	21/12/2018	Appendix 11

## 1.9 OBSERVATIONS ON REPRESENTATIONS

The Police, Fire Authority, Health & Safety, Child Protection Officer and the Licensing Authority have indicated that they have no representations in respect of the Club Premises Certificate.

Trading Standards and Environmental Health Pollution are satisfied that the conditions agreed with the applicant allay their concerns in respect of the promotion of the Protection of Children from Harm and the Prevention of Public Nuisance licensing objectives.

Whilst the concerns expressed by local residents are understandable, it is noted that a number of their concerns relating to increased traffic or inconsiderate parking are not necessarily relevant to the promotion of the licensing objectives or associated to licensable activity and would therefore have to be disregarded by Members. Paragraph 18.4 of the Authority's licensing policy states '*Representations that are not about the likely impact on the licensing objectives may be considered as not being relevant and may be rejected.*'

It is noted that other concerns relating to litter and possible Anti-Social behaviour which could arise appear to be anticipatory in nature. At this time, no concerns have been brought forward by the Responsible Authorities in respect of current anti-social behaviour in the vicinity.

## 1.10 LICENSING ASSESSMENT

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;
- The protection of 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:-

- National Guidance
- Council's own licensing policy, and
- All representations made evidence presented

The Sub-Committee can: -

- Grant the application subject to any additional conditions specified in the operating schedule and, if appropriate, any mandatory conditions.
- Modify the conditions of the certificate by altering, omitting or adding to them
- Reject the whole or part of the application

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 RECOMMENDATION**

Having had regard to and considered the position of the Responsible Authorities and comments received by local residents, it is recommended that the Club Premises Certificate to permit the supply of alcohol and provision of recorded music be granted subject to the conditions agreed with Responsible Authorities and steps volunteered by the applicant as detailed below -

1. The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.
2. The Licensee shall ensure that any bottles or glasses are removed from persons leaving the premises.
3. Adequate access is produced for emergency vehicles.
4. All parts of premises, fixtures & fittings, lighting, heating, electrical, sanitary accommodation, washing facilities, will be maintained at all times in good order and in a safe condition.
5. Activities relating to the on-site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall not take place after 23.00.
6. Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.
7. The premises licence 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.

**8.** Children must be accompanied by a responsible adult.

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

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

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

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

**12.** The volume of amplified entertainment must be to a volume that does not cause nuisance to the nearest residential property.

**13.** All windows and doors to be kept closed during the playing of live or amplified entertainment to reduce noise impact at neighbouring properties

Note: This condition shall not prejudice the minimum ventilation levels for health & safety, and access to emergency exits shall not be compromised.

**14.** During times of amplified entertainment, staff shall make regular patrols in the immediate vicinity to ensure noise nuisance does not occur at the nearest residential areas

**15.** Applicants to display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

Background Papers: These are attached to this report.

Date of this report: 14<sup>th</sup> January 2019

Author: Kathryn Hopkins – Senior Licensing Officer





Imagery ©2019 Google, Map data ©2019 Google 50 m

█ CASCADE YOUTH FOOTBALL CLUB











**CASCADE YOUTH FOOTBALL CLUB**

<b>No.</b>	<b>PREMISES</b>	<b>ALCOHOL TIMES</b>	<b>DISTANCE FROM CLUB (Miles)</b>
1	Gelligaer Bowling Club	Sunday to Thursday - 12.00 to 23.30 Friday & Saturday – 12.00 to 00.00	50 metres
2.	Beechgrove Social Club Ltd	Monday to Sunday – 11.00 to 01.00	0.2
3.	Plough & Harrow	Monday to Wednesday – 11.00 to 01.00 Thursday to Saturday - 11.00 to 02.00 Sunday – 12.00 to 01.00	0.3
4.	Penpedairheol Stores	Monday to Saturday – 08.00 to 23.00 Sunday – 10.00 to 22.30	0.2
5.	Harp Inn	Monday to Thursday – 09.00 to 00.00 Friday to Sunday – 09.00 to 01.00	0.5
6.	McColls	Monday to Sunday – 07.00 to 23.00	0.5

**Caerphilly County Borough Council statement of Licensing Policy relevant extracts**

4.3 The Licensing Authority will as far as possible seek to avoid duplication with other regulatory regimes when dealing with the licensing function. Once the discretion of the Licensing Authority is engaged, additional and supplementary conditions to promote the licensing objectives may be attached to a licence.

5.1.2 The supply of alcohol to members of registered clubs (Club Premises Certificates)

8.1 The Licensing Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues that can occur away from the licensed premises, including:

Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;

Regular liaison and co-operation with police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of penalty notices for disorder, prosecution of those selling alcohol to people who are drunk, confiscation of alcohol from adults and children in restricted areas and the potential to immediately close licensed premises or temporary events on the grounds of nuisance or disorder, or likelihood of nuisance or disorder occurring;

The power of the responsible authorities, other relevant person (such as a member of the public or person representing a business) to seek a review of the licence or certificate where it is alleged that the licensing objectives are being undermined.

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

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

The statutory function of licensing is primarily concerned with the regulation of persons, premises and temporary events within the legislation and that any conditions that may be attached to licences and certificates will focus on:



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

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

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

- 8.4 Each application will be considered on its individual merits, and in the light of this Policy.
- 10.5 The Licensing Authority will monitor premises to ensure that all conditions are adhered to by authorisation holders.
- 13.3 It is expected that authorisation holders will take steps to control excessive consumption and drunkenness on their premises. Proper management will reduce the risk of anti-social behaviour occurring both on the premises and outside after customers have left. They must also demonstrate a general duty of care to customers using their premises and others that may be affected by the activities.
- 13.8 The council recommend that any licensed premises that is authorised to sell or supply alcohol have a policy that sets out how the sale or supply is controlled and must include staff training requirements. Records should be kept of all training provided and any incidents e.g. a refusal to sell and reasons.
- 14.1 Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.
- 14.2 Subject to case law the Licensing Authority interprets 'public nuisance' in its widest sense, to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.
- 14.3 Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.
- 14.4 The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:
- they are situated in a residential or noise sensitive area; or
  - extended opening hours are proposed.

- 14.5 The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.
- 18.1 The Licensing Authority will expect applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community, in order that those with a right to make representations or objections are able to fully assess the factors that may affect them.
- 18.4 Representations that are not about the likely impact on the licensing objectives may be considered as not being relevant and may be rejected.
- 23.5 Where its discretion is engaged a Licensing Authority will always carefully balance the considerations against its duty to promote the licensing objectives and protect the rights of residents and businesses.
- 23.6 Where there are relevant representations in respect of an application and the Licensing Committee believes that granting the licensing hours proposed would undermine the licensing objectives, then it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 24.4 The Council recognises that licensing law is not a mechanism for the general control of antisocial behaviour by people once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. However the Council must consider the potential detrimental impact on the surrounding areas from the operation of either individual or accumulations of premises, where the premises are the predominant cause of resultant anti-social behaviour arising from drunkenness etc.
- 32.1 Where an application for the grant, variation or review of an authorisation is considered by a committee the Council will give comprehensive reasons for its decisions. On making findings of fact in its reasons, the Council will ensure that they address the standard of proof and the burden of proof that they have adopted. The Council will also address the extent to which decisions have been made with regard to its statement of licensing policy and the Guidance issued by the Secretary under section 182.

**National Guidance – Section 182 of the Licensing Act 2003 – relevant extracts**

1.13 For the purposes of the 2003 Act, the following are licensable activities:

- The sale by retail of alcohol;
- 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
- The provision of late night refreshment.

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

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

6.2 Clubs are organisations where members have joined together for particular social, sporting or political purposes. They may then combine to buy alcohol in bulk as members of the organisation to supply in the club.

6.3 Technically the club only sells alcohol by retail at such premises to guests. Where members purchase alcohol, there is no sale (as the member owns part of the alcohol stock) and the money passing across the bar is merely a mechanism to preserve equity between members where one may consume more than another.

6.4 Only 'qualifying' clubs may hold club premises certificates. In order to be a qualifying club, a club must have at least 25 members and meet the qualifying conditions set out in paragraph 6.9. The grant of a club premises certificate means that a qualifying club is entitled to certain benefits. These include:

- the authority to supply alcohol to members and sell it to guests on the premises to which the certificate relates without the need for any member or employee to hold a personal licence;
- the authority to provide late night refreshment to members of the club without requiring additional authorisation;

- more limited rights of entry for the police and authorised persons because the premises are considered private and not generally open to the public; and
- exemption from orders of the magistrates' court for the closure of all licensed premises in an area when disorder is happening or expected.

6.6 A qualifying club will be permitted under the terms of a club premises certificate to sell and supply alcohol to its members and their guests only. Instant membership is not permitted and members must wait at least two days between their application and their admission to the club. A qualifying club may choose to apply for a premises licence if it decides that it wishes to offer its facilities commercially for use by the general public, including the sale of alcohol to them.

6.13 Club operating schedules prepared by clubs, must include the steps it intends to take to promote the licensing objectives. These will be translated into conditions included in the certificate, unless the conditions have been modified by the licensing authority following consideration of relevant representations. Guidance on these conditions is given in Chapter 10 of this Guidance.

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

9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.9 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.

9.34 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.

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.

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.

13.10 It is important that a licensing authority gives comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority's statement of policy and this Guidance. Reasons should be promulgated to all the parties of any process which might give rise to an appeal under the terms of the 2003 Act.

14.4 Before determining its policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act. These are:

- the chief officer of police for the area;
- the fire and rescue authority for the area;
- each local authority's Director of Public Health in England (DPH)<sup>14</sup> or Local Health Board in Wales for an area any part of which is in the licensing authority's area,
- persons/bodies representative of local premises licence holders;
- persons/bodies representative of local club premises certificate holders;
- persons/bodies representative of local personal licence holders; and
- persons/bodies representative of businesses and residents in its area.

16.33 No licence is required for recorded music where it takes place on premises which are authorised by a premises licence or club premises certificate to be used for the supply of alcohol for consumption on the premises. However, recorded music remains licensable:

- where the playing of recorded music takes place before 08.00 or after 23.00 on any day;
- where the playing of recorded music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;60
- where the playing of recorded music takes place at relevant licensed premises in the presence of an audience of more than 500 people; and
- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act (as amended).



**APPENDIX 6**

**RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS**

**RESPONSIBLE AUTHORITY** (Please delete as applicable) –  
Trading Standards

<b>Name and Address of Applicant</b>	Cascade Youth Football Club, Duffryn Park Playing Field, Gwaun Fro, Penpedairheol, Hengoed, CF82 8BU
<b>Premises</b>	Cascade Youth Football Club, Duffryn Park Playing Field, Gwaun Fro, Penpedairheol, Hengoed, CF82 8BU

<b>Your Name</b>	Tim Keohane	<b>Date</b> 30/11/18
<b>Job Title</b>	Senior Trading Standards Officer	
<b>e.mail Address</b>	keohatp@caerphilly.gov.uk	
<b>Contact Telephone Number</b>	01443 811319	

<b>Which of the four Licensing Objectives does your representation relate to?</b>	<b>✓</b>	<b>Please outline the reasons for your Representations</b>
<b>The Prevention of Crime and Disorder</b>		
<b>Public Safety</b>		
<b>The Prevention of Public Nuisance</b>		
<b>The Protection of Children from Harm</b>	✓	The application does not cover the training of staff & members who will be serving alcohol, neither does it cover staff awareness on the sale of alcohol to over 18s who subsequently supply to those under 18 years of age. It is suggested that the operating schedule of the licence can be improved by the addition of the following condition.

**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><b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b></p>	<p>SA01 All staff and members who may be responsible for serving or supervising the supply of alcohol to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA06 All staff and members with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults obtaining alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur.</p>	
<p><b>Are you prepared to discuss these representations with the applicant by way of mediation?</b></p>	<p><b>Yes or No</b></p>	<p>Yes</p>

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

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





APPENDIX 7

RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) –  
 Fire/Environmental Health (Noise)/Health and Safety/Child Protection/Trading Standards/  
 Planning Authority

<b>Name and Address of Applicant</b>	Cascade Youth Football Club
<b>Premises</b>	Duffryn Park Playing Field, Penpedairheol, CF82 8BU

<b>Your Name</b>	Amelia Rivers	<b>Date</b> 20 <sup>th</sup> December 2018
<b>Job Title</b>	Environmental Health Officer	
<b>e.mail Address</b>	rivera@caerphilly.gov.uk	
<b>Contact Telephone Number</b>	01443 811348	

Which of the four Licensing Objectives does your representation relate to?	✓	Please outline the reasons for your Representations
The Prevention of Crime and Disorder		
Public Safety		
The Prevention of Public Nuisance	✓	<p>The proximity of residential properties to the premises presents a risk that the proposed recorded music and entertainment provision of the licence may result in complaints and noise from customers. This Responsible Authority would therefore request that the following conditions be placed upon the licence to ensure the objectives of the Licensing Act are met with regard to the prevention of public nuisance.</p> <p>The following conditions should be placed on the operating schedule in the interest of preventing public nuisance.</p>
The Protection of Children from Harm		

<p><b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b></p>	<ul style="list-style-type: none"> <li>• The volume of amplified entertainment must be to a volume that does not cause nuisance to the nearest residential property.</li> <li>• All windows and doors to be kept closed during the playing of live or amplified entertainment to reduce noise impact at neighbouring properties Note: This condition shall not prejudice the minimum ventilation levels for health &amp; safety, and access to emergency exits shall not be compromised.</li> <li>• During times of amplified entertainment, staff shall make regular patrols in the immediate vicinity to ensure noise nuisance does not occur at the nearest residential areas</li> <li>• Applicants to display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.</li> </ul>	
<p><b>Are you prepared to discuss these representations with the applicant by way of mediation?</b></p>	<p><b>Yes or No</b></p>	<p><b>Yes</b></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

**Hopkins, Kathryn**

---

**From:** DONOTREPLY@caerphilly.gov.uk  
**Sent:** 10 December 2018 13:24  
**To:** WWW: Licensing  
**Subject:** Website Contact --- Licensing and permits

**Name -****Email Address -**\_\_\_\_\_ |@btinternet.com**Phone Number -**

01443

**Date Submitted -**

10/12/2018 13:22:42

**Message -**

Dear Sir We wish to object to the licensing application for Cascade Youth Football club on the grounds of increased noise, parking congestion, litter problems and anti social behaviour. I have spoken to my immediate neighbours namely \_\_\_\_\_ Duffryn Cottages and \_\_\_\_\_ and \_\_\_\_\_ Duffryn Cottages. We are in agreement that we do not want the premises licensed. We are concerned about the potential increased level of vehicle access onto the site, the potential rise in car parking outside our properties and the noise element from the bar during evening functions. I agreed with them that I would provide a collective response. The area where the development is proposed is next to the TA Cadets centre and the Gelligaer Bowls club which all generate traffic into the area. We already experience nuisance parking outside our respective properties and the side road is already heavily used as a turning circle for a variety of vehicles, which frequently travel at speeds in excess of 30 mph and there have been quite a few near misses involving pedestrians in the past few years!!! I should be very grateful if our comments could be considered as part of the licensing application process. Please can you keep us informed of the outcome in the event it goes to the next stage in the planning process. Yours sincerely \_\_\_\_\_ Duffryn Cottages, Penpedairheol

**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.

**Hopkins, Kathryn**

---

**From:** DONOTREPLY@caerphilly.gov.uk  
**Sent:** 14 December 2018 16:23  
**To:** WWW: Licensing  
**Subject:** Website Contact --- Licensing and permits

**Name -**

**Email Address -**

\_\_\_\_\_@gmail.com

**Phone Number -**

**Date Submitted -**

14/12/2018 16:20:56

**Message -**

I would like to object to the application made by Cascade Youth Club for a license to serve and sell alcohol from the premises at Duffryn field. I live in close proximity to the field and believe it will be disruptive with noise and litter also to residents living on Duffryn Park and the houses in Forest Park. We have not had any precise details of this venture as to who will be running and funding it. The other issue is the traffic and parking we get quite a few vehicles using this area to leave their cars and this is quite a problem with it being the only entrance to the estate. I also object on behalf of my husband

**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.