

# Pecyn Dogfennau Cyhoeddus

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

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



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

**Dyddiad: Dydd Gwener, 8 Ionawr 2021**

Annwyl Syr/Fadam,

Bydd cyfarfod o'r **Is-bwyllgor Trwyddedu a Gamblo** yn cael ei gynnal trwy Microsoft Teams ar **Dydd Gwener, 15fed Ionawr, 2021** am **10.00 am** i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny. Bydd cyfieithu ar y pryd yn cael ei ddarparu ar gais.

Bydd y cyfarfod hwn yn cael ei recordio a bydd ar gael i'w weld trwy wefan y Cyngor, ac eithrio trafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig. Felly, bydd delweddau/sain yr unigolion sy'n bresennol ac/neu sy'n siarad yn ystod ar gael i'r cyhoedd trwy'r recordiad ar wefan y Cyngor yn [www.caerffili.gov.uk](http://www.caerffili.gov.uk)

Yr eiddoch yn gywir,

**Christina Harrhy**  
PRIF WEITHREDWR

## A G E N D A

Tudalennau

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

A greener place Man gwyrddach



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.

I dderbyn ac ystyried yr adroddiad canlynol:-

- 3 Penderfynu Ar Gais Am Drwydded Eiddo – Clarence Food & Wine, 88 Y Stryd Fawr, Coed Duon NP12 1AE.

1 - 40

### **Cylchrediad:**

Cynghorwyr J. Simmonds (Is Gadeirydd Llywyddu), P.J. Bevan a W. Williams

A Swyddogion Priodol

### **SUT FYDDWN YN DEFNYDDIO EICH GWYBODAETH**

Bydd yr unigolion hynny sy'n mynychu cyfarfodydd pwyllgor i siarad/roi tystiolaeth yn cael eu henwi yng nghofnodion y cyfarfod hynny, weithiau bydd hyn yn cynnwys eu man gweithio neu fusnes a'r barnau a fynegir. Bydd cofnodion o'r cyfarfod gan gynnwys manylion y siaradwyr ar gael i'r cyhoedd ar wefan y Cyngor ar [www.caerffili.gov.uk](http://www.caerffili.gov.uk). ac eithrio am drafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig.

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym amdanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu.

Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r [Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn](#) ar ein gwefan neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio [griffd2@caerffili.gov.uk](mailto:griffd2@caerffili.gov.uk) neu ffoniwch 01443 863028.



## LICENSING AND GAMBLING SUB COMMITTEE – 15TH JANUARY 2021

**SUBJECT: DETERMINATION OF PREMISES LICENCE APPLICATION**

**REPORT BY: LEE MORGAN, LICENSING MANAGER**

### 1. Application Details – Clarence Food & Wine

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Alex Quintan Xavier	Clarence Food & Wine 88 High Street Blackwood NP12 1AE	Grant of Premises licence

#### 1.1 Application for Grant of a New Premises Licence

An application has been submitted to apply for a new premises licence for the above premises. The proposed application for consideration is set out in 1.3 of this report.

#### 1.2 Site Plan/Photographs

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

#### 1.3 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 (Off Sales only)**

*Sunday – Monday 07.00 – 23.00*

*Friday & Saturday 07.00 – 01.00*

Following representations, the Applicant subsequently determined to modify his application to reflect the following –

- **Supply of Alcohol (Off Sales only)**

*Monday – Sunday 07.00 – 22.00*

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

*I will follow all the legal guidelines while we selling alcohol*

*I will follow all the legal requirements to prevent of crime*

*Make sure I will follow the legal requirements in order to keep public safety*

*I will make sure keep minimum nuisance around the area*

*Make sure I will follow all the legal guidelines to prevent harm under age and follow think 25 rules.*

**1.4 RELEVANT CONSIDERATIONS**

Caerphilly County Borough Council Licensing Policy **Appendix 2**

National Guidance **Appendix 3**

**1.5 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS**

**1.5.1 Responsible Authorities:**

The Fire, Licensing Authority and Children’s Services (SRT) in their role as Responsible Authority have responded to indicate no representations in respect of the application.

**Police**

Document	Date Received	Appendix Reference
<b>Initial representation</b>	<b>3/12/2020</b>	<b>Appendix 4</b>

**Trading Standards**

Document	Date Received	Appendix Reference
<b>Initial representation</b>	<b>3/11/2020</b>	<b>Appendix 5</b>

**1.5.2 Other Persons:**

**Elected Member A**

Document	Date Received	Appendix Reference
<b>Initial representation &amp; Supplementary comments</b>	<b>2/12/2020 &amp; 14/12/2020</b>	<b>Appendix 6</b>

**Elected Member B**

Document	Date Received	Appendix Reference
<b>Initial representation &amp; Supplementary comments</b>	<b>1/12/2020 &amp; 14/12/2020</b>	<b>Appendix 7</b>

### Residents/Other Person A

Document	Date Received	Appendix Reference
<b>Initial representation</b>	<b>29/11/2020</b>	<b>Appendix 8</b>

### Residents/Other Person B

Document	Date Received	Appendix Reference
<b>Initial representation</b>	<b>30/11/2020</b>	<b>Appendix 9</b>

### Residents/Other Person C

Document	Date Received	Appendix Reference
<b>Initial representation</b>	<b>2/12/2020</b>	<b>Appendix 10</b>

## 1.6 **SUMMARY OF REPRESENTATIONS**

There have been responses from the Fire Authority, Licensing Authority and Children's Services (SRT) in their role as Responsible Authority to indicate no representations in respect of the proposed new premises application. Children's Services indicated it had no representations, as its concerns had been addressed by conditions proposed by Trading Standards.

Heddlu Gwent Police lodged an objection to the 01.00 hours proposed on Friday and Saturday and discussed this with the applicant. The applicant subsequently determined to amend his retail sale of alcohol hours until 23.00 Monday to Sunday. This resulted in the Police withdrawing their objection in relation to alcohol hours proposed.

Both the Trading Standards and the Police identified a lack of information contained within the operating schedule and have proposed conditions relevant to proof of age, staff training, proxy sales of alcohol, CCTV, keeping & maintaining an incident report book/refusals log, together with other relevant conditions.

Representations have also been received from 2 Elected Members for the Blackwood ward, 2 residents and 1 business owner.

All objections relate to their concerns about the potential rise in anti-social behaviour with an additional licensed premise on the high street and a rise in Crime and Disorder which could impact on Public Safety.

One of the Elected Members indicated that he believed that a closing time of 22.00hrs would be an acceptable compromise, as this meant that the shop would not be open when the pubs were closing, and would not encourage people to hang around the town consuming more alcohol, causing, anti-social behaviour and disturbing residents who live by the Town.

## 1.7 APPLICANT RESPONSE

Document	Date Received	Appendix Reference
<b>Response to Police, Trading Standards &amp; Elected Member Representations</b>	<b>7/12/2020, 9/12/2020 &amp; 22/12/2020</b>	<b>Appendix 11</b>

The applicant has responded and accepted the comments of the Police in relation to the change in hours from 01.00 to 23.00 on Friday & Saturday and has also accepted other proposed conditions from the Police and Trading Standards.

The applicant subsequently amended his application, following the comments of Elected Members to reflect the retail sale of alcohol provision of 07.00 to 22.00hrs Monday to Sunday.

## 1.8 LICENSING ASSESSMENT

THE LICENSING ASSESSMENT IS A PROVISIONAL SUMMARY, BASED ON REPRESENTATIONS RECEIVED PRIOR TO THE HEARING. THE HEAD OF PUBLIC PROTECTION, COMMUNITY AND LEISURE SERVICES RESERVES THE RIGHT TO AMEND OR VARY THE PROVISIONS CONTAINED IN THE SUMMARY AND RECOMMENDATION, SUBJECT TO ANY CHANGE IN THE MATERIAL FACTS THAT BECOME KNOWN AT THE HEARING. THE SUB-COMMITTEE IS OBLIGED TO DETERMINE THIS APPLICATION WITH A VIEW TO PROMOTING THE LICENSING OBJECTIVES WHICH ARE:

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

In making its decision, the Sub Committee is obliged to have regard to:-

- Licensing Act 2003
- Statutory Guidance issued under S182 of the Licensing Act
- The Council's own licensing policy, and
- All representations made and evidence presented

NOTE: THE SUB-COMMITTEE MAY NOT MODIFY THE CONDITIONS OR REJECT THE WHOLE OR PART OF THE APPLICATION MERELY BECAUSE IT CONSIDERS IT DESIRABLE TO DO SO. ANY SUCH ACTIONS MUST BE NECESSARY IN ORDER TO PROMOTE THE LICENSING OBJECTIVES.

Statutory Power - Licensing Act 2003. This is a Council function which is delegated to this committee to decide.

## 1.9 OBSERVATIONS

This application relates to the granting of a new premises licence in respect of 88 High Street, Blackwood, NP12 1AE. On submission of the application, the applicant described the general description of the premises as a 'newsagent.' The initial application proposed for the retail sale of alcohol sought hours until 01.00hrs on the weekend.

Following representations by the Police and Elected Members in relation to the same, the applicant has modified his application to reflect retail sale of alcohol hours from 07.00 to 22.00 Monday to Sunday.

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.*

Both the Police and Trading Standards identified a lack of information detailed within the operating schedule, in relation to the prevention of crime and disorder and protection of children from harm licensing objectives and advocated conditions to assist the applicant in the promotion the licensing objectives.

The conditions proposed by the Police in relation to CCTV, Staff Training, Incident and refusals book have been accepted by the applicant. The Trading Standards Officer, proposed conditions in relation to proof of age and advocated the adoption of Challenge 25, Proof of Age scheme and staff training in respect of the same, which was agreed by the applicant.

The Police do reference a high volume of antisocial behaviour particularly in the town centre on the weekends in their representations but have not advocated refusal of the premises licence but the bringing back of hours and additional controls mentioned above. In the absence of any other representations from Responsible Authorities (RA's), then the RA's appear to be satisfied with the applicant's ability to promote the licensing objectives.

Representations objecting to the grant of the premises licence have been received from 2 Ward Elected Members, 2 residents and 1 local business owner, who express concern about increased anti-social behaviour that may arise as a result of the granting of an additional premises licence.

The position of both Elected Members has been clarified, in that it was believed the terminal hour of 22.00hrs for retail sale of alcohol would be an acceptable compromise by the applicant. As detailed above this has been accepted by the applicant. It is understood that the business owner objector shared the view of the Elected Members in respect of the 22.00hr closure and is satisfied, confirmation of their position will be provided at the hearing.

The modified nature of the hours and conditions accepted by the applicant have been communicated to the residents. However, both residents have indicated that whilst they acknowledge the amendments to the application, that they both wish to maintain their objections on the basis that an additional alcohol outlet would exacerbate existing alcohol and antisocial behaviour concerns in the area. Resident B has indicated that whilst he wishes his objection to stand, he will not be attending the hearing.

Paragraph 24.4 of the Council's Licensing Policy States – *'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.'*

The concerns of the local residents whilst understandable however 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. The applicant cannot be held responsible for historic or indeed current antisocial behaviour concerns of local residents. No confidence in management concerns have been raised by Responsible Authorities.

There has been reference to existing and number of premises in the area already, however the Council does not currently have any cumulative impact areas and therefore the number or type of other licensed premises in the vicinity would not ordinarily be a consideration for Members of the Sub Committee. The same principle would apply in relation to the 'need' or otherwise for a new, licensed premises.

Paragraph 14.5 of the Council's Licensing Policy States:

*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.*

This is echoed by Paragraph 2.21 of the Section 182 Home Office National Guidance which states that *Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.*

Paragraph 8.3 of the Authority's licensing policy states

*'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.*



Members of the Sub Licensing Committee will be required to determine the application in relation to the promotion of the four licensing objectives i.e prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

### **1.10 RECOMMENDATION**

Having had regard to and considered the position of the Responsible Authorities and all comments received by local elected members, business objector and residents, it is recommended that the application to permit the sale of alcohol for off sales, between the hours of 07.00 to 22.00 Monday to Sunday **be granted** subject to the following agreed conditions namely:-

- 1 CCTV shall be in use at the premises.

Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed, it shall be fully operational by the date the licence is granted.

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; The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority;

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

If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified;

The premise licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;

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

- 2 There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the premises.
- 3 Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour they will be told move away from the vicinity.
- 4 An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation.

- 5 All refusals will be kept in a refusals book detailing the time, date, the goods, the staff member and the name of the persons who tried to purchase. If no name is given, then a good description will be recorded. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.
6. Rowdy and/or disorderly customers will be asked to leave the premises.
7. All staff/members who serve alcohol to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable
8. (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.

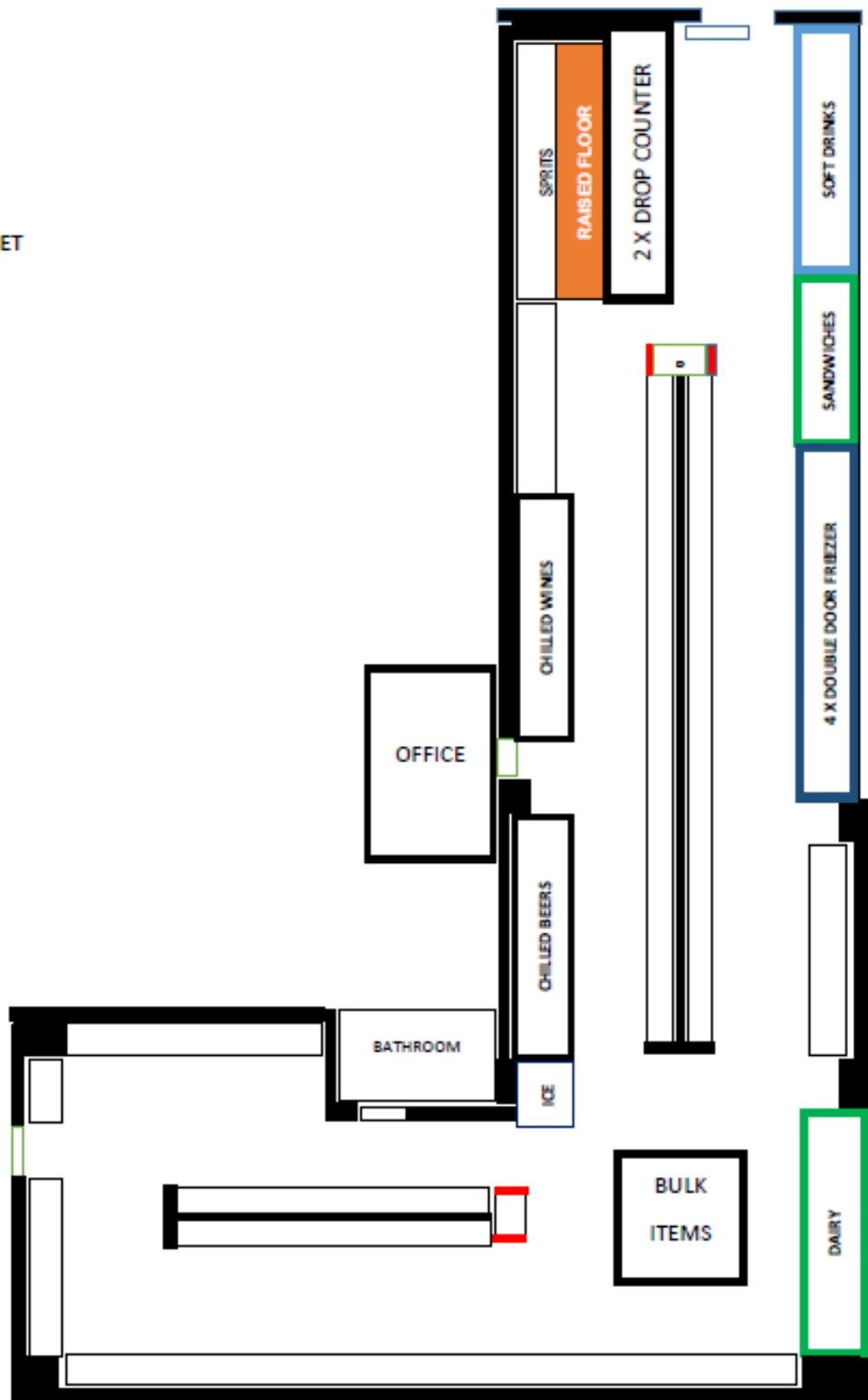
Background Papers: Statutory Guidance issued under S182 of the Licensing Act  
Caerphilly CBC Statement of Licensing Policy

Date of this report: 6<sup>th</sup> January 2021

Author: Lee Morgan – Licensing Manager Tel: 01443 866750

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NP12 1AE

SCALE 1-100



Gadewir y dudalen hon yn wag yn fwriadol

## Caerphilly County Borough Council Licensing Policy Relevant Extracts

8.2 The licensing regime places a great responsibility on applicants themselves to actively engage in the application process. It also places responsibilities on defined consultees to make relevant representations (either positive or negative) relating to applications within the prescribed timescales. Where representations are not received within the timescales an authorisation may be granted with only those conditions that are in line with an applicant's operating schedule. Operating schedule conditions can only be modified where relevant representations are received and where they need to be modified to promote the licensing objectives.

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:

o 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

o 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.

12.1 Applicants are required by law to set out in their operating schedules the steps they intend to take to promote the licensing objectives. Responsible applicants will give proper regard in the schedules to the location, character and condition of the premises, the nature and extent of the proposed use, the demography of the area and the person likely to be attracted to the premises.

13.2 The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. 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.

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.

13.5 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, a limitation on licensing hours may be appropriate.

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 antisocial 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.

14.6 When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered. The following issues that should be considered are set out below to assist applicants when preparing their operating schedules, having regard to their particular type of premises and/or activities. These are not exhaustive, and are not to be regarded in any way as standard requirements, but include:

- a) Demonstrate effective and responsible management of premises;
- b) Evidence appropriate staff instruction, training and supervision to prevent incidents of public nuisance;
- c) Indicate how the operating hours for the whole or parts of premises are to be controlled so as to reduce the potential noise impact on neighbouring properties.

This should include control of external areas such as beer gardens and smoking areas, and such matters as deliveries, disposal of glassware and waste collections.

d) Adoption of best practice guidance (Such as the Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by the Institute of Acoustics, Safer Clubbing the National Harm Reduction Strategy Toolkit

and other industry codes of practice).

- e) Installation and effective maintenance of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
- f) Management of people including staff and customers arriving and leaving premises (including the potential for queuing outside of the premises);
- g) Liaison with public transport / taxi and private hire service providers to encourage customers to leave the area quickly;
- h) Siting of external lighting including security lighting and consideration of the potential for light pollution nuisance;
- i) Management arrangements for collection and disposal of litter in the vicinity of the premises;
- j) Effective ventilation systems to prevent nuisance from odour;
- k) Demarcation, capacity control, supervision and monitoring of areas immediately in the vicinity of the premises, used by smokers;
- l) Dispersal policy / arrangements
- m) Adverse noise created by any ventilation or air conditioning system or other associated machinery positioned outside the building.
- n) Appropriate signage requesting patrons to respect the rights of local residents when leaving the premises.

16.4 When addressing the protection of children, an applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to cause concern in relation to children. Such steps as are required to deal with these identified concerns should be included within the applicant's operating schedule and these may include:

- Effective and responsible management of premises;
  - Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm. Details of the content of any training, preferably to be maintained in a written form, along with dates and frequency of any training or instruction given. A written policy in respect of "proof of age".
  - Requiring the production of age identification documentation: Proof of Age Standards Scheme (PASS) accredited "proof of age" cards, passports/photo driving licences;
  - Measures to ensure that children do not purchase, acquire or consume alcohol;
  - Measures to ensure that adults do not purchase/acquire or supply alcohol for consumption by children;
  - Adoption of best practice guidance;
  - Provision of sufficient numbers of people employed or engaged to secure the protection of children, including child performers, from harm;
  - Limitations on the hours when children will be present in all or parts of the premises;
  - Limitations or exclusions by age when certain activities are taking place;
  - Imposition of requirements for children to be accompanied by an adult;
- 20
- Measures to ensure that children are not exposed to incidences of violence or disorder.

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.

23.1 The Licensing Act does not prescribe fixed hours for trading, applicants are required to identify the hours that they propose to operate. The Licensing Authority, through the exercise of its licensing functions shall not seek to restrict the trading hours of any particular premises unless it is considered appropriate for the promotion of one or more of the licensing objectives. It is proposed that the Licensing committee when considering each application on its merits following receipt of relevant representations should have regard to the following factors:

23.1.1 Whether the licensed activities are likely to cause an adverse impact, especially on local residents, and what, if any, appropriate measures are proposed to prevent it.

23.1.2 Whether there will be a substantial increase in the cumulative adverse impact on any adjacent residential area.

23.2 In the absence of any specific reasons linked to the licensing objectives, the Licensing Authority will not seek to restrict licensed retail outlets ability to sell alcohol for consumption off the premises throughout their general trading hours, unless it is satisfied, following the statutory process prompted by receipt of relevant representations, that there are good reasons based on evidence for restricting those hours.

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.



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

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

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

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

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

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

8.13 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

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

9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from

premises on the objectives. For representations in relation to variations to be relevant, they should be confined to

the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to

the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

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

14.51 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose

predetermined licensed opening hours, without giving individual consideration to the merits of each application.

**HEDDLU GWENT POLICE**

**RELEVANT REPRESENTATIONS**  
**PREMISES LICENCE /CLUB PREMISES CERTIFICATE or**  
**VARIATION OF THE ABOVE**  
**S.18, 41A, 72 and 86A of the LICENSING ACT 20030**

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

Date application received: **03/11/2020**

Date representations sent to Licensing Authority: 03/12/2020

Date representations sent to applicant:

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

Premises Name and Address: **88 High Street, Blackwood, Caerphilly. NP12 1AE**

Applicant Address: **Redacted**

Gwent Police has received an application for a new premises licence under the Licensing Act 2003 in respect of the above named premises.

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

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

Gwent Police would object to the 0100hrs hours proposed on Friday and Saturday, as discussed at length with the applicant. The Town Centre is subject to a high volume of ASB especially on weekends, of which a high proportion of these incidents are alcohol related. Permitting the premises to remain open until 0100hrs there is potential for an increase in the amount of incidents and disorder on the High Street.

Should the applicant wish to amend his application until 2300hrs Monday to Sunday Gwent Police would withdraw their objections but would propose the following conditions to assist in meeting the 4 licensing objectives.

Gwent Police would also like the below to be added:

- 1 CCTV shall be in use at the premises.  
Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed, it shall be fully operational by the date the licence is granted.

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;

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority;

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

If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified;

The premise licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;

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

In addition:

- 2 There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the premises.
- 3 Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour they will be told move away from the vicinity.
- 4 An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation.
- 5 All refusals will be kept in a refusals book detailing the time, date, the goods, the staff member and the name of the persons who tried to purchase. If no name is given, then a good description will be recorded. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.
- 6 All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. Safeguarding training should also be undertaken with all staff. Training should be clearly documented, signed and dated by both the trainer and member of staff receiving it. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.
7. Rowdy and/or disorderly customers will be asked to leave the premises.



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

**PC 328 Williams**

**Police Harm Prevention/Licensing Officer**

Gadewir y dudalen hon yn wag yn fwriadol

## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

### RESPONSIBLE AUTHORITY –

Trading Standards

#### **Name and Address of Applicant - Alex Xavier QUINTAN**

Premises - Clarence Food and Wine, 88 High Street, Blackwood NP12 1AE

#### **Which of the four Licensing Objectives does your representation relate to?**

##### **The Protection of Children from Harm**

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

*(SA01)All staff/members who serve alcohol to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.*

*(SA02)*

- (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.*

*(SA06)All staff with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur.*

Tim Keohane - Senior Trading Standards Officer 03/11/2020

Gadewir y dudalen hon yn wag yn fwriadol

## Representations - Cllr Dix

**From:** Cllr. Dix, Nigel

**Sent:** 02 December 2020 12:30

**To:** Lloyd, Julie

**Subject:** Re: Consent lists 24.11.2020

Former Rowlands News agents High Street Blackwood . Opening another shop where alcohol can be sold is very concerning , as we all know the social problems alcohol causes , addiction , violence, anti social behaviour, etc. I am led to believe the application is to open till 1am in the morning, I find this to be ridiculous and dangerous. The pubs ( pre pandemic) all close around 12 midnight, allowing the sale of alcohol till 1am in the morning will result in even more drunken and anti social behaviour in the community of Blackwood. No shops in Blackwood open till 1am most close by 5:30 pm And that's how it should remain. The idea of allowing a shop to stay open till 1am to sell alcohol is not acceptable, it will become a magnet for those seeking alcohol late in the evening , which will increase the amount of anti social behaviour for residents , who have/ had put with the fallout from the pubs kicking out time , which can go on for an hour or two after the pubs have closed. I strongly object to this application.

## Representations(2) – Cllr Dix

Hi Kathryn thanks for contacting me regarding change in applicants closing time to 23.00hrs

I do appreciate the applicants offer , however, currently there are no shops that open past 6pm on the high st, that currently sell alcohol. The introduction of shops on the high st staying open past 6pm and selling alcohol will only increase anti Social behaviour in the town by encouraging people who leave the pubs to purchase alcohol after the pubs shut, resulting in people who have already consumed alcohol congregating in the town and neighbouring streets which will be detrimental to community .

I believe that 22hrs closing time will be an acceptable compromise, as this will mean that the shop will not be open when the pubs are closing, and not encourage people to hang around the town consuming more alcohol, causing , anti social behaviour and disturbing residents who live by the Town.

Many thanks

Nigel

Sent from my iPad

Gadewir y dudalen hon yn wag yn fwriadol

Mon 14/12/2020 17:33

New Premises Application - Clarence Food & Wine, 88 High Street, Blackwood,  
NP12 1AE

Hi Kathryn,

Many thanks for the up-date I really appreciate it however I would have thought that 10.00pm would be a more appropriate time.

Regards

**Cllr Andrew Farina-Childs**

Cynghorydd Sir - Coed Duon | County Councillor - Blackwood  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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 07707 096983

 [farina@caerphilly.gov.uk](mailto:farina@caerphilly.gov.uk) [farina@caerffili.gov.uk](mailto:farina@caerffili.gov.uk)

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**From:** Hopkins, Kathryn

**Sent:** 14 December 2020 09:13

**To:** Cllr. Farina-Childs, Andrew

**Subject:** RE: New Premises Application - Clarence Food & Wine, 88 High Street, Blackwood, NP12 1AE

Cllr Farina-Childs,

I refer to your email below concerning the application for the above mentioned premise.

The applicant has since modified his application following objections from Heddlu Gwent Police to allow the sale of alcohol Monday to Sunday between 0700 to 2300.

Should you, or your residents, still have concerns in relation to the amended hours please can you notify me of what they are, bearing in mind the Licensing Objectives.

Regards

Kathryn

**From:** Cllr. Farina-Childs, Andrew

**Sent:** 01 December 2020 19:20

**To:** Hopkins, Kathryn

**Subject:** RE: New Premises Application - Clarence Food & Wine, 88 High Street, Blackwood, NP12 1AE

Hi Kathryn,

I wish to object in relation to the Prevention of Crime and Disorder:

**Address of Premises or Club Premises:** 88 High Street, Blackwood, NP11 1AE

**Type of Application:** New premises licence

**Proposed Licensable Activities or Qualifying Club Activities:**

Alcohol, Monday to Sunday, 07.00 to 23.00, Friday and Saturday, 07.00 to 01.00

I believe that if this license is granted until 1am that this could lead to a rise in alcohol related crime and disorder which could then impact on public safety. Therefore I request that this license application be rejected on behalf of the residents who have contacted me with concerns over this.

Regards

**Cllr Andrew Farina-Childs**

Cynghorydd Sir - Coed Duon | County Councillor - Blackwood

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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 07707 096983

 [farina@caerphilly.gov.uk](mailto:farina@caerphilly.gov.uk) [farina@caerffili.gov.uk](mailto:farina@caerffili.gov.uk)

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**From:** Hopkins, Kathryn

**Sent:** 01 December 2020 18:40

**To:** Cllr. Farina-Childs, Andrew

**Subject:** New Premises Application - Clarence Food & Wine, 88 High Street, Blackwood, NP12 1AE

Cllr Farina-Childs,

I acknowledge your comments below in relation to a new premises application for an 'off licence' for the above mentioned premise.

Please can you clarify if you intend to object to the application as an individual, or on behalf of local residents.

If you are objecting to the application, you can comment on anything in the application, but it will only be 'relevant' if your comments relate to the potential impact the application may have on the four licensing objectives. Therefore please can you expand to your email below, so I can accept this as a relevant objection under the Licensing Act 2003. The last date for representations to be received is 18<sup>th</sup> December 2020.

- Prevention of Crime & Disorder



- Prevention of Public Nuisance
- Protecting Children from Harm
- Public Safety

Regards

Kathryn

**From:** Morgan, Lee <[MORGAL16@CAERPHILLY.GOV.UK](mailto:MORGAL16@CAERPHILLY.GOV.UK)>  
**Sent:** 16 November 2020 13:12  
**To:** Hopkins, Kathryn <[HOPKIK1@CAERPHILLY.GOV.UK](mailto:HOPKIK1@CAERPHILLY.GOV.UK)>  
**Subject:** FW: ROWLANDS NEWSAGENTS BLACKWOOD

**From:** Cllr. Farina-Childs, Andrew <[FARINA@CAERPHILLY.GOV.UK](mailto:FARINA@CAERPHILLY.GOV.UK)>  
**Sent:** 13 November 2020 17:59  
**To:** Morgan, Lee <[MORGAL16@CAERPHILLY.GOV.UK](mailto:MORGAL16@CAERPHILLY.GOV.UK)>  
**Subject:** ROWLANDS NEWSAGENTS BLACKWOOD

Hi Lee,

I have been contacted by a number of residents and businesses on Blackwood High Street in relation to the proposed licence application to sell alcohol until 1am on Friday and Saturday at the former Rowlands Newsagents.

I will therefore be objecting to this as I feel that this could cause significant issues.

Regards

**Cllr Andrew Farina-Childs**

Cynghorydd Sir - Coed Duon | County Councillor - Blackwood  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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 07707 096983

 [farina@caerphilly.gov.uk](mailto:farina@caerphilly.gov.uk) [farina@caerffili.gov.uk](mailto:farina@caerffili.gov.uk)

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Gadewir y dudalen hon yn wag yn fwriadol

<b>Representations – Other Person 1</b>
<b>Date Submitted -</b> 29/11/2020 11:53:15
<b>Message -</b> Dear Sir/Madam, i have become aware of a public notice in regard to an application for an alcohol licence for the below address; 88 High street Blackwood Gwent NP12 1AE I wish to make a representation against the granting of such a licence on the grounds that approval would contribute to a public nuisance that myself and neighbours currently experience ie Persons congregating outside the front of Blackwood Methodist church openly consuming alcohol/urinating /littering and becoming rowdy, therefore becoming a public nuisance. I would therefore appreciate you taking the time to take into consideration my representation. Yours Sincerely Kenneth Llewellyn
<b>Reference -</b> <b>NB</b> This is an automated email sent to inform you of a contact made via the website. Please do not reply to this email.

Gadewir y dudalen hon yn wag yn fwriadol

**Other Person 2**

I totally object to a proposed off licence store at 88 High Street, Blackwood.

On the weekend Blackwood has an alcohol problem not only with adults but with teenagers as well – some certainly underage.

There are plenty of alcohol outlets on Blackwood High Street already – to have another one is going to fuel more alcoholism.

G Bennett

Gadewir y dudalen hon yn wag yn fwriadol

<b>Other Person 3</b>
<b>Date Submitted -</b> 02/12/2020 12:09:53
<b>Message -</b> Address of Premises: 88 High Street Blackwood NP11 1AE Type of Application: New Premises Licence I vehemently oppose the alcohol application for this premises, in particular, the proposed licensing hours of trading. As one of Blackwood's oldest businesses on the High Street, over the years we have been subjected to numerous occasions of smashed windows, property damage and people urinating in our doorway all because of alcohol related anti social behaviour. Our insurance premium has increased over the years dramatically because of these issues. Public stumbling out of the pubs and buying alcohol in the early hours of the morning next to my shop will only lead to further anti social issues for my business and the town.  H Edwards
<b>Reference -</b> <b>NB</b> This is an automated email sent to inform you of a contact made via the website. Please do not reply to this email.

Gadewir y dudalen hon yn wag yn fwriadol



From: Alex Quintan  
Subject: Blackwood 88  
Sent: 04 December 2020 14:08

Thank you very much for your email which highlighted the representations from the Children's Services. I am more than happy to take their suggestions on board and implement it within our business. As suggested, we will ensure that all staff members are trained fully of the licencing activities and are made very vigilant when selling alcohols. Furthermore we have a system in place on our counter which has an automatic reminder that allows a sales assistant to be vigilant when serving alcohol in our premises.

>  
> Please advise me of anything in regards to the same if we have missed anything.  
>  
> Thanking you kindly

Mon 07/12/2020 13:39

Hi Kathryn  
I'm agreed to 7-23 hours and happy to follow the police advice Thanks you again for your help

88 high street Blackwood

Wed 09/12/2020 12:52

Hi Kathryn,

Thank you for your email.

I accept the attached representation from TS and the Heddlu Gwent Police, I will ensure that the mentioned conditions are met.

Please let me know if you need any further detail.

Thank you  
Alex

**Sent:** 22 December 2020 16:36

**To:** Hopkins, Kathryn <[HOPKIK1@CAERPHILLY.GOV.UK](mailto:HOPKIK1@CAERPHILLY.GOV.UK)>

**Subject:** Re: New Premise Application - Clarence Food & Wine, 88 High Street, Blackwood

Hi Kathryn,

I have read the attachment and I am happy to limit the sale hours till 10pm rather than 11pm as requested.

Thank you

Gadewir y dudalen hon yn wag yn fwriadol