

# 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 Jo Thomas  
(Rhif Ffôn: 07714600912 Ebst: [thomaj8@caerphilly.gov.uk](mailto:thomaj8@caerphilly.gov.uk))

**Dyddiad: Dydd Gwener, 17 Chwefror 2023**

I bwy bynnag a fynno wybod,

Cynhelir cyfarfod aml-leoliad o'r **Is-bwyllgor Trwyddedu a Gamblo** yn Nhŷ Penallta, a thrwy Microsoft Teams ar **Dydd Llun, 27ain Chwefror, 2023** am **11.00 am** i ystyried y 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 gwasanaeth cyfieithu ar y pryd yn cael ei ddarparu ar gais.

Gall aelodau'r Cyhoedd neu'r Wasg fynychu'n bersonol yn Nhŷ Penallta neu gallant weld y cyfarfod yn fyw drwy'r ddolen ganlynol: <https://civico.net/caerphilly>

Bydd y cyfarfod hwn yn cael ei ffrydio'n fyw a bydd recordiad ar gael i'w weld drwy wefan y Cyngor, ac eithrio trafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig. Felly, bydd delweddu/sain yr unigolion sy'n siarad ar gael yn gyhoeddus i bawb drwy [wefan y Cyngor](#):

Yr eiddoch yn gywir,

**Christina Harrhy**  
PRIF WEITHREDWR

## AGENDA

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.

Derbyn ac ystyried yr adroddiad canlynol:-

3 Penderfynu ar Gais am Drwydded Eiddo

1 - 74

### **Cylchrediad:**

Cynghorwyr T. Heron, S. Williams a W. Williams (Cadeirydd)

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 Preifatwydd Cyfarfodydd Pwyllgor Llawn ar ein gwefan <http://www.caerffili.gov.uk/Pwyllgor/Preifatwydd> 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 - 27<sup>TH</sup> FEBRUARY 2023

**SUBJECT: LICENSING ACT 2003 -DETERMINATION OF PREMISES  
LICENCE APPLICATION**

**REPORT BY: LEE MORGAN LICENSING MANAGER**

### 1. Application Details –

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Mr Premakanthan Nadarajah	Elliot Stores 54-56 Queens Road Elliotstown New Tredegar NP24 6DZ	Grant of Premises licence

#### 1.1 Application for Grant of a New Premises Licence - Licensing Act 2003

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.

The premise has been described as a convenience store and off licence, at the location of the former Cwmsyfiog Ex Servicemen's club, in Elliotstown.

#### 1.2 Site Plan/Photographs

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

An aerial plan of the location is reproduced as **Appendix 2**.

Photographs of location are reproduced as **Appendix 3**.

#### 1.3 Proposed Trading Times and Licensable Activity

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

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

*Monday - Sunday 07.00 – 23.00hrs*

- 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: -

*ID Checks  
Regular Staff training  
No ID no sale policy  
Refusal logs  
CCTV operation  
Under 18 not allowed to enter alcohol room*

#### **1.4 RELEVANT CONSIDERATIONS**

Caerphilly County Borough Council Licensing Policy **Appendix 4**

National Guidance **Appendix 5**

#### **1.5 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS**

##### **1.5.1 Responsible Authorities:**

###### **Police**

Document	Date received	Appendix Reference
<b>Initial representation</b>	<b>16/01/2023</b>	<b>Appendix 6</b>
<b>Supplementary Comments</b>	<b>26/01/2023</b>	<b>Appendix 6a</b>

###### **Trading Standards**

Document	Date received	Appendix Reference
<b>Initial representation</b>	<b>25/01/2023</b>	<b>Appendix 7</b>

###### **Children Services**

Document	Date received	Appendix Reference
<b>Initial representation</b>	<b>31/01/2023</b>	<b>Appendix 8</b>

###### **Environmental Health (Health & Safety)**



Document	Date received	Appendix reference
<b>Initial representation</b>	<b>01/02/2023</b>	<b>Appendix 9</b>

### **Environmental Health Pollution Team**

Document	Date received	Appendix reference
<b>Initial representation &amp; Supplementary Comments</b>	<b>16/01/2023 &amp; 31/01/2023</b>	<b>Appendix 10</b>

### **Licensing**

Document	Date Received	Appendix Reference
<b>Initial representation</b>	<b>31/01/2023</b>	<b>Appendix 11</b>

### **1.5.2 Other Persons:Residents**

Document	Date Received	Appendix Reference
<b>J. Aston</b>	<b>23/01/2023</b>	<b>Appendix 12</b>
<b>C Loveridge</b>	<b>23/01/2023</b>	<b>Appendix 12a</b>
<b>A Mathews</b>	<b>23/01/2023</b>	<b>Appendix 12b</b>

## **1.6 SUMMARY OF REPRESENTATIONS**

Heddlu Gwent Police have detailed a visit to the premises on the 13<sup>th</sup> January 2023, along with members of Caerphilly Council Licensing and Environmental Heath teams. The Police describe the premises as a three-storey building on the site of the former Ex- Servicemen's club.

The Police do not object to the application but have advocated the rewording of and the addition of conditions relating to CCTV, Challenge 25, documented staff training and incident recording. The Police advocate conditions which they believe to be robust and fair, which support the licensing objectives.

The Police have detailed that the area does not suffer from high levels of Anti-Social Behaviour, having liaised with the Crime and Disorder Officer (Cadro). The Police records indicating that any Anti-Social Behaviour identified in the area was not associated to youth disorder or any business premises in the area.

The Trading Standards Officer and the Children Services Officer have not objected to the application and has supported the comments and conditions proposed by Gwent Police.

The Licensing Authority Officer in its role as a responsible authority has not objected to application but has proposed an additional condition, in relation to adequate measures in place to remove litter or waste arising from customers and to prevent such

littering taken place. Furthermore, comment is made that in view of the Applicants confirmation that 3 Members of Staff would undertake the Personal Licence qualification, that no further conditions would be advocated in relation to day-to-day control at the premises.

Environmental Health Officers (Pollution team) has indicated no objection to the application and has supported the comments proposed by Licensing Authority in its role as a Responsible Authority. The Environmental Health (Health & Safety) Officer acknowledged the representations of Gwent Police, Trading Standards and Licensing Authority.

Three residents submitted their objection to the application. One resident attached a petition containing 45 signatories who indicate that they object to the grant of the new application. Reference is made to the degeneration of an already deprived area and deep concerns regarding anti-social behaviour which will be exacerbated further, noise and litter pollution, parking chaos and the encouragement of excess alcoholism and the non-promotion of healthy lifestyles.

A second resident echoes the concerns above and references the numerous off licences in the village of New Tredegar.

Another resident opposes the application in relation to the proposed hours, the noise and nuisance outside the shop at night, along with littering and anti-social behaviour. Parking is raised as a concern, the resident also details concerns regarding the location of the premises on the corner of the street and its potential to cause disruption to buses.

## **1.7 APPLICANT RESPONSE**

Document	Date Received	Appendix Reference
<b>Response to Police representations</b>	<b>17/01/2023</b>	<b>Appendix 13</b>
<b>Response to Licensing Authority representations</b>	<b>01/02/2023</b>	<b>Appendix 13a</b>
<b>Petition of support of application</b>	<b>01/02/2023</b>	<b>Appendix 13b</b>

The applicant has responded and accepted the proposed conditions advocated by the Police along with the conditions advocated by the Licensing authority in its role as a Responsible Authority.

The applicant has also provided a petition in support of his application which contains 194 signatories, who indicate that they are in support of the application in its present form.

## **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 54-56 Queens Road, Elliotstown, New Tredegar NP24 6DZ. The proposed premises is the former Cwmsyfiog Ex-Servicemens Club. The Club Premises Certificate for this premises was surrendered in 2019 and therefore there is no current authorisation in place.

The applicant has detailed the general description of the premises as a Convenience store selling a range of goods. The application proposes the retail sale of alcohol between the hours of 07.00hrs to 23.00hrs Monday to Sunday, for off sales only.

Representations making objections to the granting of the premises licence have been received from 3 residents. It is noted that one of the residents has submitted a petition indicating opposition to the granting of a premises licence by 45 signatories.

The council sets out in its Statement of Licensing Policy at Paragraphs 14.6 and 28.4 how it will deal with petitions and states '*Petitions may be accepted if the Authority believes all those that signed the petition understood the implications of what they were signing.*'

Furthermore '*The Licensing Authority will accept petitions, but there are some important factors to consider before organising a petition*

- *We ask that the organiser of the petition identify himself or herself as a central point of contact. We may need to make contact in order to verify certain matters if we are unable to do this it could invalidate the petition.*
- *Each page of the petition should contain information as to the purpose of the petition so that all persons know what they are signing.*
- *Full names and addresses must be supplied*
- *All signatories must be made aware that a copy of the petition will be supplied to the applicant and a copy will be contained within the committee papers, so their personal details will become public knowledge.*

*We will not write to each signatory separately, but instead assume that the organiser will advise each signatory of the hearing date and the final outcome of the application. It is expected that the organiser will represent the signatories at the hearing and to speak for them. When making a decision, the Licensing Authority will give appropriate weight to a petition. Those wishing to make representations should appreciate that the quality of the representations we receive is an important consideration when making a decision.*

The Applicant has submitted his own petition in support of the grant of the licence which contains details of 194 signatories. Examination of these documents shows that in at least four instances, individuals have signed both in support of, or in opposition to the grant of the application.

It is noted that some of the objections detailed by the residents are not specifically linked to the licensing objectives, the provision of parking would not ordinarily be a consideration for Members. Furthermore, whilst comments for the promotion of a healthier lifestyle in the area are noteworthy, Health is not currently a Licensing objective detailed within the Licensing Act 2003.

Paragraph 28.14 of the council's statement of licensing policy states '*The Licensing Authority recognises that, although public health is not a licensing objective, health bodies may hold information which other responsible authorities do not, but which would assist the Licensing Authority in exercising its functions.*'

It is noted that there has been no response to the application from the Local Health Board in its role as a Responsible Authority in respect of this application.

Residents have expressed concerns about the hours proposed by the applicant i.e 7am to 11pm. Guidance for Members in relation to hours is offered in the council's statement of Licensing Policy, paragraph 22.1 states '*Shops, stores and supermarkets should generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. However, in the case of individual premises, which are known to be a focus or cause of disorder and disturbance then, subject to representations from the police and other responsible authorities, a limitation on licensing hours may be appropriate.*' In relation to this application, no adverse comments as to proposed hours have been received from the Responsible Authorities.

Reference is made by residents to the degeneration of an already deprived area and concerns about existing anti-social behaviour. It is noted that this application proposes the redevelopment of the currently empty, former Ex Servicemen's club. The comments of the residents in relation to existing anti-social behaviour are not shared by Gwent Police nor the Environmental Health Pollution team within their representations.

Information provided by Gwent Police details checks undertaken by Crime and Disorder Officers (Cadro) for the period 1<sup>st</sup> Jan 2022 to 1<sup>st</sup> Jan 2023. It is detailed that there were 46 calls to Police reported for Queens Rd, Elliotstown. 23 were classified as Anti-Social Behaviour (ASB) in their type. However, the Police detail that these reports were not linked

to specific youth disorder or any business premises. Clarification was sought with the Police, who confirmed that the reports to them included ongoing issues between neighbours and a dog barking in a back garden.

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

There has been reference to existing licensed premises in the area, 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.

Advice for Members in relation to need, is provided within the Section 182 Home Office National Guidance, Paragraph 14.19 states '*There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.*'

The table below details shows, the licensable hours of off licences located in the New Tredegar area.

Name	Permitted Hours	Approx Distance from proposed premises
Mount View Stores, 54/56 Commercial Street	08.00-23.00 Mon-Sat 08.00-22.30 Sun	0.7km / 0.43miles
VG Stores, Jones Street	08.00-20.00 Mon-Sun	1.3km / 0.80miles
Village Mini Mart & Diner 10 James Street	07.00-21.00 Mon-Sun	1.1km / 0.68miles
3 S News & Booze 14 James Street	08.00-23.00 Mon- Sat 10.00-22.30 Sun	1km / 0.62miles
Best One Stores Victoria Buildings, 1 Rose Villas	08.00-23.00 Mon – Sat 10.00-22.30 Sun	0.8km / 0.49miles
Brithdir Stores 28 Station Terrace, Brithdir	08.00-23.00 Mon – Sat 10.00-22.30 Sun	1.7km / 1.05miles
Elliots Stores 16 Elliott Street	08.00-21.30 Mon-Fri 08.30-21.30 Sat 09.30-21.30 Sun	0.05km / 0.03miles
Evans Stores	08.00-23.00 Mon-Sat	1.3km / 0.80miles

34 Jones Street, Phillipstown	10.00-22.30 Sun	
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Often the concerns of objectors can be addressed through mediation during the consultation period or up until the time of any scheduled hearing. However, in this instance, it is not thought that the concerns of the residents' can be mediated in relation to this application.

Gwent Police as the lead authority in relation to crime and disorder have not objected to the application but have advocated conditions should a licence be approved. The conditions proposed by the Police in relation to provision of CCTV, Staff Training, Incident and refusals book have been accepted by the applicant.

The position taken by the Police has been supported by the Trading Standards Officer, the lead authority for the protection of children from harm, along with the Children Services Team. There were additional representation responses received from Licensing authority advocating a condition to be attached should a licence be granted, which was supported by Environmental Health (Pollution Team).

Following a site visit and discussion with the applicant, the Police appear to be satisfied provided that the conditions put forward by them and the Applicant are applied to the licence.

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.*

In the absence of any other adverse representations from Responsible Authorities (RA's), the RA's appear to be satisfied with the applicant's ability to promote the licensing objectives.

Paragraph 28.9 of the council's statement of licensing policy provides advice in relation to the above and states '*Whilst all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each Responsible Authority to determine when they have appropriate grounds to do so.*'

Licensing records held detail that the applicant has been the Premises Licence holder for Elliots Stores, an existing off licence located at 16 Elliot Street, Elliotstown since the 20<sup>th</sup> September 2021. No confidence in management concerns have been raised by any of the Responsible Authorities in their representations in relation to the applicant.

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 the objections made by residents and considered the position of the Responsible Authorities, it is recommended that the application to permit the sale of alcohol for off sales, between the hours of 07.00hrs to 23.00hrs, Monday to Sunday **be granted** subject to the following conditions as set out in **Appendix 14**.

In reaching this conclusion, it is noted that there are no objections to the application from Responsible Authorities nor confidence in management concerns. It is considered that any potential conflicts with the promotion of the Licensing Objectives may be adequately controlled by the recommended conditions set out in **Appendix 14**.

Background Papers:      [Link to - Statutory Guidance issued under S182 of the Licensing Act](#)

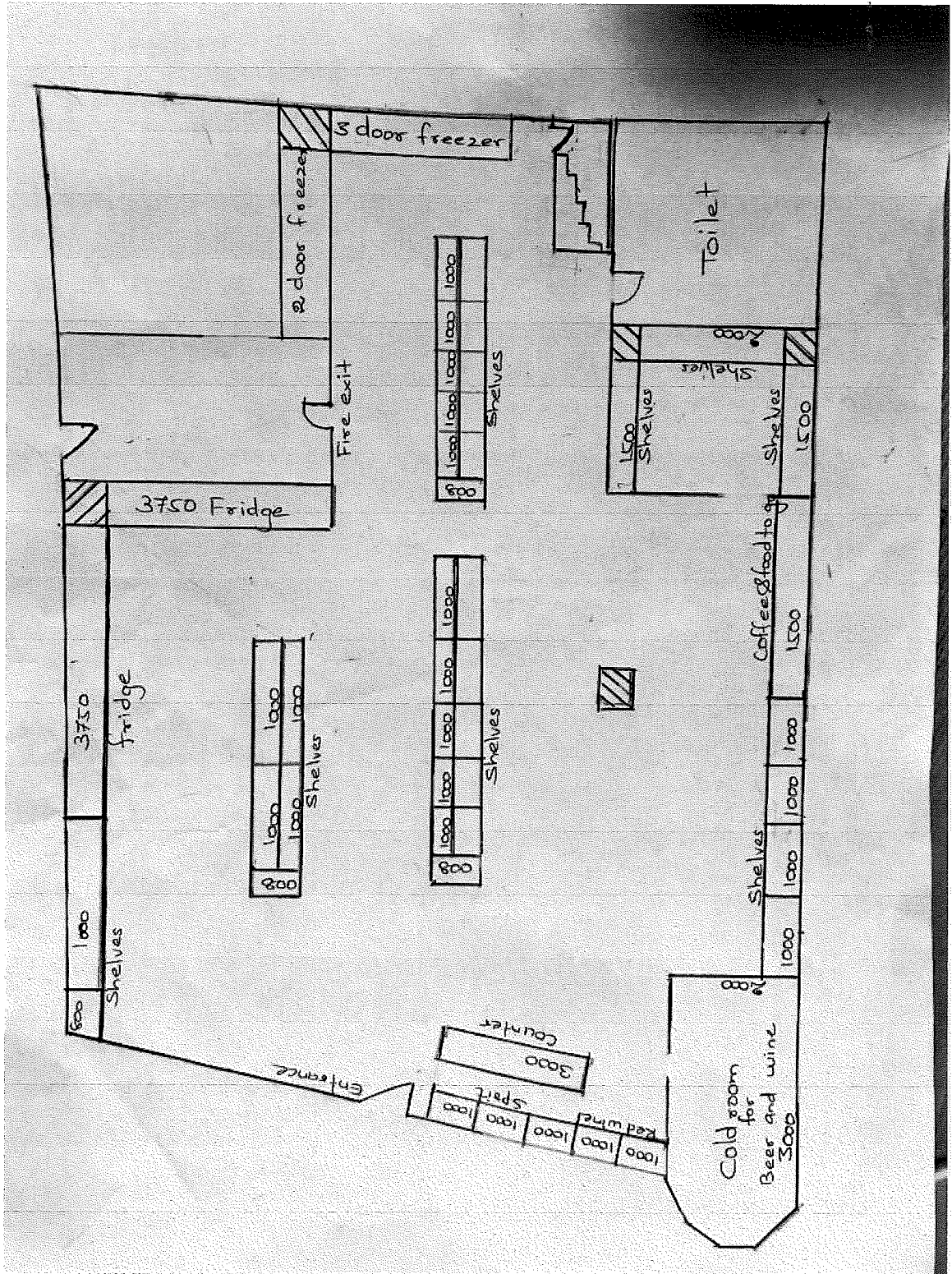
[Link to - Caerphilly CBC Statement of Licensing Policy](#)

Date of this report: 15<sup>th</sup> February 2023

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Gadewir y dudalen hon yn wag yn fwriadol





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## Extract of Statement of Licensing Policy

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

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

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

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

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

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

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

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

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

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

10.3 Applicants are recommended to seek advice from the Licensing Authority's licensing officers and the police, as well as taking into account, as appropriate, local planning and transport policies, tourism, cultural and crime prevention strategies, when preparing their plans and operating schedules.

11.1 Licensed premises have significant potential to impact adversely on persons living and working (including those carrying on business) in the area around the premises, and also further afield through public nuisances that arise from their operation. It is therefore important that in considering the promotion of this licensing objective, Licensing Authorities and Responsible Authorities focus on the effect of the licensable activities at the specific premises on these parties which may be disproportionate and unreasonable.

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

11.3 The Licensing Authority recognises that limiting the public nuisance that may be associated with licensed premises and their operation is an important factor for health and

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

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

11.5 Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance. When a suitable site is identified, operating schedules should be prepared on the basis of a risk assessment of the potential sources of nuisance posed by the premises operation to those who may be impacted by their activities. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive measures to manage any potential risks.

11.6 The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area; or
- extended opening hours are proposed.

11.7 The Licensing Authority recognises that beyond the immediate area surrounding the licensed premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right. However, applicants are encouraged to consider the actions they may take as a responsible licence-holder to mitigate the potential adverse impact of patrons. The operating schedule should again be used to demonstrate an understanding of the potential risks and the positive measures that may be implemented to manage such issues.

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

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

- That 'Challenge 25' is supported as part of the age verification scheme

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

14.3 Amendments to the Act has inserted the term 'other person' to replace 'interested party' as someone who can make representations, it also removed the vicinity test for residents and the specific term of councillor. This opens up the range of persons who may make representation and includes for example the following:- • Residents living near the premises • Persons with an interest in the premises or locality • Local councillors • Businesses with an interest in the premises or locality. • Organisations with an interest in the locality, premises or licensable activities.<sup>22</sup> The Council will have to decide if the representation is relevant and/or reasonable, and in making that assessment will assess the person or organisation making the representation and their relationship to the premises and or vicinity.

14.4 Relevant representations will be taken as those that relate to the fundamental principles of the Licensing Act, any organisation or individual wishing to object to any application will therefore need to state whether they are doing so on the grounds of: • The prevention of crime and disorder; • Public safety; • The prevention of public nuisance; • The protection of children from harm.

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

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

25.6 The steps for consideration of licensing application, a licensing variation and a club premises certificate are: a) If no representations are made to an application, the Authority must grant it in full. Please see our website for further information [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk) b) When an application is made, and relevant representation are made to the Authority it must hold a hearing of the Licensing Sub-Committee (unless those who have made representations agree in advance that this is unnecessary). 48 c) The Licensing Sub-Committee will then consider the evidence provided by applicants and by those making representations, the legislation and accompanying Guidance, the Statement of Licensing Policy and any other relevant data. d) The Licensing Sub-Committee will determine the application and will take any steps it considers appropriate for the promotion of the licensing objectives. e) Conditions on the licence, additional to those voluntarily offered by the applicant, may be considered. Appropriate conditions will focus on matters which are within

the control of individual licensees and which also relate to the premises or places being used for licensable activities and the impact of those activities in the vicinity. If situations arise where the licensing objectives are compromised but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be issued or for the premises to continue in operation.

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

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

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

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

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

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

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

28.7 Whilst the Licensing Authority expects representations to be evidence based, there is no requirement for a Responsible Authority or other person to produce a recorded history of

problems at premises to support their representations, and it is recognised that in fact this would not be possible for new premises.

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

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

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

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

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

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

## 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 assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

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

8.47 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 consideration given to the licensing objectives and any measures that are proposed to promote them.

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

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

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

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

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

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

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

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

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

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

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

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

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

14.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

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.

14.52 Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises make an important contribution to our local communities, and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.



**RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS**

**RESPONSIBLE AUTHORITY – Gwent Police**

<b>Name of Applicant</b>	Premakanthan Nadarajah
<b>Premises</b>	Elliot Store, 54-56 Queens Rd, Elliotstown New Tredegar NP24 6DZ

<b>Your Name</b>	Adrian Jones
<b>Job Title</b>	Police Constable 2066
<b>em ail Address</b>	LicensingWest@gwent.police.uk
<b>Contact Telephone Number</b>	07464651981
<b>Date</b>	16/01/2023

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

<b>Please outline the reasons for your Representations</b>
<p>The applicant Premakanthan Nadarajah is seeking a license to allow the sale of alcohol by way of an Off License at 54-56 Queens Rd, Elliotstown New Tredegar. The premises is a 3 storied building which was previously a licensed premises an ex-servicesmens club.</p> <p>The applicant has submitted plans for the refurbishment of this building into a convenience store and the sale of alcohol. The premises is located in Queens Rd and is the end building of a Terraced Street with residential properties adjoining it and directly in front of the premise. The applicant is also the license holder and Designated Premises Supervisor at another licensed premises directly opposite the premises Elliots Stores which is licensed for Off Sales.</p>

The applicant has stated that the premises will be trading Monday-Sunday 0700-2300 and the sale of alcohol to also be Monday-Sunday 0700-2300.

Gwent Police have carried out checks on their systems which show the area does not suffer from high crime or high levels of Anti-Social Behaviour.

On the 13th of January 2023 the applicant Premakanthan Nadarajah was spoken to during a visit at the premise by Pc2066 Jones & Pc1141 Taylor part of Gwent Police Licensing Team, also present was Kathryn Hopkins and David Jones from Caerphilly Councils Licensing team, David Rees from Caerphilly Council Health and Safety Department.

The applicant has provided several conditions at the application stage that will promote the 4 licensing objectives. Gwent Police would advocate the re-wording of these and a small number of additional conditions that would support the applicant in the promotion of the licensing objectives

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

The suggested conditions and variations to the license are as follows:

**The applicant has proposed:**

CCTV Operation

**Gwent police would like this to be reworded to:**

CCTV shall be in use at the premises.

- (i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed, it shall be fully operational by the day the licence is granted.
- (ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards;
- (iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority;
- (iv) The correct time and date will be generated onto both the recording and the real time image screen;

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

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

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	<p>(v) If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified;</p> <p>(vi) The premise licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;</p> <p>(vii) The system shall also record clear images permitting the identification of individuals.</p> <p>(viii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during operating hours.</p> <p><b>The applicant has proposed:</b></p> <p>Staff Training Regular</p> <p><b>Gwent police would like this to be reworded to:</b></p> <p>All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable. All records shall be kept for a period of 12 months.</p>
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**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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



	<p>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. All records shall be kept for a period of 12 months.</p> <p>All staff with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur</p> <p><b>The applicant has proposed:</b></p> <p>Refusal Logs</p> <p><b>Gwent police would like this to be reworded to:</b></p> <p>The premises licence holder shall require the designated premises supervisor, or in his / her absence other responsible person, to keep an ‘incident / refusals’ logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required. All records shall be kept for a period of 12 months</p> <p><b>The applicant has proposed:</b></p> <p>ID Checks</p>
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**N.B.** If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

	<p><b>Gwent police would like this to be reworded to:</b></p> <p>A Challenge 25 scheme will be adopted in compliance with the age verification condition: Customers who appear be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy</p> <p>(b)Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale</p> <p>Under 18 Not Allowed to enter alcohol room</p> <p><b>In addition, Gwent Police would like to add the below conditions which would assist the applicant in promoting the licensing objectives:</b></p> <p>All customers will be asked to leave quietly. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours</p> <p>There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the premises</p> <p>Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour. The premises supervisor, manager or other competent person shall advise them to move away from the vicinity</p>
<p><b>Are you prepared to discuss these representations with the applicant by way of mediation?</b></p>	<p>Yes. The representations made are reasonable and appropriate. If the applicant agrees to the conditions as proposed, Gwent Police will withdraw their representations.</p>

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

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



## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

## RESPONSIBLE AUTHORITY – Gwent Police

<b>Name of Applicant</b>	Premakanthan Nadarajah
<b>Premises</b>	Elliot Store, 54-56 Queens Rd, Elliotstown New Tredegar NP24 6DZ

<b>Your Name</b>	Adrian Jones
<b>Job Title</b>	Police Constable 2066
<b>em ail Address</b>	[REDACTED]
<b>Contact Telephone Number</b>	[REDACTED]
<b>Date</b>	26/01/2023

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

<b>Please outline the reasons for your Representations</b>
<p>The applicant Premakanthan Nadarajah is seeking a license to allow the sale of alcohol by way of an Off License at 54-56 Queens Rd, Elliotstown New Tredegar. The premises is a 3 storied building which was previously a licensed premises an ex-servicesmens club.</p> <p>The applicant has submitted plans for the refurbishment of this building into a convenience store and the sale of alcohol. The premises is located in Queens Rd and is the end building of a Terraced Street with residential properties adjoining it and directly in front of the premise. The applicant is also the license holder and Designated Premises Supervisor at another licensed premises directly opposite the premises Elliots Stores which is licensed for Off Sales.</p>

The applicant has stated that the premises will be trading Monday-Sunday 0700-2300 and the sale of alcohol to also be Monday-Sunday 0700-2300.

Gwent Police have carried out checks on their systems which show the area does not suffer from high crime or high levels of Anti-Social Behaviour.

On the 13th of January 2023 the applicant Premakanthan Nadarajah was spoken to during a visit at the premise by Pc2066 Jones & Pc1141 Taylor part of Gwent Police Licensing Team, also present was Kathryn Hopkins and David Jones from Caerphilly Councils Licensing team, David Rees from Caerphilly Council Health and Safety Department.

The applicant has provided several conditions at the application stage that will promote the 4 licensing objectives. Gwent Police would advocate the re-wording of these and a small number of additional conditions that would support the applicant in the promotion of the licensing objectives

Gwent Police have submitted previous representations in relation to the application and have been made aware of several objections raised by residents in the area. Having read the objections raised by the residents which appear to be made based around the high levels of anti-social behaviour in the area.

Pc2066 Jones of Gwent Police` Licensing Team has liaised with the Crime and Disorder Officer (Cadro) for the area a Pc Stuart Hurley, his role is the overseeing of crime and disorder for the area. Through working with Pc Hurley a report has been generated which shows the crime and specific reported Anti-Social Behaviour related calls to Gwent Police over a year, from 1/1/22 to 1/1/23.

The report shows in that period of a year the total number of calls for Queens Rd reported to the police were 46 of which 23 were classified as Anti-Social Behaviour (ASB) in their type. However, the report shows that although the reports to police were classified as ASB, these reports are not linked to specific youth disorder or any business premises. The type of report made to police include ongoing issues with neighbours, a dog barking in a back garden.

Gwent Police have attended and spoke with the applicant and have put forward representations that are robust and fair that will if agreed assist the applicant in the promotion of the licensing objectives.

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

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



## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

## RESPONSIBLE AUTHORITY – TRADING STANDARDS

<b>Name of Applicant</b>	Premakanthan Nadarajah
<b>Premises</b>	Elliot Store, 54-56 Queens Rd, Elliotstown New Tredegar NP24 6DZ

<b>Your Name</b>	Tim Keohane	<b>Date</b> 25/01/2023
<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>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>	✓

<b>Please outline the reasons for your Representations</b>
My representations are to support those of my fellow Responsible Authority, Gwent Police. In relation to the Protection of Children from Harm, I believe that the suggested conditions by Gwent Police would be effective in promoting all four Licensing Objectives, including the Protection of Children from Harm.

<b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b>	N/A
<b>Are you prepared to discuss these representations with the applicant by way of mediation?</b>	Yes

Gadewir y dudalen hon yn wag yn fwriadol



## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY – CHILDREN'S SERVICES

Name of Applicant	Premakanthan Nadarajah
Premises	Elliot Store, 54-56 Queens Rd, Elliotstown New Tredegar NP24 6DZ

Your Name	Deborah Lewis	Date	31/01/2023
Job Title	Child Protection Coordinator		
E. Mail Address	<a href="mailto:Lewisdj1@caerphilly.gov.uk">Lewisdj1@caerphilly.gov.uk</a>		
Contact Telephone Number	01443 864616		

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

<b>Please outline the reasons for your Representations</b>
My representations are to support those of my partner Responsible Authority, Gwent Police. In relation to the Protection of Children from Harm, I believe that the suggested conditions by Gwent Police would be effective in promoting all four Licensing Objectives, including the Protection of Children from Harm.

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	N/A
Are you prepared to discuss these representations with the applicant by way of mediation?	Yes

Gadewir y dudalen hon yn wag yn fwriadol





## RESPONSIBLE AUTHORITY REPRESENTATION

RESPONSIBLE AUTHORITY (Please delete as applicable) – Food/Health and Safety Section

Your Name	Dean Pugh
Job Title	Senior Commercial Safety Officer
Postal and e-mail address	pughd1@caerphilly.gov.uk
Contact telephone number	01443 831340

Name and Address of Applicant:	Premakanthan Nadarajah
Premises	54-56 Queens Road, Elliotstown, New Tredegar
Date	1 <sup>st</sup> February 2023

Which of the four Licensing Objectives does your representation relate to?	
The prevention of crime and disorder	
Public safety	X
The prevention of public nuisance	
The protection of children from harm	

<b>Please Outline the reasons for your representations</b>
<p>I wish to support fellow Responsible Authorities; Gwent Police, Trading Standards and Licensing as. I believe that the suggested conditions would be effective in promoting all four Licensing Objectives.</p> <p>At the time of a site visit on the 13<sup>th</sup> January 2013, the premises was due to undergo refurbishment. Following the completion of the refurbishment, the premises will be subject to routine Food/Health and Safety Inspections. Should any Health and Safety issues arise during these visits or from the receipt of a complaint or an accident notification the issue(s) will be addressed using specific health and safety legislation to avoid the duplication of conditions.</p>

What conditions could be added to the license to remedy your representation that the Licensing Sub-Committee could take into account.	
Are you prepared to discuss these representations with the applicant by way of mediation?	Yes

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

**Signed: D.Pugh**

**Date: 1st February 2023**

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

**From:** Carpenter, Lee A.  
**Sent:** 31 January 2023 14:57  
**To:** Rees, David L. <[REESDL@CAERPHILLY.GOV.UK](mailto:REESDL@CAERPHILLY.GOV.UK)>  
**Cc:** WWW: Licensing <[LICENSING@CAERPHILLY.GOV.UK](mailto:LICENSING@CAERPHILLY.GOV.UK)>  
**Subject:** FW: New premises application Elliot Store 54-56 Queens Road New Tredegar NP24 6DZ

Good Afternoon Dai,

Further to this new premises license application for 54-56 Queens Road, New Tredegar, Environmental Health's previous response (below) and the further representations and concerns raised by the residents which have been reviewed.

Environmental Health still does not object to the application as proposed in principle. However, in light of the residents concerns surrounding litter and this sections responsibility to enforce littering within the area, I would like to please provide my support to the following condition proposed by Gwent Police: -

- The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premise.

If you wish to discuss this further please feel free to contact me

Kind Regards

Lee

**Lee-Anthony Carpenter**

Swyddog Rhanbarthol Lechyd Yr Amgylchedd | District Environmental Health Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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 01443 811351

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

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**From:** Carpenter, Lee A.  
**Sent:** 16 January 2023 14:46  
**To:** Rees, David L. <[REESDL@CAERPHILLY.GOV.UK](mailto:REESDL@CAERPHILLY.GOV.UK)>  
**Cc:** WWW: Licensing <[LICENSING@CAERPHILLY.GOV.UK](mailto:LICENSING@CAERPHILLY.GOV.UK)>  
**Subject:** FW: New premises application Elliot Store 54-56 Queens Road New Tredegar NP24 6DZ

Good Afternoon Dia,

Further to this new premises license application for 54-56 Queens Road, New Tredegar. Environmental Health has no objections or observations to make

If you wish to discuss this matter further please feel free to contact me

Kind Regards

Lee

**Lee-Anthony Carpenter**

Swyddog Rhanbarthol Lechyd Yr Amgylchedd | District Environmental Health Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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☎ 01443 811351

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

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## Licensing Authority in role as Responsible Authority Representation



## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

## RESPONSIBLE AUTHORITY – Licensing

<b>Name and Address of Applicant</b>	Mr Premakanthan Nadarajah
<b>Premises</b>	Elliot Store, 54-56 Queens Road, Elliotstown, New Tredegar, NP24 6DZ

<b>Your Name</b>	Kathryn Hopkins
<b>Date:</b>	31 <sup>st</sup> January 2023
<b>Job Title</b>	Senior Licensing Officer
<b>Email Address</b>	hopkik1@caerphilly.gov.uk
<b>Contact Telephone Number</b>	01443 866750

<b>Which of the four Licensing Objectives does your representation relate to?</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>	✓

<b>Please outline the reasons for your Representations</b>
<p>The application received is for a new premises licence for the sale of alcohol for consumption off the premises Monday to Sunday between the hours 0700 – 2300.</p> <p>As a result of the application for a new premise licence a site visit was arranged with my colleague David Rees on 13<sup>th</sup> January 2023, together with Gwent Police and the Council's Health &amp; Safety Officer as Responsible Authorities. During this visit it was noted that Mr Nadarajah was also the Licence Holder and Designated Premises Supervisor (DPS) for Elliott Stores (PRM223), 16 Elliott Street, New Tredegar which is located directly opposite this premise.</p> <p>In addition, whilst checking Mr Nadarajah's personal licence details which was issued by another local authority, it became apparent that he is also the DPS at another off licence outside of Caerphilly County Borough.</p>

Mr Nadarajah confirmed in a telephone conversation on 30<sup>th</sup> January 2023 that he propose to manage the day-to-day operation of the businesses by attending the two premises in New Tredegar every morning and the other premise outside Caerphilly County Borough every afternoon. He also informed me that he plans to arrange training for 3 members of staff to complete their personal licence qualification.

The premise is due to have a full refurbishment with the intention of opening to customers in March 2023. Should the current plan/layout change after building works have been completed then Mr Nadarajah must contact the Licensing Section.

Furthermore, I informed Mr Nadarajah that I had been made aware of local residents' concerns in relation to the hours applied for and the potential for a hearing regarding this application should objections be received by the Licensing Section.

Since my visit to the premise a petition from residents have now been received objecting to the application in relation to anti-social behaviour, litter, and parking concerns. The Council's statement of licensing policy which refers to how petitions are dealt with can be seen on page 53 point 28.24.

In considering the above, the Licensing Authority acting in its role as the Responsible Authority would support the additional conditions or rewording of conditions submitted by the Police as being reasonable to promote the licensing objectives.

In addition, the Licensing Authority would also suggest the following condition: -

- The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premise.

In view of Mr Nadarajah's comments concerning 3 additional staff that would become personal licence holders, I have decided not to propose conditions in relation to managing day to day control at the premise.

<b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b>	
<b>Are you prepared to discuss these representations with the applicant by way of mediation?</b>	Yes

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

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

[Redacted]

Queen RD  
New Tredegar  
Gwent  
NP24 6DZ

The Residents of Queens Road,  
C/O [Redacted] Queens Road  
New Tredegar  
Gwent  
NP24 6DZ

Wales, Gwent Council  
Department of the Environment

To Whom It May Concern  
CCBC  
Ty Penallta House  
Tredomen

23 JAN 2023

Not Answered

Referred to

20<sup>th</sup> January 2023

**OBJECTION**

**RE: GRANTING OF A LICENSE FOR EXTENTION OF HOURS AND OFF LICENSE AT THE FORMER EX SERVICEMANS CLUB QUEENS ROAD NEW TREDEGAR**

To Whom it May Concern,

We the residents of Queens Road New Tredegar would like to object to the Granting of the extension of Hours and Off License at the former Ex Service Mans Club at Queens Road New Tredegar on the grounds of the points as set out below:-

1. This would exacerbate the already Anti-Social Behaviour in the area.
2. It would just add to the growing noise and litter pollution
3. There is no parking near the premises and parking in the surrounding areas is already causing chaos which would just add to the ongoing problems
4. This would also further the encouragement of excess Alcoholism due to the already numerous off licenses within the village of New Tredegar
5. It will not help with the promotion of a Healthier Lifestyle within the village for its residents as the government is trying to promote

We hope that you will consider these points very carefully in your decision, and ask that you should really be promoting a Healthier Lifestyle for our residents and not granting more Off licenses within the village

We Welcome your response

Regards

The Residents of Queens Road & Surrounding Area

[Redacted]

NP24 6DZ

Gadewir y dudalen hon yn wag yn fwriadol



 Queens Road  
 New Tredegar  
 Elliotts Town.

Gwent  
 NP24 6DY

Community Councils and Neighbourhood Councils  
 Directorate of the Environment

Published: 29 JAN 2023

23/1/23

Date Answered

Referred to

To whom it may concern,

The old Ex servicemen Club has new agreement alcoholic licence from 7am - 11pm, which I totally disagree with.

I am a mother of 2 children and with the late time of this agreement is totally unfair, the noise and nuisance outside the shop at night is bad enough from 8-9pm along with the littering and anti-social behaviour.

Also there's a major issue with parking in our area, the residents that live near the Ex servicemen club can not park in our area as it is, so how do you expect the delivery driver to park near or around this area to deliver the shop goods? It will cause disruption along with the buses that travel back and ~~fore~~ <sup>fore</sup> the road it uses by the club, alongside causing a concern of crashes as the club is on a corner, so basically a blind spot!

There are a number of residents that are unhappy about this in the area too!

Yours faithfully

Gadewir y dudalen hon yn wag yn fwriadol

QUEENS RD  
ELLIOTS TOWN.  
NEW TREDEGAR.  
GWENT.  
NP24 6DZ.

23-1-23

To whom it may concern,

This petition is to show the strength of feeling concerning the hours being proposed on the application for licencing at 54 to 56 Queens Rd.

Signatures of 45 local residents have been obtained.

The people who have signed this petition are of the same opinion that 11 o'clock at night is too late and not a necessity to be trading.

At this time there is no official information available that states what these premises are going to be used for.

Yours Faithfully

[Redacted Signature]





Gadewir y dudalen hon yn wag yn fwriadol

From: [premakanthan Naderaja](#)  
To: [WWW: Licensing](#)  
Subject: Re: Police representations  
Date: 17 January 2023 05:46:12

Good morning David, thank you for your email regarding the amendment. I accept those conditions and I will display the notice according their requirements. and I will follow the documentation as well. Thanks Rgds PREMAKANTHAN

On Mon, 16 Jan 2023 at 14:03 WWW: Licensing <[LICENSING@caerphilly.gov.uk](mailto:LICENSING@caerphilly.gov.uk)> wrote:

Please see the attached Responsible Authority response from Gwent Police, I was present on the meeting on 13/01/2023 when the Police requested changes to the wording on a number of conditions which you verbally agreed to, the attached mediation letter which sets out your legal position, if you agree to the amendments to the wording of the conditions then you can acknowledge that in a reply to this email.

Regards

David Rees

#####  
Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhwch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdwr yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddi-frod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn. Rydym yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog (yn unol â'ch dewis), ac mewn ieithoedd a fformatau eraill. Cewch ymateb yn unol â'ch dewis iaith os nodwch hynny i ni, ac ni fydd cyfathrebu â ni yn Gymraeg yn arwain at oedi. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Caerphilly County Borough Council. Finally, the recipient should check this email and any attachments for the presence of viruses. The Council accepts no liability for any damage caused by any virus transmitted by this email. We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.  
#####

Gadewir y dudalen hon yn wag yn fwriadol



**From:** [premakanthan Naderaja](#)  
**To:** [WWW: Licensing](#)  
**Subject:** Re: Elliot store new premise application  
**Date:** 01 February 2023 08:47:39

Good morning, thank you for the update, so I will consider those requirements when we open the premises for customers so I am accept those conditions for my business. Thank you Rgds PREMAKANTHAN

On Tue, 31 Jan 2023 at 14:53 WWW: Licensing <[LICENSING@caerphilly.gov.uk](mailto:LICENSING@caerphilly.gov.uk)> wrote:

Mr Nadarajah,

Please find representations received today 31/01/2023 from Caerphilly CBC Licensing, also mediation letter attached, final day to respond is 02/02/2023.

Regards

David Rees

#####  
Mae'r e-bost hwn ac unrhyw ffeiliau sy'n atodol yn gyfrinachol a dim ond ar gyfer defnydd yr unigolyn neu'r sefydliad y cyfeiriwyd atynt. Os ydych wedi derbyn yr e-bost hwn ar gam rhowch wybod i reolwr eich system. Nodwch fod unrhyw sylwadau neu farn o fewn testun yr e-bost yw sylwadau a barn yr awdur yn unig ac nid yn angenrheidiol yn cynrychioli barn Cyngor Bwrdeistref Sirol Caerffili. I orffen, dylai'r person sy'n derbyn yr e-bost sicrhau nad oes firws ynghlwm nac mewn unrhyw ddogfen atodol i'r e-bost. Nid yw'r Cyngor yn derbyn unrhyw gyfrifoldeb am unrhyw ddiffrod achoswyd gan unrhyw firws sy'n cael ei drosglwyddo gan yr e-bost hwn. Rydym yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog (yn unol â'ch dewis), ac mewn ieithoedd a fformatau eraill. Cewch ymateb yn unol â'ch dewis iaith os nodwch hynny i ni, ac ni fydd cyfathrebu â ni yn Gymraeg yn arwain at oedi. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Caerphilly County Borough Council. Finally, the recipient should check this email and any attachments for the presence of viruses. The Council accepts no liability for any damage caused by any virus transmitted by this email. We welcome correspondence in English, Welsh or bilingually (according to your choice) or in other languages and formats. We will respond in your declared chosen language, and corresponding with us in Welsh will not lead to any delay.  
#####

Gadewir y dudalen hon yn wag yn fwriadol

I am a resident of New Tredeger area, and I have no objection or concern regarding this licencing application for 54-56 QUEENS ROAD, ELLIOTS TOWN NEW TREDEGER NP24 6DZ, it is proposed to the sale of alcohol off the premises Monday to Sunday 7.00am to 23.00 pm.

I understand that this application for an off licence convenient store.

NO	Name	Address	Signature
01	[Redacted]	Stobets farm 118 Stuted	[Redacted]
02	[Redacted]	Queens Road	[Redacted]
03	[Redacted]	Queens Road	[Redacted]
04	[Redacted]	Phillips *	[Redacted]
05	[Redacted]	Oklinster	[Redacted]
06	[Redacted]	Queens Road	[Redacted]
* 07	[Redacted]	Queens Road	[Redacted]
08	[Redacted]	Jubilee Rd	[Redacted]
09	[Redacted]	Queens Rd	[Redacted]
10	[Redacted]	James St	[Redacted]
11	[Redacted]	Lower Stanley tee	[Redacted]
12	[Redacted]	Upper Road New Tredeger	[Redacted]
13	[Redacted]	Queens Rd	[Redacted]
14	[Redacted]	Upper Road New Tredeger	[Redacted]
15	[Redacted]	Jubilee Rd New Tredeger	[Redacted]
16	[Redacted]	Jubilee rd	[Redacted]
17	[Redacted]	Queens Road New Tredeger	[Redacted]
18	[Redacted]	Queens Road New Tredeger	[Redacted]

\* Taken off as requested by father.

I am a resident of New Tredeger area, and I have no objection or concern regarding this licencing application for 54-56 QUEENS ROAD, ELLIOTS TOWN NEW TREDEGER NP24 6DZ, it is proposed to the sale of alcohol off the premises Monday to Sunday 7.00am to 23.00 pm.

I understand that this application for an off licence convenient store.

NO	Name	Address	Signature
19		Queens Rd	
20		Queens Rd	
21		J Jubilee	
22		New Tredeger	
23		Queens Road	
24		Queens Road	
25			
26		UPPER ROAD	
27		QUEENS RD	
28	FIAT 1	Queens Rd	
29		Queens Rd	
30		Queens Road	
31		Queens Rd	
32	110	Queens Rd	
33	110	Queens Rd	
34		Jubilee Road	
35		Lowes	
36		Queens Rd	

I am a resident of New Tredeger area, and I have no objection or concern regarding this licencing application for 54-56 QUEENS ROAD, ELLIOTS TOWN NEW TREDEGER NP24 6DZ, it is proposed to the sale of alcohol off the premises Monday to Sunday 7.00am to 23.00 pm.

I understand that this application for an off licence convenient store.

NO	Name	Address	Signature
37.		Queens Rd	
38.		Queens Rd.	
39.		11	
40.		20 DEP ST	
41.		ENNISONTC	
42.		Jubiler	
43.		Queens Road	
44.		OWER ST	
45.		Queens Rd	
46.		Church T	
47.		Queens Rd	
48.		JUBILEE RD	
49.		HILTON TERRACE	
50.		CLIFTON ST	
51.		JUBILEE RD N/T	
52.		JUBILEE RD N/T	
53.		WELLS RD	
54.		ELLIOT STREET NT	

I am a resident of New Tredeger area, and I have no objection or concern regarding this licencing application for 54-56 QUEENS ROAD, ELLIOTS TOWN NEW TREDEGER NP24 6DZ, it is proposed to the sale of alcohol off the premises Monday to Sunday 7.00am to 23.00 pm.

I understand that this application for an off licence convenient store.

NO	Name	Address	Signature
55		Phillips St	
56		Charles St	
57		Elliot St	
58		Alexander Rd	
59		Queens Rd	
60		UPPER RD	
61		ALCANTARA	
62		" "	
63		Queen Rd	
64		Bedwellty Rd	
65		ARM	
66		PHILLIPS ST	
67		↓	
68		Mill Street New	
69		Jubilee Road	
70		QUEENS RD	
71		QUEENS RD	
72		OLD INSTITUTE	

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NO	Name	Address	Signature
73		Railway Terrace	
74 90		Queens Rd	
75 74		Queens Rd	
76		Bristol terrace	
77		Phillips St	
78		Upper Road	
79		QUEENS RD	
80		Queens Rd	
81		Queens Rd	
82		QUEEN RD	
83		Queens Rd	
84		Queens Road	
85		6 LYN SIFI	
86		Queens	
87		Queens Rd.	
88		over Stanley	
89		Queens road	
90		Queens road	



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NO	Name	Address	Signature
91	[REDACTED]	Jubilee RD	[REDACTED]
92	[REDACTED]	Jubilee RD	[REDACTED]
93	[REDACTED]	Jubilee	[REDACTED]
94	[REDACTED]	Queen	[REDACTED]
95	[REDACTED]	Queen	[REDACTED]
96	[REDACTED]	Queens Rd	[REDACTED]
97	[REDACTED]	Queens Rd	[REDACTED]
98	[REDACTED]	Alexandra	[REDACTED]
99	[REDACTED]	Queens Rd	[REDACTED]
100	[REDACTED]	Queen Road	[REDACTED]
101	[REDACTED]	Jubilee Rd	[REDACTED]
102	[REDACTED]	Queens rd	[REDACTED]
103	[REDACTED]	Queens Rd	[REDACTED]
104	[REDACTED]	Alexandra Rd	[REDACTED]
105	[REDACTED]	Phillips St	[REDACTED]
106	[REDACTED]	South View	[REDACTED]
107	[REDACTED]	Queens	[REDACTED]
108	[REDACTED]	Alexandra	[REDACTED]

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NO	Name	Address	Signature
109		Upper Stanley	
110		Jubilee	
111		Queens Rd	
112		Jubilee	
113		Overstanley	
114		Queens Rd	
115		Jones St	
116		Upper Rd	
117		Madwell & Bullw	
118		Jubilee	
119		Alex Rd	
120		UPPER RD	
121		Phillips St	
122		School Street Elliotstown	
123		Queens	
124		Upper Rd	
125		Radwelly Rd	
126		Queens Rd	

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NO	Name	Address	Signature
127	[REDACTED]	Josette Rd	[REDACTED]
128	[REDACTED]	Jones St	[REDACTED]
129	[REDACTED]	Floor, No 16, F	[REDACTED]
130	[REDACTED]	Gorsette	[REDACTED]
131	[REDACTED]	Queens Rd	[REDACTED]
132	[REDACTED]	Elliot Street	[REDACTED]
133	[REDACTED]	Queens Rd	[REDACTED]
134	[REDACTED]	Queens Rd	[REDACTED]
135	[REDACTED]	R Jubilee Rd	[REDACTED]
136	[REDACTED]	Jubilee Rd	[REDACTED]
137	[REDACTED]	Subtle Rd	[REDACTED]
138	[REDACTED]	Queens Rd	[REDACTED]
139	[REDACTED]	Queen R	[REDACTED]
140	[REDACTED]	Queens Rd	[REDACTED]
141	[REDACTED]	Queen Rd	[REDACTED]
142	[REDACTED]	Queens's Rd	[REDACTED]
143	[REDACTED]	Jubilee Rd	[REDACTED]
144	[REDACTED]	Queens Rd	[REDACTED]
145	[REDACTED]	Queens	[REDACTED]
146	[REDACTED]	Queens	[REDACTED]

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NO	Name	Address	Signature
147		Bees street	
148		Jubilee road	
149		Jubilee Road	
150		Queens Rd	
151		Upper Road	
152		QUEENS RD	
153		Queens rd	
154		Jubilee	
156		Queenroad	
157		Queen road	
158		Queens rd	
159		Jubilee RD	
160		School Street	
161		School Street	
162		Jubilee Rd	
163		Queens road	
164		Queens Rd	
165		CROFT	

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NO	Name	Address	Signature
166	[REDACTED]	JUBILEE ROAD	[REDACTED]
167	[REDACTED]	Subi. Rd	[REDACTED]
168	[REDACTED]	Lower Stanley	[REDACTED]
169	[REDACTED]	Lower Stanley	[REDACTED]
170	[REDACTED]	Queens Rd	[REDACTED]
171	[REDACTED]	Queens Rd	[REDACTED]
172	[REDACTED]	Jubilee Rd	[REDACTED]
173	[REDACTED]	QUEENS RD	[REDACTED]
174	[REDACTED]	QUEENS RD	[REDACTED]
175	[REDACTED]	Queens Rd	[REDACTED]
176	[REDACTED]	Queens Rd	[REDACTED]
177	[REDACTED]	Jubilee	[REDACTED]
178	[REDACTED]	Jubilee	[REDACTED]
179	[REDACTED]	Jubilee	[REDACTED]
180	[REDACTED]	Queens Rd	[REDACTED]
181	[REDACTED]	Queen	[REDACTED]
182	[REDACTED]	Queens Rd	[REDACTED]
183	[REDACTED]	Eller Street	[REDACTED]

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NO	Name	Address	Signature
184		Jubilee Road	
185		Phillip street	
186		Jubilee Road	
187		Queens Road	
188		Upper Road	
189		Queens Rd	
190		Old Fish Lane	
191		Ken Sybil Rockleigh Avenue	
192			
193		Upper Stanley	
194		Upper Stanley NP24 6NL	
195		QUEENS RD	

Gadewir y dudalen hon yn wag yn fwriadol



1. CCTV shall be in use at the premises.

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

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

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

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

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

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

(vii) The system shall also record clear images permitting the identification of individuals.

(viii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during operating hours.

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

3. 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. All records shall be kept for a period of 12 months.

4. 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.

5. The premises licence holder shall require the designated premises supervisor, or in his / her absence other responsible person, to keep an 'incident / refusals' logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required. All records shall be kept for a period of 12 months.

6. (a) Challenge 25 scheme will be adopted in compliance with the age verification condition: Customers who appear to be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy.

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

7. Under 18's Not Allowed to enter alcohol room.

8. All customers will be asked to leave quietly. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

9. There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the premises.

10. Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour. The premises supervisor, manager or other competent person shall advise them to move away from the vicinity.

11. The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises.