

# 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 Ebost: [thomaj8@caerphilly.gov.uk](mailto:thomaj8@caerphilly.gov.uk))

**Dyddiad: Dydd Iau, 4 Ebrill 2024**

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 Gwener, 12fed Ebrill, 2024** am **10.00 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

A greener place Man gwyrddach

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



## 2 Datganiadau o Ddiddordeb.

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

### I dderbyn yr adroddiad canlynol:

## 3 Deddf Trwyddedu 2003 - Penderfynu Cais Amrywio Tystysgrif Safle Clwb.

1 - 88

### Cylchrediad:

Cynghorwyr Mrs E.M. Aldworth, W. Williams (Cadeirydd) a S. Williams

A Swyddogion Priodol

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

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

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym amdanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu. Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn ar ein gwefan <http://www.caerffili.gov.uk/Pwyllgor/Preifatrwydd> 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 12<sup>TH</sup> APRIL 2024

**SUBJECT: LICENSING ACT 2003 - DETERMINATION OF CLUB PREMISES  
CERTIFICATE VARIATION APPLICATION**

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

### 1. Application Details –

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Blackwood Town Cricket Club	Highfields Gordon Road Blackwood NP12 1DS	Variation of Club Premises Certificate (CPC)

#### 1.1 Application for Variation of a Club Premises Certificate - Licensing Act 2003

An application has been submitted to apply to vary the Club Premises Certificate for the above premises under the Licensing Act 2003. The proposed application for consideration is set out in 1.3 of this report.

The Applicant, Blackwood Town Cricket Club, currently holds a Club Premises Certificate which permits the supply of alcohol for on sales only. This currently permits the supply of alcohol Monday to Saturday 11.00am – Midnight and Sunday 12.00 until 23.00. The current Club Premises Certificate permits alcohol to be consumed in a small outdoor area immediately in front of the premises.

A plan of the existing area authorised by the Club Premises Certificate is reproduced as **Appendix 1**.

#### 1.2 Site Plan/Photographs

A plan of the initial proposed increased licensable area is reproduced as **Appendix 2**.

Photographs of Blackwood Cricket Club are reproduced as **Appendix 2a**.

### 1.3 **Proposed Trading Times and Licensable Activity**

The following is an extract from the application submitted by the Applicant:

*To increase the area where alcohol can be consumed on the premises to the extents of the boundary of the Club grounds.*

*To add a small stage area into the building plan of the upstairs main concert room.*

*To remove the requirement to attend Pubwatch meetings, any embedded and Annex A Conditions.*

The initial plan of the premises submitted with the variation application is reproduced for Members information as **Appendix 2**.

A revised premises plan, subsequently submitted following Responsible Authority representations is reproduced for Members information as **Appendix 3**.

- 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: -

*The Club follows the England and Wales Cricket Board Safeguarding Strategy and has designated Safeguarding officer with all coaches working directly with children provided training and have DBS checks conducted.*

*Children are welcomed into the club when accompanied by a responsible adult but are asked to leave the bar area by 9pm. Children attending events at the Club in the main hall are to be supervised by a responsible adult at all times as stipulated in our booking conditions.*

- 1.3.2 The following Embedded Conditions are proposed to be removed as part of the variation application.

*By converting the certificate embedded restrictions are carried over from the Licensing Act 1964. By varying the certificate, some of these restrictions will no longer apply.*

*The times the licence authorises the carrying out of licensable activities are stated on your licence. Alcohol shall not be sold or supplied except during permitted hours.*

*These restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.*

*This information has been taken from the guidance issued by the DCMS.*



*This is not an exhaustive list of relevant provisions of the Licensing Act 1964. You are advised to obtain your own legal advice if you have any queries in respect of Licensing Act 1964 provision.*

**1.3.3** The following Conditions from “Annex 2” of the existing club premises certificate proposed to be removed as part of the variation application.

1. Members of the Local Pub-Watch Scheme.
2. Club members are instructed not to admit members and guests who behave in a drunken manner
3. Member of Blackwood and District LVA
4. The club complies with health and safety and fire precaution regulations.
5. club complies with advised capacity limits.
6. Signage is displayed near exits requesting members and guests to respect the needs of local residents by quietly leaving the premises and car park.
7. When live or recorded music is played all reasonable steps are taken to avoid disturbance to neighbouring properties.
8. In the absence of a parent children are the responsibility of the team manager who are approved by the Child Protection Officer.
9. Accompanied children and grandchildren of members and their guests may attend a private party in the function area.
10. Committee members, club stewardess and other bar staff are instructed in the offence provisions of the Licensing Act 2003.

#### **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:**

**Gwent Police**

<b>Document</b>	<b>Date received</b>	<b>Appendix Reference</b>
<b>Initial Representation</b>	<b>29/02/2024 and 14/03/2024</b>	<b>Appendix 6</b>

### Environmental Health (Pollution)

Document	Date received	Appendix Reference
Initial Representation	12/03/2024	Appendix 7

### Environmental Health (Health and Safety)

Document	Date received	Appendix Reference
Initial Representation	12/03/2024	Appendix 8

### Trading Standards

Document	Date received	Appendix Reference
Initial Representation	12/03/2024	Appendix 9

### Licensing Authority

Document	Date received	Appendix Reference
Initial Representation	13/03/2024	Appendix 10

Childrens Services and the Fire Authority in its role as a responsible authority responded to indicate that they had no representations in respect of the variation application submitted.

There have been four resident objections received during the 28 Day consultation period for the variation application.

#### 1.5.2 Other Persons:Residents

Document	Date Received	Appendix Reference
Mr and Mrs Griffiths objection	04/03/2024	Appendix 11
J Maguire objection	06/03/2024	Appendix 12
Mr and Mrs Courcoux objection and Supplementary comments	12/03/2024 and 24/03/24	Appendix 13 and 13a
C Brewer objection	13/03/2024	Appendix 14

## **1.6 SUMMARY OF REPRESENTATIONS**

The Police make no objection to the application, but suggested rewording of conditions offered by the applicant in relation to children being supervised on the premise by a responsible adult and offered several other conditions to promote the licensing objectives.

The Police advocate the use of CCTV covering the licensable area, including both internal and external areas, Challenge 25 Proof of Age policy at the premises and training for staff members in relation to underage sales and dealing with difficult customers.

The Police also advocate the use of a refusal register and notices to be displayed for customers to respect residents and leave the area quietly. The Police also advocate the outside area should be regularly monitored, no glass or bottles should be taken outside unless decanted into plastic/polycarbonate containers.

Gwent Police subsequently supported comments of the Environmental Health and Licensing Authority in role as a Responsible Authority in seeking to reduce the size of the licensable area and seasonal use of its operation.

Environmental Health (Hand S) make no objection to the application, however offered conditions to promote the licensing objectives specifying that all alcoholic beverages intended to be used in the outside area shall be dispensed, or decanted into polycarbonate, plastic, non-glass containers. All glass bottles should be retained behind the bar for safe disposal.

Trading Standards make no representations, however support conditions proposed by Gwent Police under the Protection of Children from Harm licensing objective.

Environmental Health (Pollution) objected to the application which was submitted and advocate a reduction in the licensable area to the carpark area only. Comment was made that by reducing the licensable area to allow members and guests to consume alcohol will allow the club to appropriately manage the external area.

The Environmental Health Officer also proposed conditions to reduce potential nuisance to residents in the vicinity of the premises by curtailing the outside area to 22.00 hours for licensable activities and alcohol consumption with notices being displayed to bring to the attention of members and guests.

The officer advocate members of the club must manage the outside area to ensure members do not behave in a noisy, rowdy or offensive manner, ensure adequate measures are in place to remove litter or waste, prevent litter from accumulating in the immediate vicinity of the club premises and any collection of refuse, bottles and recyclable materials shall only take place between 09:00 and 21:00 hours.

The Licensing Authority in its role as a responsible authority object to the application having regard to representations received from residents in relation to how the outside area would be managed and support comments of the Environmental Health Pollution Control Officer. It is proposed by reducing the outside area the committee would be able to better control members and guests and reduce possible nuisance to residents from licensable activities.

In their representation, the Licensing Authority referred to applying for a Temporary Events Notice (TEN) should the club intend to organise occasional events for the general public to attend, such as charity fun days and end of season BBQ.

In addition, it was advocated that the use of any new outside area be restricted between 1<sup>st</sup> April and 30<sup>th</sup> September only. This was subsequently supported by Gwent Police.

Four residents have made objections to the variation application.

Mr and Mrs Griffiths - Concern is expressed in respect of proximity to premises and reference to increase in cans, bottles and other waste being thrown in gardens by spectators and other drinkers at the club. There was fear of increased ASB and swearing due to increased consumption of alcohol and greater volume of customers attracted to a drinking field environment. It was felt that there would be increased noise from use of proposed stage and parking problems.

Furthermore, there was concern that club does not have sufficient staff or management resource to manage or care about problems already experienced. Reference to poor communication and responses from the club and existing problems with cricket ball damage and refuse nuisance.

J Maguire - Concern is expressed in respect of the application that would allow people to consume alcohol up to the boundaries of the cricket field which abuts several properties. There is a fear that alcohol induced behaviour would be even more audible and visible to clubs' neighbours. Reference is made to foul language emanating from the club ground and comment is expressed that if reported to the club there is no one to deal with it. Reference is made to the vast majority of Members not living in the vicinity and whether they would wish to endure nuisance behaviour.

The resident references concern over the club's ability to manage an extended licensable area. Comment is expressed in respect of poor prior communication from the club and reference the absence of any communication as part of this application, only becoming aware of the application displayed on a lamppost. In summing up the resident expresses doubt about the club's ability to monitor or police any additional licensed area.

Mr and Mrs Courcoux – comment about their experience over a 4-year period and indicate that all of the information within their submission had been raised with the Club's Committee. Reference is made to seeking out support of a local councillor in an attempt to address some of the issues.

Concern was expressed about poor management of the existing licence. Comment was made in respect of prior occasions and events held where alcohol appears to have been sold contrary to the existing licence.

The resident referenced persistent problems with litter issues that had been experienced which was from in large part due to the club allowing the consumption of alcohol across the whole of its premises. Further reference is made to a lack of control during the 2024 Six Nations Rugby internationals where the club failed to prevent patrons leaving the premises with glasses.

Comment is made concerning the use of foul/offensive language attributed to consumption of alcohol across the club's entire boundary which is heightened during summer months. Furthermore, concern is expressed about prior ASB over a prolonged period.

Reference is made to a regular issue with club patrons urinating on the resident's wall and demonstrates an incident of this with video footage (this will be made available at the meeting) and incidents of intoxicated individuals hitting cricket balls into the resident's property and instances of parties entering their premises to retrieve cricket balls. In addition, the resident references occasions where club patrons have urinated behind the cricket scoreboard in full view of his home, requiring the erection of a privacy screen.

The resident expresses a view that the clubs variation application to extend the area for consumption of alcohol is highly likely to have a negative impact on the licensing objectives and neighbouring residents.

The resident also details a lack of support for the Environmental Health / Licensing Authority proposal to limit the extent of any 'new' outside area to the car park.,

C Brewer – comment is expressed that the initial application to vary the alcohol licence amounted to a vast area covering hundreds of square metres with no designated area which could allow uncontrolled numbers of patrons and noise. Reference was made to the absence of any restrictions on timing in the proposed area given the clubs existing permitted hours. Concern is expressed about the ability to monitor extended drinking area and the effectiveness of any CCTV if the area was extended to the full club boundaries.

Further comment was made that the application did not seek to limit use of any area to a limited period e.g cricket season only. Concern is expressed that there was only reference to a control of waste during the cricket season and controls had not been identified at any other times. Comment is made to the use of the Club by Non-Members of the club which is contrary to the club premises certificate. There is a suggestion that a designated members area could only be used for consumption of alcohol during cricket matches which may go a long way towards minimising disruption to neighbouring properties.

## **1.7 APPLICANT RESPONSE**

The applicant has responded to the comments of the Responsible Authorities and to resident concerns.

A copy of the responses to residents and responsible authorities is reproduced as **Appendix 15 and Appendix 15a**.

In relation to the objections lodged by both the Environmental Health Officer and Licensing Authority, the applicant has revised their position in respect of the increased area sought for the provision of the supply of alcohol to its members to reflect the area shown in **Appendix 3**.

The applicant has agreed to the limiting the use of any additional outside area

until 22.00hrs and to limit its use between 1<sup>st</sup> April to the 30<sup>th</sup> September. However, the revised outside area sought has not been agreed with the Environmental Health Pollution Officer / Licensing Authority in its role as a responsible authority who expressed concerns as to the applicant's ability to manage the size of the licensable area sought.

The applicant has also agreed to the proposed conditions advocated by the Police and Environmental Health (Health and Safety).

## **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**

The application to vary the club premises certificate seeks to increase the size of the outdoor licensed area to permit the supply of alcohol for on sales, the removal of outdated conditions attached to the certificate and to revise the premises plan to incorporate a small stage in the first-floor function room.

A variation application was required to regularise the position in relation to the stage in the first-floor function room, as the premises plan forms part of the club premises

certificate and therefore needed to reflect this change of layout. It is understood that the stage has been in place for a number of years.

A variation application can also remove outdated or superfluous conditions. In this regard, the application seeks to remove a number of existing conditions contained within the club premises certificate.

None of the Responsible Authorities (RA's) have raised any concerns with these aspects of the application and are not believed to be contentious. The club already has the ability to provide regulated entertainment at the premises which has been the case since the implementation of the Licensing Act in 2005 and could take place with or without a stage. However, such structures are required to be displayed on a plan of a premises.

However, it appears that the main purpose of the initial application was to substantially increase the size of its permitted outdoor area for the supply of alcohol on the premises to reflect the extend of the cricket field. The size of this area was subsequently revised following objection from Responsible Authorities given concerns as to management of the same.

As part of the application process applicants are required to consider their operating schedule and to include measures that will assist in the promotion of the licensing objectives.

Paragraph 6.13 of the Section 182 Home Office Guidance states that *'Club operating schedules prepared by clubs, must include the steps it intends to take to promote the licensing objectives. These will be translated into conditions included in the certificate, unless the conditions have been modified by the licensing authority following consideration of relevant representations...'*

Paragraph 26.1 of the council's Statement of Licensing Policy states *'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.'*

It is noted that aside from referencing measures to safeguard children, that the club have not suggested any measures in relation to the control of what was initially quite a substantial outdoor area in respect of crime and disorder or indeed the prevention of public nuisance. This may suggest a lack of consideration or thought by the applicant in respect of promotion of the licensing objectives.

The responsible Authorities in the form of the Environmental Health Pollution Officer and Licensing Authority in its role as a responsible authority appear to have recognised this, paragraph 11.6 of the council's statement of licensing policy which states *'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.'*

Following a site visit by Responsible Authorities, RA's have sought to reduce any increased area in order that it may be managed by the club and limiting use of any new outside area between 1<sup>st</sup> April and 30<sup>th</sup> September only and up to 22.00hrs only. Gwent Police have also sought to control any additional licensed area by requiring CCTV coverage to all areas where club patrons will benefit from licensable activities.

Paragraph 9.12 of the Section 182 Home Office Guidance provides the following advice to Members in respect of Responsible Authority comments and 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<sup>5</sup>. 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.'*

It appears that the Environmental Health Officer and Licensing Authority in its role as a responsible authority believe that the applicant could promote the licensing objectives based on an outdoor area identified within **Appendix 17**.

Paragraph 9.44 of the Section 182 Home Office Guidance provides the following guidance to Members and states *'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.'*

It is possible that this application has been prompted as a result of a complaint from a local resident in respect of alleged patron noise and behaviour in August 2023. It was identified during a licensing officer visit, that the club appeared to be utilising an outdoor area for the purpose of the supply of alcohol outside of the area permitted by the existing club premises certificate. This area is shown on a plan of the premises reproduced for Members information as **Appendix 17**.

It should be noted that the Licensing Authority and Responsible Authorities can only consider matters linked to licensable activities and promotion of the licensing objectives. As a result, matters in respect of cricket balls or players going into gardens



to retrieve them, the standard of cricket nets / fencing in situ and swearing by players on the field will not be a matter for Members consideration. In addition, the club cannot be held responsible only be held responsible the actions of individual members of the public who may discard their own litter into private gardens.

Resident comments received during the consultation period suggest that the club may have been in breach of its club premises certificate by allowing the supply of alcohol beyond its only permitted area i.e patio area, shown on **Appendix 1**. This position is supported by a licensing officer visit on the 3<sup>rd</sup> August 2023 which established that licensable activity appeared to be taking place outside the area permitted by the club premises certificate.

Further inference is made by residents as to whether the club is or has been acting in accordance with its club premises certificate given reference to use by non-members and 'events' held at the premises. Local Authority Records held suggest that the Club does not appear to utilise the Temporary Events Notice (TEN's) facility that is available under the Licensing Act 2003. Going forward the club will need to ensure that it complies with the requirements of its club premises certificate or considers alternative authorisations in the form of a premises licence or through Temporary Event Notices.

The applicant has responded to the comments of the residents in an attempt allay some of their concerns in relation to usage and licensable activities at the premises. The variation application for a club premises certificate does not permit any greater access to members of the public as licensable activities e.g supply of alcohol will only be permitted to club members, their guests and visiting teams. It is therefore not envisaged that there would be any greater footfall as a direct result of this application. There is a suspicion that the club have been utilising areas outside of that currently permitted for some time.

Paragraph 2.27 of the Section 182 Home Office Guidance states '*Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.*'

Resident objectors have outlined their concern and confidence in management of the club committee for a range of issues, some of which are not connected to the licensing objectives. In the case of one resident a complaint history of 4 years was alluded too. However, this is not necessarily reflected in a complaint history documented with the Licensing Authority or Responsible Authorities in relation to breaches of licensable activity.

The committee of the club will now be aware of the resident concerns in respect of compliance with its club premises certificate and the times and prospective conditions that could be applied to the certificate should this application be approved. Such conditions including provision of CCTV covering the outside area and training and record keeping requirements which can be checked, should there be any future concerns as to compliance or failure to promote the licensing objectives.

Members of the Sub Licensing Committee will be required to determine this 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 in relation to any licensable activities.

However, they will not be able to consider nuisance arising from parking issues or other activities unconnected with licensable activities and outside the control of the cricket club.

It should be noted that should there be evidence presented that the club is not promoting the licensing objectives and/or complying with its club premises certificate, then Section 87 of the Licensing Act 2003 provides a mechanism for the review of a club premises certificate by a Responsible Authority or indeed an 'Other Person' e.g resident.

Paragraph 11.1 of the Section 182 Home Office Guidance provides guidance as to the review process and states '*The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.*'

### **1.10 RECOMMENDATION**

Members are asked to approve the variation to reflect change of Premises Plans to incorporate stage in first floor function room and to remove the conditions set out in Paragraphs 1.3.2 and 1.3.3 of this report.

Having had regard to the objections made by residents and noting the comments made by the Responsible Authorities, it is recommended that the application to vary the club premises certificate to include an increased outside area is approved. For avoidance of doubt, this being an area limited to 18 metres by 3 metres which is delineated on the premises plan shown at **Appendix 17**, subject to a seasonal usage between 1<sup>st</sup> April to 30<sup>th</sup> September with curtailment of this area being 22.00hrs and all conditions set out at **Appendix 16**.

Background Papers:

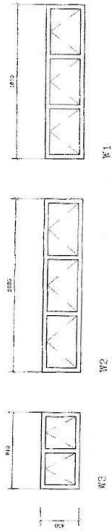
Statutory Guidance issued under S182 of the Licensing Act

Caerphilly CBC Statement of Licensing Policy

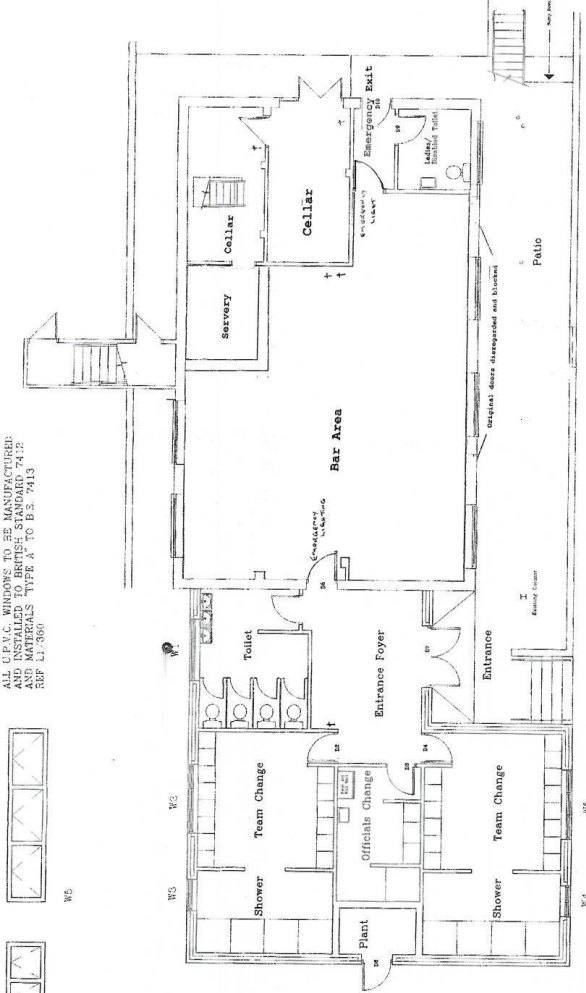
Date of this report: 2<sup>nd</sup> April 2024

Author: Lee Morgan – Licensing Manager Tel: 01443 866750 Morgal16@caerphilly.gov.uk

LINTOL TYPE LI/HB 100  
 LENGTH 1200mm LONG  
 FOR WINDOWS W3 & W4  
  
 LINTOL TYPE LI/HB 100  
 LENGTH 2400mm LONG  
 FOR WINDOWS W2 & W5  
  
 LINTOL TYPE LI/HB 100  
 LENGTH 2140mm LONG  
 FOR WINDOWS W1

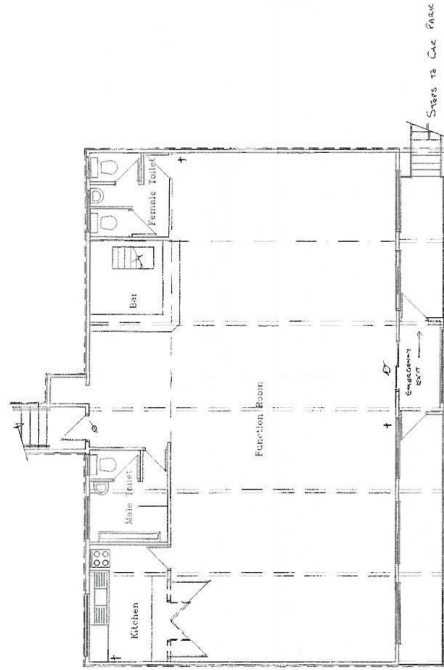


ALL UP.V.C. WINDOWS TO BE MANUFACTURED  
 AND INSTALLED TO BRITISH STANDARD 7412  
 AND TO BE TYPE A TO B.S. 7413  
 REF L1/3850



Plan

Design Details  
 Blackwood Cricket Club  
 Proposed New Changing  
 Facilities  
 Window Details  
 0286  
 A13



FIRST FLOOR PLAN

↑ for dimensions  
— for emergency egress

**CEP CONSULTANTS**  
2011/12/01/2012  
2012/01/01/2012

2012/01/01/2012  
2012/01/01/2012

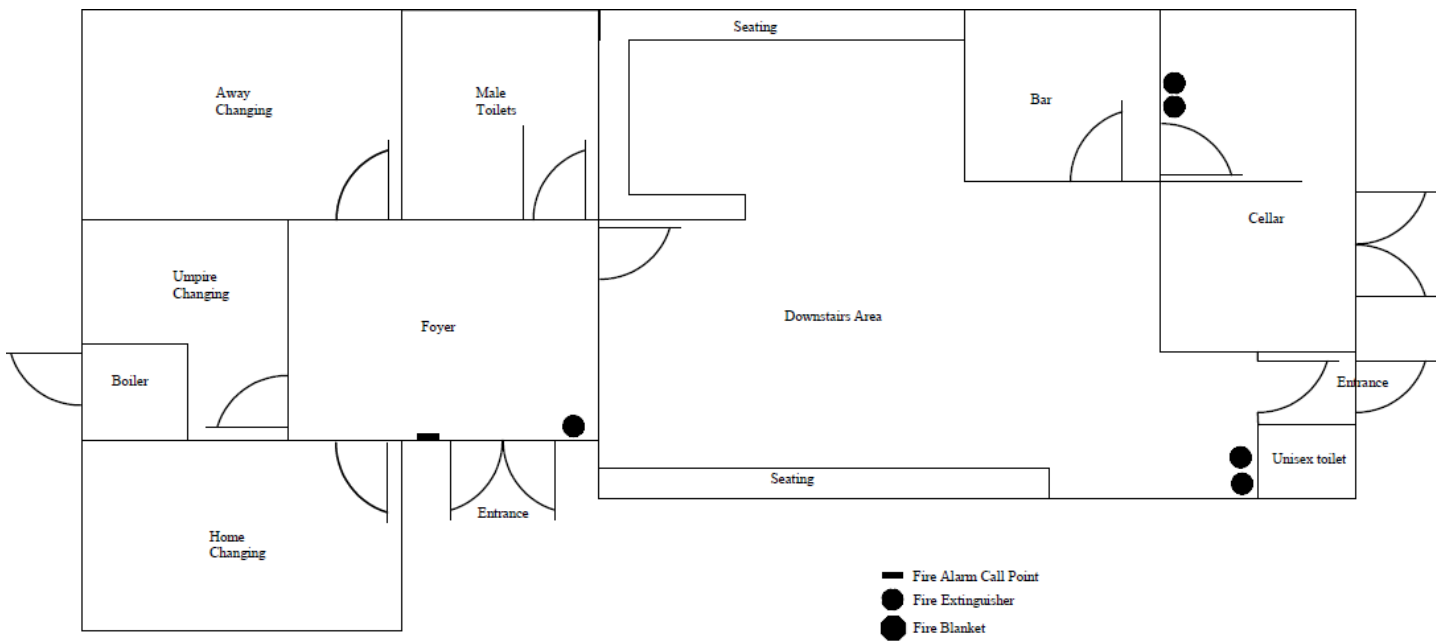
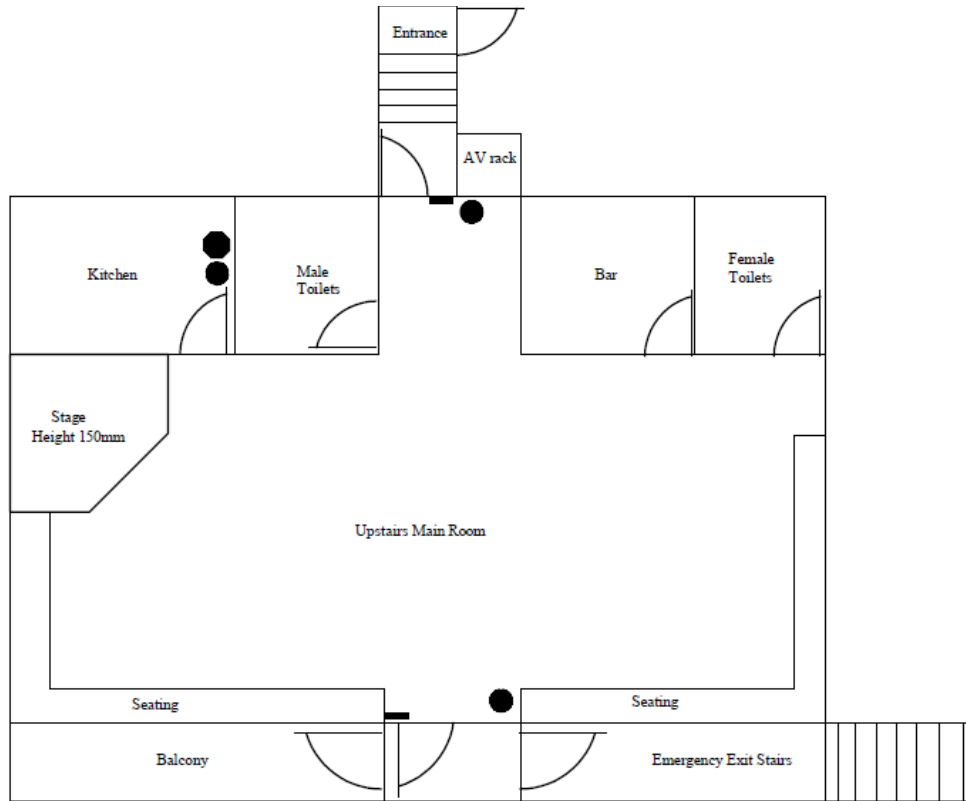
Blackwood Cricket Club  
Proposed New Changing  
Facilities

Existing First Floor Plan

0286	AUG
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Boundary 















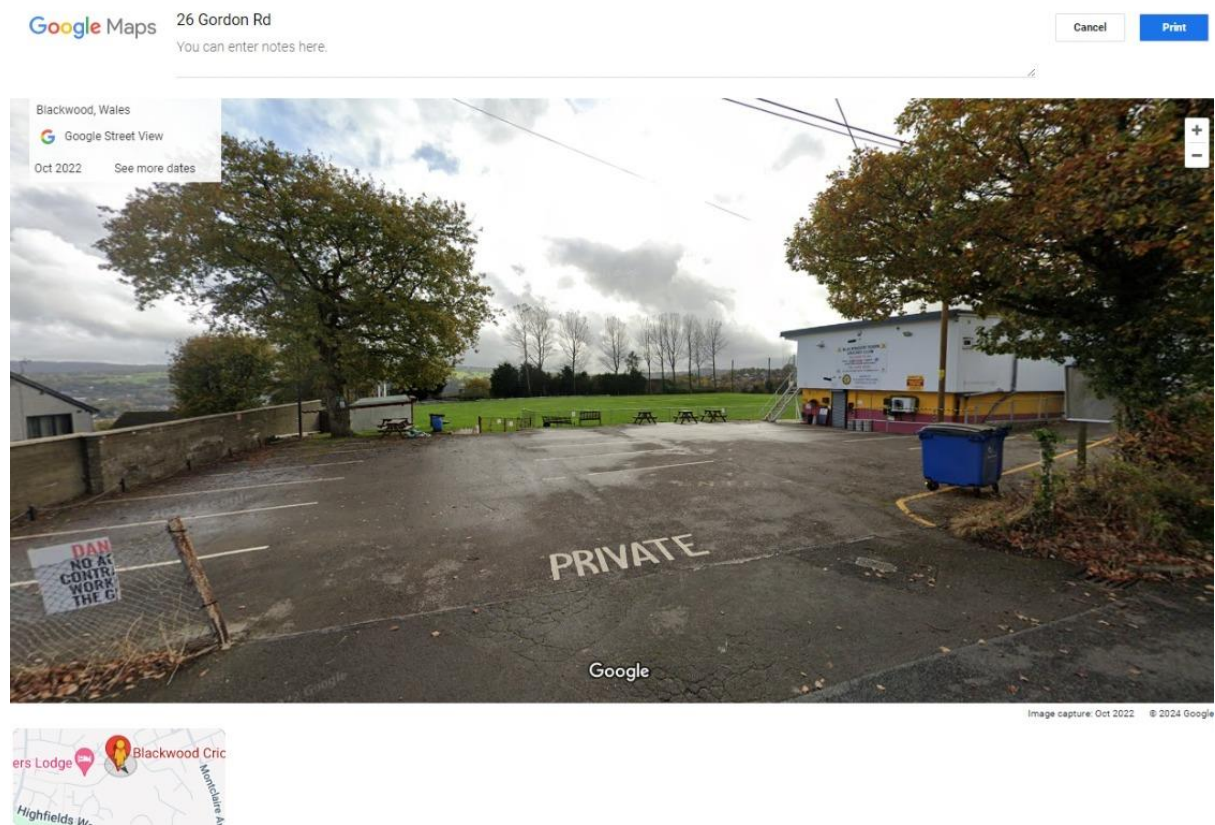















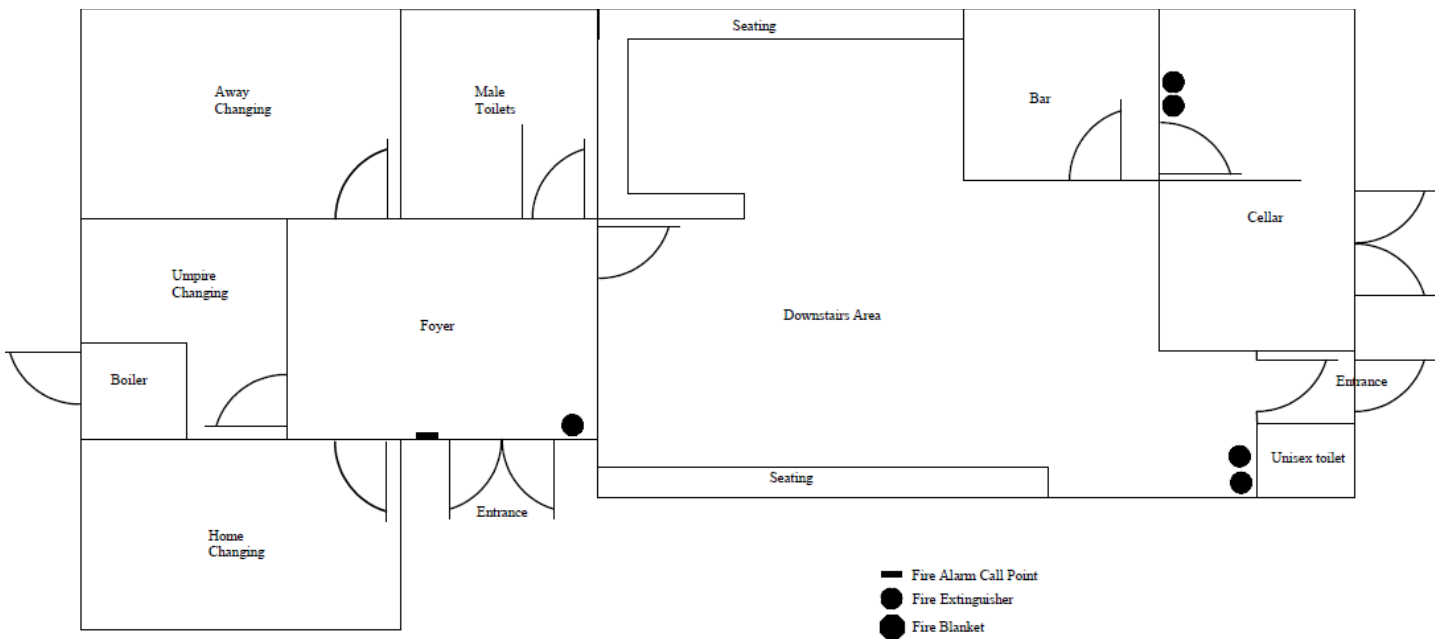
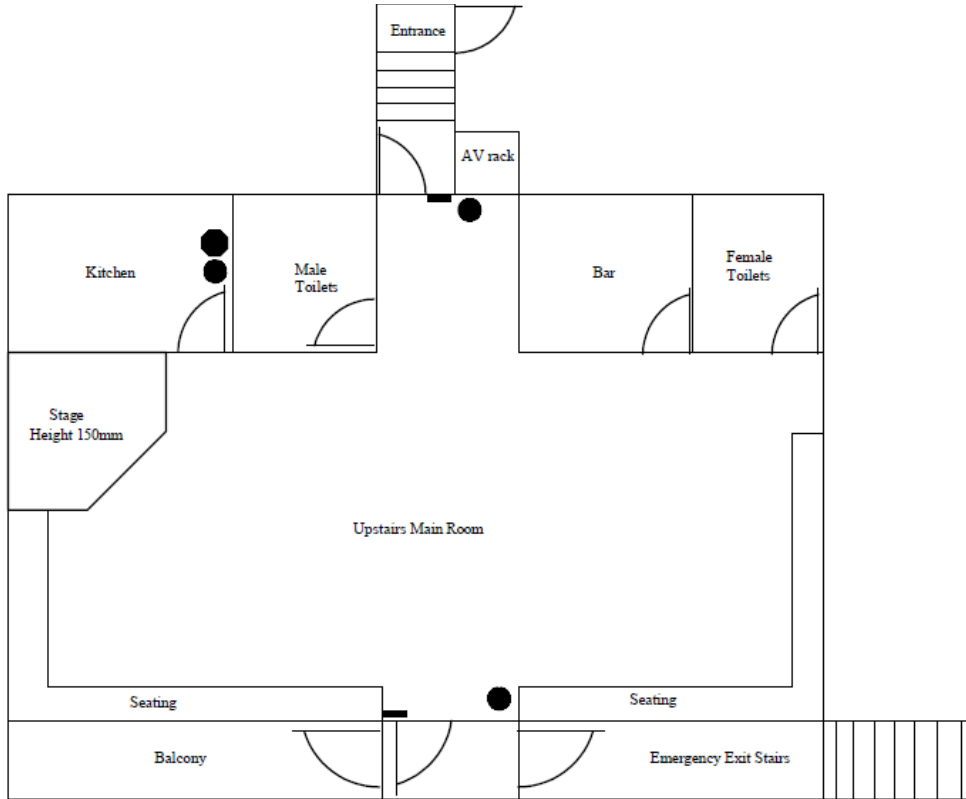


Gadewir y dudalen hon yn wag yn fwriadol





Proposed Area for consumption of alcohol 



## Extract of Statement of Licensing Policy

4.1 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions may be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.

4.2 When considering these conditions, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

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.

5.5 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.

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 –

- 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.

22 The Council will have to decide if the representation is relevant and/or reasonable, and in making that assessment will assess the person or organisation making the representation and their relationship to the premises and or vicinity.

14.4 Relevant representations will be taken as those that relate to the fundamental principles of the Licensing Act, any organisation or individual wishing to object to any application will therefore need to state whether they are doing so on the grounds of:

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

20.4 It is an expectation that the CPC holder will be aware of their permitted licensable activity types, permitted hours and conditions of licence. Failure to demonstrate or 29 have a lack of regard could result in a lack of confidence in management by a Responsible Authority.

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.

28.6 For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation.

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.



## 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.

1.15 If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from responsible authorities or other persons, the licensing authority must grant the application, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions. It is recommended that licence applicants contact responsible authorities when preparing their operating schedules.

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.

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

2.9 A number of matters should be considered in relation to public safety. These may include: • Fire safety; • Ensuring appropriate access for emergency services such as ambulances; • Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);

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

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

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

2.21 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.

2.22 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.

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

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

including the sale of alcohol to them. However, an individual on behalf of a club may give temporary event notices. See Chapter 7.

6.7 The 2003 Act does not prevent visitors to a qualifying club being supplied with alcohol as long as they are 'guests' of any member of the club, and nothing in the 2003 Act prevents the admission of such people as guests without prior notice. The 2003 Act does not define "guest" and whether or not somebody is a genuine guest would in all cases be a question of fact.

6.8 There is no mandatory requirement under the 2003 Act for guests to be signed in by a member of the club. However, a point may be reached where a club is providing commercial services to the general public in a way that is contrary to its qualifying club status. It is at this point that the club would no longer be conducted in "good faith" and would no longer meet "general condition 3" for qualifying clubs in section 62 of the 2003 Act. Under the 2003 Act, the licensing authority must decide when a club has ceased to operate in "good faith" and give the club a notice withdrawing the club premises certificate. The club is entitled to appeal against such a decision to a magistrates' court. Unless the appeal is successful, the club would need to apply for a premises licence to authorise licensable activities taking place there.

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

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.

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

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area<sup>5</sup>. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

9.15 It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.

9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

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.

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.

Gadewir y dudalen hon yn wag yn fwriadol





## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

### RESPONSIBLE AUTHORITY – Gwent Police

<b>Name of Applicant</b>	Blackwood Town Cricket Club
<b>Premises</b>	Blackwood Town Cricket Club Highfields, Gordon Rd, Blackwood NP12 1DS

<b>Your Name</b>	Adrian Jones
<b>Job Title</b>	Police Constable 2066
<b>email Address</b>	LicensingWest@gwent.police.uk
<b>Contact Telephone Number</b>	
<b>Date</b>	29/02/2024

<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>	
<b>The Protection of Children from Harm</b>	

<p><b>Please outline the reasons for your Representations</b></p> <p>The applicants Blackwood Cricket Club are seeking a variation to their current Club Premises Certificate and have held the Club certificate for many years and are seeking the following:</p> <p>To increase the area where alcohol can be consumed on the premises to the extents of the boundary of the clubs grounds</p> <p>To add a small stage area into the building plan of the upstairs main concert room</p> <p>To remove the requirement to attend Pub watch meetings.</p> <p style="text-align: center;">Page 43</p>
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**And remove any embedded conditions and other conditions in Annex 2 of the club certificate which are no longer applicable these being:**

Members of the Local Pub-Watch Scheme

Club members are instructed not to admit members and guests who behave in a drunken manner. Member of Blackwood and District LVA

The club complies with health and safety and fire precaution regulations. The club complies with advised capacity limits.

Signage is displayed near exits requesting members and guests to respect the needs of local residents by quietly leaving the premises and car park. When live or recorded music is played, all reasonable steps are taken to avoid disturbance to neighbouring properties.

In the absence of a parent children are the responsibility of the team manager who are approved by the Child Protection Officer. Accompanied children and grandchildren of members and their guests may attend a private party in the function area. Committee members, club stewardess and other bar staff are instructed in the offence provisions of the Licensing Act 2003.

Several committee members of the Blackwood Cricket Club were met with during a visit at the premises on 28<sup>th</sup> February 2024 and spoken to by officers of Gwent Police Licensing Department, Sandra Lewis-Williams Assistant Licensing Manager Caerphilly Council and Gareth Jones of Caerphilly Environmental Health Department

The applicants have provided 2 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:**

Children are welcome into the club when accompanied by a responsible adult but we are asked to leave the bar area by 9pm. Children attending events at the club in the main hall

are to be supervised by a responsible adult at all times as stipulated in our booking conditions

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

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

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

Children and young persons must be accompanied and supervised by a responsible adult at all times and must vacate the Bar area by 9pm unless of a televised sporting event or they are part of a pre-booked function event being held at the premises, in which case children and young persons must vacate the premises by 23:00.

**In addition, Gwent Police would like to add the below conditions which would assist the applicant in promoting the licensing objectives:**

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.

(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

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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) CCTV cameras shall monitor all areas used by patrons including any outside area(s)

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

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

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

(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

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

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

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	<p>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>The Outside area to be monitored periodically by staff through licensable times.</p> <p>The contents of any bottled beverage shall be decanted into a plastic / PTE / glass before service to any customer that uses the outside areas</p> <p>Any alcoholic beverage shall only be dispensed in polycarbonate, plastic or non-glass containers for use in the outside area(s)</p> <p>The premises supervisor, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.</p> <p>Clear notices must be displayed at all points where customers leave the building instructing them to respect the needs of local residents and leave the premises and the area quietly.</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



**From:** [LicensingWest](#)  
**To:** [Hopkins, Kathryn](#); [Brown, Abbie](#); [Davis, Ceri J](#); [Fire](#); [Godfrey, Maria](#); [Health Board](#); [Heyworth, Lorraine](#); [Home Office](#); [Jones, Gareth H](#); [Jones, Simon](#); [Keohane, Tim](#); [Lewis, Deborah](#); [Lewis-Williams, Sandra](#); [Pinch, Maria](#); [LicensingWest](#); [LicensingWest](#); [Powell, Carwyn](#); [Pugh, Dean](#); [SRT](#); [Thomas, Ryan](#); [Wellington, Richard](#); [Woodland, Victoria](#); [WWW: FoodHealthSafety](#)  
**Cc:** [Morgan, Lee](#)  
**Subject:** RE: Blackwood Town Cricket Club - Variation  
**Date:** 14 March 2024 09:21:54  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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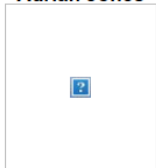
Good morning Kathryn,

In regards to the representations provided by Sandra Lewis Williams:

On behalf of Gwent police I fully agree and support her representations around the seasonal use and reduction in the outside area.

Cofion gorau | Kind regards

**Adrian Jones**



Cwnstabl 2066 | Constable 2066  
Trwyddedu a Mets/Licensing & Mates  
Partneriaeth a Chymunedau (Gorllewin)  
Partnership & Communities (West)  
Heddlu Gwent Police  
Ffôn symudol | Mobile: [REDACTED]



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**From:** Hopkins, Kathryn <HOPKIK1@CAERPHILLY.GOV.UK>

**Sent:** Wednesday, March 13, 2024 5:41 PM

**To:** Brown, Abbie <BROWNA2@CAERPHILLY.GOV.UK>; Davis, Ceri J <DAVISCJ@CAERPHILLY.GOV.UK>; Fire <firesafety@southwales-fire.gov.uk>; Godfrey, Maria <GODFRM@CAERPHILLY.GOV.UK>; Health Board <ABB.ABGPHT.AlcoholLicensing@wales.nhs.uk>; Heyworth, Lorraine <HEYWOL@CAERPHILLY.GOV.UK>; Home Office <alcohol@homeoffice.gov.uk>; Jones, Gareth H <JONESGH@CAERPHILLY.GOV.UK>; Jones, Simon <JONES21@CAERPHILLY.GOV.UK>; Keohane, Tim <KEOHATP@CAERPHILLY.GOV.UK>; Lewis, Deborah <Lewisdj1@caerphilly.gov.uk>; Lewis-Williams, Sandra <LEWISS1@Caerphilly.Gov.UK>; Pinch, Maria <PINCHM@CAERPHILLY.GOV.UK>; LicensingWest <LicensingWest@gwent.police.uk>; LicensingWest <LicensingWest@gwent.police.uk>; Powell, Carwyn <POWELC2@CAERPHILLY.GOV.UK>; Pugh, Dean <PUGHD1@CAERPHILLY.GOV.UK>; SRT <SRT@CAERPHILLY.GOV.UK>; Thomas, Ryan <THOMAAR@CAERPHILLY.GOV.UK>; Wellington, Richard <WELLIR@caerphilly.gov.uk>; Woodland, Victoria <WOODLV@CAERPHILLY.GOV.UK>; WWW: FoodHealthSafety <FoodHealthSafety@CAERPHILLY.GOV.UK>

**Cc:** Morgan, Lee <MORGAL16@CAERPHILLY.GOV.UK>

**Subject:** Blackwood Town Cricket Club - Variation

Hi all,

Please find representations attached from the Licensing Authority in its role as RA.

Thanks

Kathryn

**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**– Environmental Health

<b>Name and Address of Applicant</b>	Blackwood Town Cricket Club
<b>Premises</b>	Blackwood Town Cricket Club, Highfields, Gordon Road, Blackwood NP12 1DS

<b>Your Name</b>	Gareth Jones
<b>Job Title</b>	Env Health Officer
<b>e.mail Address</b>	jonesgh@caerphilly.gov.uk
<b>Contact Telephone Number</b>	07766 025514
<b>Date</b>	12 <sup>th</sup> March 2024

<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>	X
<b>The Protection of Children from Harm</b>	

<b>Please outline the reasons for your Representations</b>
<p>Further to recent visit to this premises with the licensing authority, Gwent Police and Env Health on Feb 28<sup>th</sup> 2024, discussions were had with committee members regarding the variation. Based on discussions and subsequent representations from residents, I object to the application in its current form and would advocate for the reduction in the licensable area requested within this variation application to the carpark area only. It is the intention of the club to allow members and guests to use the seating and benches located in the carpark area for the consumption of alcohol. Limiting the external licenced area will increase the ability of the club to manage the external area.</p> <p>If this variation application is granted I would also wish to propose certain other conditions that would reduce the potential nuisance to neighbours in the vicinity of the premises.</p>

<p><b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b></p>	<p>The Blackwood Town Cricket Club external area shall not be used for licensable activities and alcohol consumption after 22:00 hours. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.</p> <p>Members of the club committee shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.</p> <p>The club committee 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 club premises.</p> <p>Activities relating to the on site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between 09:00 and 21:00 hours.</p>
<p><b>Are you prepared to discuss these representations with the applicant by way of mediation?</b></p>	<p>Yes</p>

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

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



## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

**RESPONSIBLE AUTHORITY**– Environmental Health - Health & Safety

<b>Name and Address of Applicant</b>	Blackwood Town Cricket Club,
<b>Premises</b>	Blackwood Town Cricket Club, Highfields, Gordon Rd, Blackwood NP12 1DS

<b>Your Name</b>	Dean Pugh <b>Date: 1/03/24</b>
<b>Job Title</b>	Commercial Safety Officer
<b>e.mail Address</b>	Pughd1@caerphilly.gov.uk
<b>Contact Telephone Number</b>	01443 811339

<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 applicant Blackwood Town Cricket Club has applied for a variation to their current Club Premises Certificate. The variation seeks the following:-</p> <ul style="list-style-type: none"> <li>- To increase the area where alcohol can be consumed on the premises to the extents of the boundary of the club's ground</li> <li>- To add a small stage area into the building plan of the upstairs main concert room</li> <li>- To remove the requirement to attend Pub watch meetings.</li> <li>- remove any embedded conditions and other conditions in Annex 2 of the club certificate which are no longer applicable.</li> </ul>

<b>What conditions could be added to the licence to remedy your representation</b>	Page 51
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<p><b>that the Licensing Sub-Committee could take into account</b></p>	<p>All alcoholic beverages, which are intended to be consumed within the outside area of the premises shall be dispensed into polycarbonate, plastic or non-glass containers.</p> <p>The contents of any glass bottle intended to be consumed within the outside area of the premises shall be decanted by bar staff into polycarbonate, plastic or non-glass containers. The glass bottles are to be retained behind the bar for safe disposal.</p>
<p><b>Are you prepared to discuss these representations with the applicant by way of mediation?</b></p>	<p>Yes</p>

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

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## RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

### RESPONSIBLE AUTHORITY – TRADING STANDARDS

<b>Name of Applicant</b>	Blackwood Town Cricket Club
<b>Premises</b>	Highfields, Gordon Road, Blackwood, NP12 1DS

<b>Your Name</b>	Tim Keohane	<b>Date 13/03/2024</b>
<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, Heddlu Gwent Police. I believe that the suggested conditions by the police would be effective in promoting the Licensing Objective, 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>	
<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– Licensing

<b>Name and Address of Applicant</b>	Blackwood Town Cricket Club
<b>Premises</b>	Blackwood Town Cricket Club, Highfields, Gordon Road, Blackwood NP12 1DS

<b>Your Name</b>	Sandra Lewis-Williams
<b>Job Title</b>	Assistant Licensing Manager
<b>e.mail Address</b>	Lewiss1@caerphilly.gov.uk
<b>Contact Telephone Number</b>	01443 866750
<b>Date</b>	

<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>	x
<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 club has submitted an application to vary their existing club premises certificate to “increase the area where alcohol can be consumed on the premises to the extents of the boundary of the Club grounds. To add a small stage area into the building plan of the upstairs main concert room. To remove the requirement to attend pubwatch and remove any embedded conditions and other conditions on Annex 2 which are no longer applicable”.</p> <p>The variation application submitted by the club appears to have stemmed from a visit to the premises by the Licensing Manager following a complaint from a resident in July 2023 that alleged that that club patrons were using foul language and litter was being thrown in to the complainant’s garden. During the visit it was identified that the club were using a greater area for the consumption of alcohol than was included on the plan attached to the existing club premises certificate as they were using picnic tables and benches located outside the permitted area. A small raised ‘stage’ area had also been created in the upstairs function room which was also not shown on the club premises plan. The Licensing Act requires that all fixed structures such as stages must be identified on the plan attached to the club premises certificate. A review of conditions attached to the licence also identified that the Club were conditioned to be members of the Local Pub-Watch scheme, which they did not appear to be participating in.</p>

Following the submission of the application, a visit was undertaken to the club on 28<sup>th</sup> February 2024 with Gwent Police Licensing and Environmental Health (Pollution Control). We met with 3 committee members to discuss the application and their intentions. The committee members present advised that they currently had 150 members with 40 members who regularly use the club. They stated they also hold functions for members and their guests. They stated that they were not aware that they could not use the areas not shown on their plan for consumption of alcohol and stated that they had stopped this as soon as they were advised. They said that the outside picnic tables which were located in the carpark area overlooking the cricket green were generally only used during the cricket season (starting end of April beginning of May). They said they had added the raised stage area in the corner of the upstairs function area around 15 years ago and were again unaware of the implications of this on the club premises certificate. They said that they were open in the evening 5 nights a week and employed a stewardess who had been at the club for 25 years, another lady was also employed in the bar who had also been at the club for 20 years. They stated that they do not allow glass outside and all drinks for outside were decanted in to plastic glasses.

The police discussed the benefit of the addition of CCTV and the club advised they had already had a quote for the installation of 8 CCTV camera's.

During the application period representations have been received from Gwent Police Licensing, Environmental Health Pollution Control, Health and Safety and residents living local to the club.

Environmental Health Pollution Control in their representations have objected to this application in its current form and have advocated that the licensable area be reduced to the carpark area only. Having had regard to the representations from residents in relation to their prior dealings with the club and having visited the site and considered how the club would manage the extent of the area proposed, I would also object to the application in its current form and would support the comments of the Environmental Health Pollution Control Officer. I believe that by reducing the outside area would allow the club management committee better control of patrons using all licenced areas and reduce the possible nuisance to local residents from licensable activities, given that there is no proposed change to the licensable hours. I have read the comments of Mr Andrew Tiley in response to Environmental Health Pollution Control representations and do not agree that this would limit the club's ability to host events like charitable days as these could be covered off by Temporary Event Notices. Such activities would suggest that the club would be open to non-members and therefore a separate permission i.e a Temporary Event Notice would be required. The current club premises certificate only provides the ability to provide alcohol to members and guests it does not permit the club to open more widely and advertise it self for room hire and wider use. Further more I would propose the following condition to be applied to any new outside area namely its use should be restricted between 1<sup>st</sup> April and 30<sup>th</sup> September only, this is on the basis that Mr Tiley has indicated in his response to residents comments that the committee members only have a rota for collection of waste on Sunday mornings during the cricket season only.

I would also support the conditions put forward by Environmental Health in the event the application is granted.

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

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

I would also support the representations submitted by Gwent Police and Environmental Health Health & Safety.

The variation application needs to address the revised layout of the first floor i.e the small stage. I would have no further representations regarding the addition of the stage area or the removal of the conditions as detailed in the application form.

<b>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</b>	A condition which restricts the use of any new outside area between the following dates namely 1 <sup>st</sup> April and 30 <sup>th</sup> September in any calendar year
<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.

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Gadewir y dudalen hon yn wag yn fwriadol



*Patricia and Alexander Griffiths;*

■■ Tudors View, Blackwood, NP12 18Q

To – Mr Lee Morgan, The Licensing Section, Caerphilly County Borough Council,  
Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG.

Dated - 29/02/2024.

Subject – **Blackwood Town Cricket Club, Gordon Road, Blackwood NP12 1DS;  
license extensions.**

Dear Mr Morgan;

We are writing to express concerns and register objection to the extension of the licensable areas and to amend the internal plan to include a stage. Our house in Tudors view is immediately adjacent the cricket ground. Our representations are made under licensing objectives – prevention of crime and disorder; and prevention of public nuisance. As you are aware the cricket field is completely surrounded by residential dwellings.

In particular the proposals will increase problems with;

1. Cans, bottles, and other waste, being thrown into gardens by spectators and other drinkers at the club. This is already being experienced.
2. Anti-social behaviour, due to increased consumption of alcohol and a greater volume of different customers being attracted to a drinking field environment.
3. Noise will be increased. We are particularly concerned about loud music being played late at night on the proposed new stage.
4. Parking problems, which are already severe on match days, will be exacerbated.

The Cricket Club does not have sufficient staff or management resource to manage and care for problems already being experienced by neighbouring residents. Our concerns are heightened by the recent poor communication and responses from the cricket club about these proposals and existing problems with cricket ball damage and refuse nuisance. Problems have worsened in recent years due to the protective fence being inadequate, and damage being left unrepaired.

Yours Faithfully



*Patricia and Alex Griffiths*

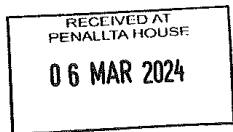
CAERPHILLY COUNTY BOROUGH COUNCIL  
LICENSING DEPARTMENT

04 MAR 2024

DATE RECEIVED



- Little time not informed
- Rubbish disposal throwing cans, bottles and othe waste into gardens big problem.
- Spectators and general public going for a drink
- No staff to monitor
- Antisocial behaviour, swearing,
- Noise outside
- Loud music from stage
- Parking nusinanc increaeesd already a problem.
- Trouble has increased cricket management less caring than previously and communication poor.
- Poor management stretched
- Poor fence, broken, holes not repaired, and not extensive enough – delays responding



Mr Lee Morgan  
The Licensing Section  
Caerphilly County Borough Council  
Penallta House  
Tredomen Park  
Ystrad Mynach  
Hengoed  
CF82 7PG

CAERPHILLY COUNTY BOROUGH COUNCIL  
LICENSING DEPARTMENT

06 MAR 2024

DATE RECEIVED

■ St Tudor's View  
Blackwood  
NP12 1AQ  
5<sup>th</sup> March 2024

Dear Mr Morgan,

I am writing to object to the application being made by Blackwood Town Cricket Club "to increase the area where alcohol can be consumed on the premises to the extents of the boundary of the club grounds" and "to extend licensable area to include outside area for alcohol on sales". I assume that the latter means an outdoor bar.

I raise this objection under the prevention of public nuisance and disorder objectives.

As the club is applying to extend the licensable area in this way, this means that people would be allowed to consume alcohol right up to the boundaries of the cricket field which abuts several properties on St Tudor's View. Doubtless, if successful in their application, the club would provide decking and seating for customers to drink including at the boundaries, which means that alcohol-induced behaviour would be even more audible and visible to the club's neighbours than it has been before. Even if seating were not provided, people would be permitted to stand at the boundaries drinking, plus an outdoor bar would cause noise and fuel disorder close to properties which neighbour the cricket field.

As someone who has lived in St Tudor's View for many years, I have experienced a number of occasions where I have been trying to enjoy the peace and quiet of my back garden, only to have it disturbed by foul language emanating from the club grounds as people wander round the field during club social events. If one rings the club to report it, there is seldom anyone available to deal with it. Now, a [redacted] do not wish to encounter an increased level of this. My neighbour at the top of the street has suffered even worse misconduct, with people urinating behind the club scoreboard clearly visible from his home and throwing cans and bottles into his garden. There would be greater risk of these kinds of antisocial disorder if the club were permitted to

P.T.O.

extend their licensable area to the extents of the boundary of the club grounds and to run an outside bar area. As the vast majority of the cricket club committee members do not live near the grounds, one wonders if they fully understand the nuisance behaviour St Tudor's View residents have had to endure and the risk of worse with this application. Would they put up with it at their homes?

As neighbours, we have tried to engage with the club before. This was with regard to fencing and security issues. Although the disintegrating fencing was eventually replaced when we insisted with the support of our councillors (although a hole has since appeared in that replacement fencing), one of the standard responses of the club during discussions on security has been that they do not have sufficient people to police attendees at, or users of, the club all the time. If this is the case now by their own admission, then they will definitely not have the people to police an extended licensable area. Even a plea at the time for them to at least install CCTV was dismissed by the club.

One of the disappointing aspects of trying to engage with the club is that of poor communication. When we, as neighbours, tried to engage with them as outlined above, they indicated that they would be more communicative with us going forward. Sadly, this has not proved to be lasting or consistent. This has included their application under discussion in this letter, where they have failed to reach out to us as their neighbours to let us know their intentions. The only reason I am made aware of such intentions now is that my aforementioned neighbour at the top of St Tudor's View spotted the notice displayed by the council on a lamppost.

In addition, regarding the "small stage area" that the club is applying to add into the building plan of the upstairs main concert room, I would voice the concern about the volume of noise this will facilitate in music or other events going forward.

A related concern I would wish to raise is that, as the club by their application are seemingly looking to increase footfall, then, as their small carpark has already resulted in overspill of parking into our street during events, this will only worsen.

The club simply does not possess the available people to monitor and police matters, as it has previously said, or the support/security infrastructure to make their application a viable one. It would risk and doubtless cause further public nuisance, antisocial disorder and stress for their neighbours.

Thank you for taking the time to read this.

Yours faithfully,



Jacqueline Maguire

Mr &amp; Mrs Courcoux

Gordon Road

Blackwood

NP12 1DS

12/03/2024

Dear Caerphilly Council,

We are writing to you to raise our objections as neighbours in relation to Blackwood Town Cricket Club's license variation application submitted on 14th February 2024. These concerns will broadly fall under the guidance set out under the licensing objectives set by CCBC as the licensing authority – namely Prevention of Crime & Disorder, Public Safety, Prevention of Public Nuisance & Protection of Children from Harm.

Our concerns are being put forward as a direct result of the experience we've encountered as neighbours to the Cricket Club for nearly 4 years, with all issues outlined in this letter raised directly with the Club's Committee in real time with little to no sustainable improvement achieved. We feel obligated to feed into this process as parents to two young children as we have a duty of care to try to provide a safe environment, so they can at least enjoy the entirety of their own home.

In addition, we have sought out continued support from our local Town Councillor Kevin Etheridge who engaged CCBC licensing department in attempt to address some of the issues in 2023.

### **Overview of Concerns**

1. Poor Management of Existing License – The Club have applied to extend the area they are able to sell & consume alcohol to include their entire boundary. It is known locally that the Club currently allow alcohol to be consumed across their whole boundary at present – this day to day and at larger events they hold (seemingly in odds of their existing license conditions as confirmed by Lee Morgan on email with Councillor Etheridge). Frequently, setting up seating across the car park and surrounding areas to allow patrons to consume alcohol in these locations. Example images attached to the email.
2. Litter Issues – In direct correlation to the above point we have experienced persistent problems with litter entering our property from the Cricket Club – this is in large part due to the Club allowing consumption of alcohol across the entire premises. Usually, in the form of empty plastic glasses, glasses, cigarettes and cans, with this being an increased problem during the weekends of summer months (albeit we have had issues during the 2024 rugby six nations period where the Club are not stopping patrons leaving with glasses) and thus the increased use of the outside seating areas

described above. We've had examples of patrons from the Club throwing glasses/cans directly into our property grounds from the carpark and scoreboard areas, leaving glasses on our boundary walls along with glasses finding their way down our driveway because of lack of oversight and poor cleaning by the Club when using outside areas to consume alcohol. Example images attached to this email. When raised with the Committee at the Club previously they've stated that they have added bins, increased bin collections and introduced a litter pick on weekends to try to improve the problems. None of these actions have made tangible improvements from our POV, as the increased bins located around the carpark area etc. aren't emptied and at no point have, we as neighbours witnessed anyone from the Club complete a litter pick over the weekends - particularly of the wider carpark area.

3. Foul / Offensive Language – Again, in direct correlation to Point 1 and the frequent consumption of alcohol across the Club's entire boundary we have had the enjoyment of our home limited by the volume of foul language coming from the Cricket Club, with us as a young family having to regularly retire indoors when the outside seating areas at the Club are in use and/or patrons are consuming alcohol while smoking at the function room entrance. This issue is significantly heightened during summer months when the outside areas as described above are in full use by patrons of the Club – no tangible improvement experienced following raising with the Club's committee, this also raised with Lee Morgan of CCBC via Kevin Etheridge on our behalf in H2 2023.
4. Further Antisocial Behaviour - We've experienced several incidents of anti-social behaviour regarding our property from the Cricket Club over a prolonged period as neighbours, the following will provide a flavour of the issues all related to the consumption of alcohol across the premises but is not an exhaustive list. 27/06/2021 – Cricket Club patron urinating against our front gate. 2 videos attached showing group leaving the Club and then individual urinating against our property. Unfortunately, this is a regular issue for us, Club patrons urinating against our boundary walls. Raised with police previously via Kevin Etheridge. 16/08/2022 – Balls hitting our property past 21:30. On walking up to the Club it was evident to be drunk adults consuming alcohol on the pitch and smashing balls around the ground with minors. Raised with the Club's committee via email and F2F with Bill C who confirmed the incident was as witnessed. 24/06/2023 – Numerous Cricket Club patrons accessing my property without consent, some with 'beers in hand' with further patrons leaning over our boundary walls with 'beers in hand' shouting into our grounds. This on the first day of our newborn returning home from hospital along with my wife Lisa recovering from surgery. This was raised with the Club's committee via email as unacceptable and intimidating behaviour – fuelled by alcohol (with young children at our address). 08/07/23 – Patrons of the Club consuming alcohol by the scoreboard area of the grounds and then urinating behind the scoreboard in full view of my kitchen. Raised with the Cricket Club F2F in person and via email with the wider committee. I have now had to erect a privacy screen to mitigate this in future following the Club's lack of ownership of the issue.

In summary, broadly we are supportive of Blackwood Town Cricket Club and the positive impact they provide for the community, being members, we have invested our own time and money to improve and/or attempt to support addressing some of the issues we've experienced

since moving to Gordon Road, along with others outside of the licensing departments remit. However, our concerns aren't appreciated by the Club's committee which is evident as no meaningful long lasting solutions have been put in place, with the committee being at best defensive and at worse dismissive with us having to re-raise these ongoing issues year on year (can be evidenced via email exchanges along with the numerous calls I've had with Eric R and F2F discussions with Bill C).

With replies to our concerns from committee members saying quote *'we're a club run by volunteers we feel we are doing everything we can to address and resolve issues within the limited time and money we can devote to the club'* it only breeds further concerns regarding their ability to manage their updated license parameters if successful as they are unable to competently manage their existing license, seemingly choosing to ignore their current conditions i.e. area to sell/consume alcohol etc.

We've only seen any traction on issues raised after informing the Club that we were regrettably considering legal action via a private nuisance claim in H2 of 2023 against them to address the issues outlined in this letter. This is still on the table for us as a last resort, where we'd now reference CCBC as the licencing authority.

Our feeling is BTCC are moving further away from being a Club that prioritises and is centred around the cricket with the ability to have an occasional social drink as part of its core purpose to now becoming a Pub/Event premises which plays cricket.

We therefore object to the Club's license variation application to extend the area for sale/consumption of alcohol as this is highly likely to have a continued negative impact on the licensing objectives and neighbouring residents due to the history of public nuisance, further compounding already established issues. Simply, increasing the Club's drinking area, if approved, will only further affect the quality of life for us and our fellow residents.

We hope that you strongly consider our concerns set out along with the supporting evidence.

Yours faithfully

Kevin & Lisa Courcoux

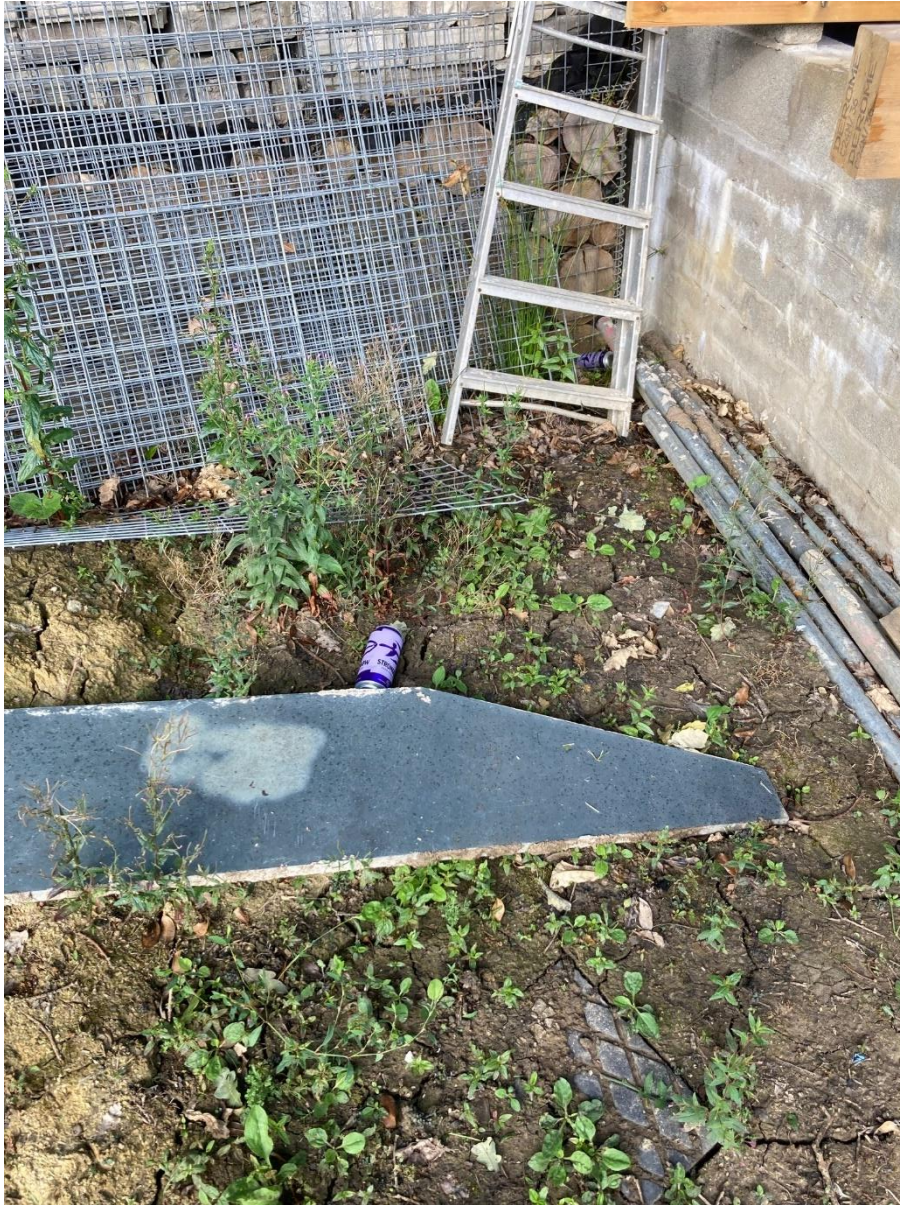
















**From:** Kevin Courcoux  
**To:** Hopkins, Kathryn  
**Subject:** Re: Blackwood Town Cricket Club - Variation  
**Date:** 24 March 2024 14:50:31

Hi Kathryn,

Hope you're well and enjoyed the weekend.

After reviewing the information shared we are not supportive of the updated plan from BTCC; we are also not supportive of the recommendation from environment health (and subsequent agreement from licensing) for the carpark area to be used for licensed activity.

Either myself and/or my wife (Mrs Lisa Courcoux) will attend the hearing on the 12th in person or virtually, which we'll confirm prior.

What is the process and deadline for us to submit further evidence and comments for consideration at the hearing and prior report?

Thanks

Kev Courcoux

**From:** Kevin Courcoux <\*\*\*\*\*>  
**Sent:** Tuesday, April 2, 2024 8:41 AM  
**To:** Hopkins, Kathryn <HOPKIK1@caerphilly.gov.uk>  
**Subject:** Re: Blackwood Town Cricket Club - Variation

Hi Kathryn,

Following receiving and reviewing BTCC response to residents, their revised plan and the relevant authorities representations we'd like our below comments to be included in the application report.

We are not supportive of BTCC's revised area plan or the recommendations from Environmental and subsequent agreement from Licensing to use the car park as the licensable area. This as a significant proportion of the issues we've experienced as outlined in our letter have stemmed from alcohol consumption in and around the carpark and scoreboard areas which are directly abutting our property boundary. We previously provided an example list of problems we've encountered and we wanted to highlight that the list wasn't exhaustive and we only wish we'd kept better records in light of this application to further evidence these issues, with many of our interactions/attempts to resolve these problems with BTCC being face to face with the President Bill Coppage & Chairman Eric Reardon. To provide an indication of the action we have taken ourselves to try and minimise these problems please see the attached photos - which show privacy screens, gate & fence and car park bollards we have installed at BTCC to try and improve our families safety and reduce the direct negative impact from alcohol consumption and resulting antisocial behavior has had and continues to have on us as their neighbours. We also attach a further video for audio purposes which provides an insight into the level of noise we experience from BTCC car park area during the week when alcohol is being consumed, which on this occasion continued well past 10pm and as you'll see the video was recorded from within our property. We also question the rationale behind promoting the use of an active car park for alcohol consumption - this does not appear to be sensible.

Responding to Andrew's comments regarding residents - we have previously on several occasions met the clubs committee at meetings arranged & supported by Kevin Etheridge, this to discuss concerns and ensure positive relationship between us and BTCC. These meetings have now stopped - mainly due to BTCC's approach at these sessions - with their Chairman Eric Reardon taking and communicating the clubs position that they 'were there first' and 'they never wanted our houses built'. These comments were witnessed by several residents and Kevin Etheridge at a spring meeting in 2021, so it's ironic Andrew is asking residents to come to the club to discuss concerns as it has historically been a difficult environment to have objective conversation with them regarding real concerns.

There is also a clear lack of understanding on BTCC part regarding existing license parameters and if successful what their updated application/license will allow them to do. It's evident that the club by their own admission and our lived experience as direct neighbours of 4 years have over a prolonged period breached their existing license - which as documented has and continues to cause issues against the licensing objectives. There is also a significant responsibility placed on the clubs committee throughout the authorities objections to monitor and police their license along with the type of issues we've described - given the history and lack of compliance with their current parameters it only raises increased concerns that issues will increase, the enjoyment of our home further diminish along with higher probability of harm to our children.

To try and put in context the direct negative impact we have suffered from BTCC we have considered legal action against the club and also the selling of our family home, this because

the type & frequency of problems we've experienced continues to worsen, which is unacceptable and more so given with have two young children at our address.

Therefore, we are asking the relevant authorities to strongly consider our points in relation to this application, BTCC have breached their existing license to the detriment of us and other residents without any penalty suffered of their part, approval of their application will likely result in further issues which will be at odds with the licensing objectives set out by CCBC.

Regards

Kev Courcoux

\*\*\*\*\*

















**From:** [Hopkins, Kathryn](#) on behalf of [WWW: Licensing](#)  
**To:** [Hopkins, Kathryn](#)  
**Subject:** FW: Blackwood Cricket Club Licensing Application  
**Date:** 13 March 2024 12:35:51  
**Attachments:** [Applicants reply to residents concerns - redact.docx](#)

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**From:** [REDACTED]  
**Sent:** Wednesday, March 13, 2024 11:21 AM  
**To:** WWW: Licensing <[licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk)>  
**Subject:** Blackwood Cricket Club Licensing Application

Hello,

This e-mail is regarding the application submitted by blackwood cricket club to vary their alcohol licence.

I feel that the application as its stands could have an effect on all of the 4 licencing objectives so I would like to make the following comments:

- The boundaries of the club cover a vast area, amounting to possibly hundreds of square meters. To extend the area where alcohol can be consumed to cover the entirety of the premises with no "designated area" will allow for uncontrolled numbers of patrons and noise. This could have a detrimental effect on public safety, public nuisance and disorder on numerous adjoining properties and extend further to those in the vicinity. Many of those could have children in adjoining gardens that could be subjected to some harm.
- The proposed extension of area does not have any restrictions on timing. At present the clubs licence hours end at midnight Mon to Sat and 23.00 on Sundays. Allowing uncontrolled times for the outdoor consumption of alcohol will have a detrimental effect on public nuisance and disorder. There also do not seem to be any controls for the protection of children from harm during these hours.
- I feel that monitoring the proposed extension of the drinking area would be extremely difficult. When alcohol is consumed indoors in a set area there are options to use CCTV and control entry with Door Supervision, in such a vast open area I feel that public nuisance, noise and crime/disorder could not be effectively controlled without these or similar measures in place. Even if the patrons are members and their guests there do not appear to be any limits on numbers proposed or any access controls. In such a large area extended to the full club boundaries the effectiveness of CCTV could also be limited.

I have also been given a copy of the attached reply from the committee at the club and have the following comments to make:

This application is not limited to a certain period of the year so with regards to waste there is a rota during cricket season only – They have not identified controls for containing waste at any other time.

The letter claims that the club can only be used by members and bonfide guests. This is not strictly true as I have been made aware of club advertising for events and room hire i.e. wakes/parties e.t.c where the room is “Hired” out to non-members by the club. There are also adverts for community events held there that are not limited to members. There are also the visiting teams to consider and home/away supporters that have not been considered, I assume they would be able to use the outside areas proposed to consume alcohol.

I totally agree that members should be able to enjoy the cricket and support it fully, but this could easily be controlled with a “designated” members area that is only to be used for consumption of alcohol during cricket matches. I feel that set limits on timing, numbers of people that can use this members area and access controls would go a long way to control and minimise disruption to neighbouring properties and the wider area.

Catherine Brewer

(I would appreciate it if my Personal details could be redacted)

**From:** [Andrew Tiley](#)  
**To:** [Hoolins, Kathryn](#)  
**Cc:** ["Eric Beardson"; "lyn.hall"; "Chris Clayton"](#)  
**Subject:** RE: Blackwood Town Cricket Club  
**Date:** 12 March 2024 11:34:50  
**Attachments:** [BEM\\_TWF\\_150\\_3bc697ef-913e-4bc0-b5ef-3cb79991331d.jpg](#)

Hi Kathryn,

Thank you for your email.

Please can you relay the following to the concerned residents –

Regarding the objections raised to the application the Club submits the following response

1. Increased provision of waste receptacles will be made around the perimeter of the ground especially near to the benches in the boundary corners and between the clubhouse and scoreboard that members like to sit on and observe the cricket from. There is a rota of committee members during the cricket season that collects and empties these receptacles on Sunday mornings.
2. Licensed hours are not changing, and the club remains a member's club, so alcohol can only be served and consumed by members and bona-fide guests with CCTV being installed to monitor the area during licensable hours as requested by the Police.
3. No change is sort to the licensable activities already in place inside the club regarding music & entertainment events. The stage is purely a retrospective application as the club was unaware this needed adding formally to the building plan within the license.
4. As noted, the Club has limited parking but has an agreement with the Brewers Lodge to allow people to utilise their carpark. We also inform our members and guests to park considerately & lawfully in the public street areas around the Club.
5. No outside bar is being proposed as part of this application.

We note the objections of the residents on the boundary of the Club, and we are not looking to promote additional footfall but only to formally allow our members to enjoy cricket as they have done for many years.

In summary we are simply applying to bring our license up to date by removing any outdated conditions and changing the existing consumption area.

If anyone has any concerns, we are more than willing to meet you at the club and explain in more detail.

Trusting this is satisfactory.

Best Regards

Andrew Tiley

Blackwood Town Cricket Club (Secretary)

[Andrew Tiley](#)

**From:** Andrew Tiley  
**To:** Hopkins, Kathryn  
**Cc:** Eric Reardon; lyn hall; Chris Clayton  
**Subject:** RE: Blackwood Town Cricket Club - Variation application  
**Date:** 07 March 2024 14:48:10  
**Attachments:** BEM.TWE.150\_3bcb97ef-913e-4bc0-b5ef-3db79991331d.jpg  
 Gwent Police Rep`s.docx

Hi Kathryn,

Please can you take this email as our acceptance of the Gwent Police representations contained in the attached document.

Blackwood Town Cricket Club are actively seeking quotations for CCTV to be installed at our premises; however, this may take a few weeks to arrange.

As soon as the installation has been completed, we will notify you and organise any site visit deemed necessary to view the works carried out.

Trusting this is satisfactory,

Best Regards

Andrew

Andrew Tiley

**From:** [Andrew Tiley](#)  
**To:** [Hopkins, Kathryn](#)  
**Cc:** [Chris Clayton](#); [Eric Reardon](#); [lyn hall](#)  
**Subject:** FW: Blackwood Town Cricket Club - Variation application  
**Date:** 14 March 2024 16:18:26  
**Attachments:** [BEM.TWE.150\\_3bcb97ef-913e-4bc0-b5ef-3db79991331d.jpg](#)  
[BEM.TWE.150\\_3bcb97ef-913e-4bc0-b5ef-3db79991331d.jpg](#) [Reps - H&S.docx](#)  
[Reps - LA.docx](#)  
[Club plan](#)  
[12032024.pdf](#) [Reps -](#)  
[TS.docx](#)

Hi Kathryn

We agree with the representation that the outside area should be limited to 1<sup>st</sup> April to the 30<sup>th</sup> of September and be used no later than 22.00.

We also agree with H&S representation that no cans or bottles be allowed outside and all drinks to be decanted into plastic glasses.

Although at present we litter pick at the club on Sundays, this can be increased if we feel it is necessary to continue to keep our premises in a clean and tidy condition.

However, we would ask if you could consider our revised proposal of including the bank to the side of the building in any future consumption area.

Historically this has been used to view the cricket, and at sometime in the future we would like to develop to add a few picnic benches to this area.

Also, please could we include the score box, as our volunteer scorers would like to have a beer there while marking the book.

I attach a plan of our new proposed area for your consideration. Best Regards

Andrew Tiley

Blackwood Cricket Club (Secretary)

from: Hopkins, Kathryn <HOPKIK1@CAERPHILLY.GOV.UK>

Sent: Wednesday, March 13, 2024 5:36 PM

To: Andrew Tiley <A>

Cc: 'Chris Clayton' <>; 'Eric Reardon' <e>; 'lyn hall' <l

Subject: Blackwood Town Cricket Club - Variation application

Dear Sir,

Re: Licensing Act 2003 – Application for a Club Premise Certificate Variation



**PREMISES – Blackwood Town Cricket Club**

I refer to your application of 14th February 2024 for a Club Premises Certificate variation in accordance with the above Act and advise you that representations have also been received from Environmental Health (H&S) and the Licensing Authority as designated Responsible Authorities under the above Act. The representations have been submitted under the Licensing Objectives and have suggested conditions to be added to the certificate to address their concerns. Copies of their representations are attached.

As representations have been submitted, we are required to convene a hearing to which all parties would be invited. If you agree the conditions to be proportionate and reasonable a hearing may not be considered necessary. Please advise me in writing as soon as possible of whether you find these acceptable. You may wish to take legal advice on this before responding.

Furthermore, you are advised that your application may be subject to further comment and/or representation from other Responsible Authorities or Other Persons up to the expiry date of the consultation period for this application.

Should you have any queries relating to this matter, please contact the Licensing Section.

Yours faithfully

Kathryn

Gadewir y dudalen hon yn wag yn fwriadol

**From:** Andrew Tiley  
**To:** Hopkins, Kathryn  
**Cc:**  
**Subject:** RE: Blackwood Town Cricket Club - Variation  
**Date:** 02 April 2024 15:32:46  
**Attachments:** [Photo of stage.msg](#)  
[Litter Picking Rota 2023.msg](#)  
[FW Litter picking Rota 2022.msg](#)  
[Club plan 25032024.pdf](#)  
[CLUB CCTV QUOTE.pdf](#)

Hi Kathryn,

Hope you had a good weekend.

Please find attached further information / evidence to hopefully support our application.

Photograph of stage (apologies for the model, he was the only one available!!)

Photograph of area on bank that we would like to develop in the future (15 meters in from neighbour's boundary.)

2 x litter picking rotas.

Quotation for CCTV which we will take up on application.

We trust that this will assist in our submission and will look forward to explaining in more detail at the hearing.

Best Regards

Andrew



**From:** Andrew Tiley <  
**Sent:** Tuesday, May 23, 2023 1:22 PM  
**To:** Edward Berry <lyn hall <[l](#)>>; Eric Reardon <>; Chris Clayton >; Bill Coppage <; 'Emma Chalk' <  
Derek Daniels <  
**Subject:** RE: BTCC

Afternoon All,

New Litter Picking Rota for 2023 season–

Week commencing

28<sup>th</sup> May– Sam Tiley

4<sup>th</sup> June – Haydn Bevan

11<sup>th</sup> June–Derek Daniels

18<sup>th</sup> June - Emma Chalk

24<sup>th</sup> June - Andrew Tiley

2<sup>nd</sup> July - Eric Reardon

9<sup>th</sup> July – Chris Clayton

16<sup>th</sup> July – Lyn Hall

23<sup>rd</sup> July – Ed Berry

30<sup>th</sup> July – Clive Ash

6<sup>th</sup> August – Phil Williams

13<sup>th</sup> August – Geoff Powell

20<sup>th</sup> August - Bill Coppage

Please feel free to swap with someone if you are unable to make the date allocated

Best Regards

Andrew

**From:** Andrew Tiley <

**Sent:** Tuesday, October 4, 2022 9:39 AM

**To:** Edward Berry <>; lyn hall <>; Eric Reardon <>; Chris Clayton <>; Bill Coppage <'Emma Chalk' <; Derek Daniels <

**Subject:** RE: BTCC

Morning All,

New Litter Picking Rota –

Week commencing

October 9th – Sam Tiley

October 16<sup>th</sup> – Haydn Bevan

October 23rd – Derek Daniels

October 30<sup>th</sup> - Emma Chalk

November 6<sup>th</sup> - Andrew Tiley

November 13<sup>th</sup> - Eric Reardon

November 20th – Chris Clayton

November 27<sup>th</sup> – Lyn Hall

December 4th – Ed Berry

December 11th – Clive Ash

December 18<sup>th</sup> – Phil Williams

Xmas and New Year – Geoff Powell and Bill Coppage

Please feel free to swap with someone if you are unable to make the date allocated

Best Regards

Andrew



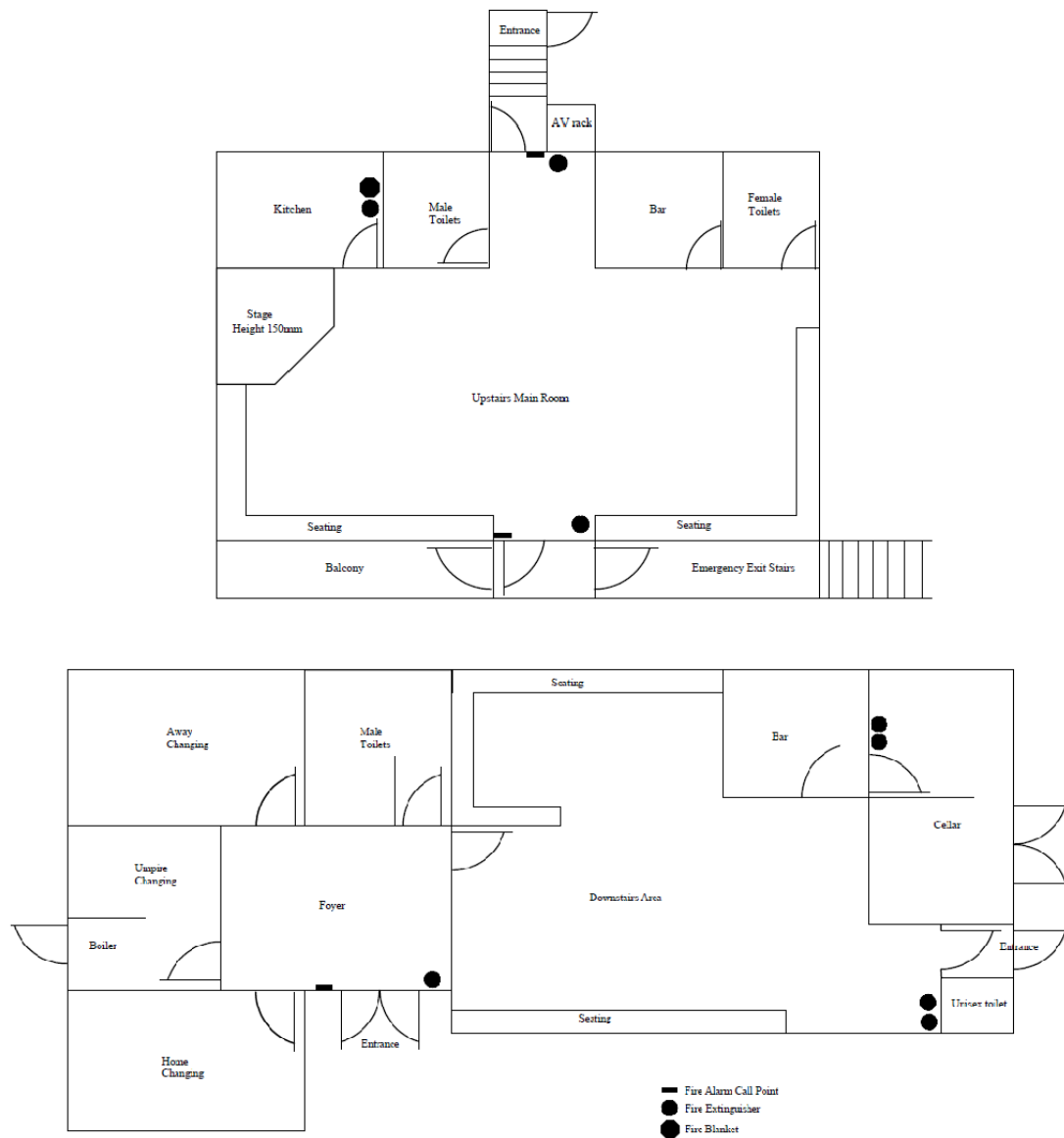


Classified



Proposed Area for consumption of alcohol 

Classified



Blackwood Town Cricket Club  
Blackwood

26<sup>th</sup> August 2023

**CCTV QUOTE**

To supply 8 x Hik Vision Cameras, 1 x 2TB recorder, inclusive parts and labour

Total £1625

Kind regards

Ieuan Jones

1. The Club follows the England & Wales Cricket Board Safeguarding Strategy and has designated Safeguarding officer with all coaches working directly with children provided training and have DBS checks conducted.

2. Children and young persons must be accompanied and supervised by a responsible adult at all times and must vacate the Bar area by 9pm unless of a televised sporting event or they are part of a pre-booked function event being held at the premises, in which case children and young persons must vacate the premises by 23:00.

3. 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.

(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) CCTV cameras shall monitor all areas used by patrons including any outside area(s)

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

4. All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of

staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable. All records shall be kept for a period of 12 months

5.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

6. 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.

7. The Outside area to be monitored periodically by staff through licensable times.

8. The contents of any bottled beverage shall be decanted into a plastic / PTE / glass before service to any customer that uses the outside areas

9. Any alcoholic beverage shall only be dispensed in polycarbonate, plastic or non-glass containers for use in the outside area(s)

10. Members of the club committee, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.

11. Clear notices must be displayed at all points where customers leave the building instructing them to respect the needs of local residents and leave the premises and the area quietly.

12. The use of the new outside area for licensable activity is limited between the 1st April and 30th September in any calendar year.

13. All alcoholic beverages, which are intended to be consumed within the outside area of the premises shall be dispensed into polycarbonate, plastic or non-glass containers.

14. The contents of any glass bottle intended to be consumed within the outside area of the premises shall be decanted by bar staff into polycarbonate, plastic or non-glass containers. The glass bottles are to be retained behind the bar for safe disposal.

15. The Blackwood Town Cricket Club external area shall not be used for licensable activities and alcohol consumption after 22:00 hours. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

16. Members of the club committee shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.

17. The club committee 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 club premises.

18. Activities relating to the on site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between 09:00 and 21:00 hours.

Gadewir y dudalen hon yn wag yn fwriadol





