

Pecyn Dogfennau Cyhoeddus

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

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



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Jo Thomas
(Rhif Ffôn: 07714600912 Ebst: thomaj8@caerphilly.gov.uk)

Dyddiad: Dydd Iau, 17 Mehefin 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, 21ain Mehefin, 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 Cyngorwyr 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 Cyngorwyr a Swyddogion.

3 Penderfynu Cais am Drwydded Safle Newydd.

1 - 62

Cylchrediad:

Cyngorwyr S. Williams (Cadeirydd), W. Williams (Is Gadeirydd) a Mrs E.M. Aldworth

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. 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 neu ffoniwch 01443 863028.



LICENSING AND GAMBLING SUB COMMITTEE FRIDAY 21ST JUNE 2024

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

REPORT BY: LEE MORGAN LICENSING MANAGER

1. Application Details –

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Blackwood Golf Club Lon Pennant Cwmgelli Blackwood NP12 1BR	Blackwood Golf Club Lon Pennant Cwmgelli Blackwood NP12 1BR	Grant of Premises Licence

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

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

The applicant has provided the following description of the premises, '*Blackwood Golf Club is a long-established members golf club. There are two bar areas where alcohol can be purchased and consumed indoors. There are external patio areas for outside consumption as per existing licence, both are within 15 metres of the front door. The property is set back from the main thoroughfare at the end of its own road. We do not have passing trade. It is the intention to supply off sales on demand and we anticipate the call for this will be minimal.*'

1.2 Site Plan/Photographs

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

Photographs of the premises are reproduced as **Appendix 2**.

An aerial view of the premises showing its location is reproduced as **Appendix 3**.

1.3 **Proposed Trading Times and Licensable Activity**

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

- **Provision of Live Music**
 - Monday to Sunday 12.00hrs to 00.00 midnight (indoors)
- **Provision of Recorded Music**
 - Monday to Sunday 10.00hrs to 00.00 midnight (indoors)
- **Supply of Alcohol**
 - Monday to Sunday 10.00hrs to 00.00 Midnight (on and off sales)
 - Seasonal variations – Christmas Eve and New Year's Eve until 01.00am and any major golf or other sporting events e.g. Masters/Ryder Cup until conclusion of the event.

The revised proposed hours for all Licensable Activities following the consultation / mediation are as follows:

Live Music, Recorded Music, Supply of alcohol

Monday to Thursday 12hrs (midday) to 11.00hrs
Friday and Saturday 11hrs to 0.00 (midnight)
Sunday 11hrs to 11hrs

Seasonal Variation New Years Eve 00.30am

- 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: -

Appropriate measures will be employed at the premises to verify the ages of customers obtaining alcohol. The smoking area is monitored by staff and covered by CCTV to ensure patrons do not cause a nuisance nor obstruct access. Post 22.00 the smoking area shall not exceed the capacity of 5 persons at any time. All functions have to be authorised by a Designated Premises supervisor and a named person will be responsible.

The Designated Premises supervisors, Members of the committee and Bar Manager have the authority to ask people to leave or to close the clubhouse if trouble occurs or is anticipated.

CCTV is installed at the premises and will monitor all areas used by premises patrons to monitor numbers and prevent crime and disorder. Images will be retained for a minimum of 31 days. The correct time and date will be generated onto both the recording and real time image screen.

The committee members shall ensure that there is a member of staff available in the premises when it is open for the provision of licensable activities who is trained in the operation of the CCTV system. Any CCTV recording taken within the premises shall be played to a police constable or any authorised officer of the

Licensing Authority upon their request. A copy of any CCTV recording shall be downloaded to a removable format and provided to a police constable or any authorised officer of the Licensing Authority upon their request.

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

All doors and fastenings shall at all times be kept in proper working order. When approving a function the Designated premises Supervisor and committee can restrict the number attending.

All fire extinguishers, emergency lighting/exits are checked on a regular basis.

Outdoor lighting shall be positioned, so far as reasonably practical, so as to limit its intrusion into residential accommodation in the vicinity of Blackwood Golf Club whilst maintaining an adequate level of lighting for the safe access and egress of customers and people employed at the premises,

The licence holder/DPS or responsible person shall risk assess the need for polycarbonate or toughened glasses to be used for outdoor events/use.

Amplified music will not be played at a level so as to cause unreasonable disturbance to the occupants of premises in the vicinity.

All reasonable steps will be taken to ensure that patrons using any outside areas do so in a quiet and orderly fashion.

Notices to be displayed at all points where customers leave the building to instruct them to leave the premises and area quietly.

The burglar alarm to be regularly maintained and implemented.

The noise from functions is monitored and reduced if considered too loud. The manager, licence holder or other competent person shall carry out observations at the boundary perimeter during the periods of amplified/un-amplified recorded entertainment at regular intervals whilst the Premises Licence is being exercised, in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.

A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be made available at all times upon request to an authorised officer of the Licensing Authority or a constable.

Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

The use of the outside licensed area of the premises is not permitted after 22.00, other than for access solely for the use of the smoking area. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

The committee members, staff or other competent persons shall manage the outdoor areas to ensure that customers do not behave in a rowdy or offensive manner and measures put in place to monitor these areas on a regular basis.

All refusals and incidents will be kept in a refusal / incident book detailing the time, date, and the goods the person serving refuses and the name of the person who tried to purchase. If no name is given then a good description will be recorded.

This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable. This should be kept for a period of 12 months.

All children under the age of 18 must be accompanied by a responsible adult. Karl Rudakov (Club Secretary) holds the safeguarding qualification.

1.3.2 Background / Existing Authorisation

Blackwood Golf Club currently benefits from a Club Premises Certificate (CPC) which was granted in 2005. This CPC currently permits the supply of alcohol to club members and their guests between 11hrs to 23hrs and live/recorded music until 23.45hrs.

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:

Document	Date received	Appendix Reference
Gwent Police	20/05/2024	Appendix 6
Child Protection Services	20/05/2024	Appendix 7
Licensing Authority in role as Responsible Authority	24/05/2024	Appendix 8
Environmental Health (Pollution) Team	24/05/2024	Appendix 9

The Fire Authority and environmental Health (Health & Safety) in their roles as responsible authorities responded to indicate that they had no representations in respect of the application.

1.5.2 Other Persons:Residents

Document	Date received	Appendix Reference
Mr & Mrs Parsons - representations	25/04/2024	Appendix 10
Mr J Curtis-Jones – representations	13/05/2024 & 21/05/2024	Appendix 11

1.6 SUMMARY OF REPRESENTATIONS

Following a site visit undertaken by Gwent Police, Environmental Health (Pollution) and Licensing Authority in role as a responsible authority. **Gwent Police** have not objected to the application but have advocated the re-wording of some of the conditions proposed by the applicant to assist in the promotion of the licensing objectives.

The revised conditions related to the provision of CCTV, use of Challenge 25 as an age verification procedure and keeping of incident refusals logs. Furthermore, the Police advocate the periodic monitoring and management of the outside area and use of clear notices reminding patrons to leave the area quietly.

The Police advocate a condition regarding the attendance of children on the premises being limited to 9.00pm unless there is a pre-booked function or sporting event taking place. The Police have further advocated that the use of any outside area be limited to 22.00hrs save for smokers, this number being limited to 5 persons. Lastly the Police advocate the training of all staff being trained in relation to the prevention of underage sales and records of the same being documented accordingly.

Childrens Services do not object to the application but have suggested additional wording to that submitted by the applicant and have advocated that staff use the Challenge 25 proof of age scheme.

The Environmental Health (Pollution Team) has initially objected to the application in its current form however comments upon the absence of any historical noise nuisance issues. The Officer has advocated a number of conditions relating to cessation of use of the outside area after 22.00hrs save for smokers and limiting this number of persons to 5.

The Environmental Health Officer advocates that a noise management plan be in place and that notices be displayed requiring patrons to respect the needs of local residents. There is a proposal that all windows and doors be kept closed to reduce noise impact and a requirement for regular patrols to ensure that noise nuisance does not take place. A condition is proposed regarding the removal of waste and bottles between the hours of 21.00hrs and 08.00hrs

The Licensing Authority in its role as a responsible authority has noted that the applicant has not allowed for any 'wind down' time at the end of the evening, in line with the council's statement of licensing policy and advocates that last sale of alcohol be 23.30 and premises to be cleared of customers within 30 minutes of the last supply of alcohol on any day.

Other Parties. There were two relevant representations received objecting to the application from local residents' persons during the consultation period.

There are two representations objecting to the grant of the premises licence from residents of Cwmgelli, Blackwood.

Mr & Mrs Parsons detail their main concern in respect of the hours sought, as it covers most of the day until midnight. Further concern is expressed regarding proposed hours on New Years' and Christmas Eve.

Comment is made about the opening of a Care Home close by and increased staff traffic and waste collections from and food deliveries to this premises. Added to this are the waste and alcohol deliveries to the golf club. Reference is made to noise experienced from a local hotel and firework displays.

Mrs Parsons expresses concern as to having to listen to live music until late.

Mr Curtis – Jones initial comments refers to the residential nature and that its residents enjoy coexistence with the club as the club operates on a membership basis and the number of late-night functions with loud music is low. Concern is expressed about anti-social behaviour in the form of patrons urinating in public, loud arguments and littering. Reference is made to the double doors of the premises which are fully opened during the summer.

Comment is made that to date these issues have not been reported to the club or licensing authority in view of their infrequent nature. Concern is expressed that a change to licensing arrangements will result in an increase in events. Comment is made about maintaining good relations with the club, however the council should consider restricting the number of late night music events and prohibiting opening of doors when music is played and the use of notices to prevent alcohol containers being taken off the premises.

Further comments received from Mr Curtis-Jones detail concerns about the change of use from a club to a premises licence with extended hours and music is wholly unsuitable.

Both residents have indicated that they would like the Elected Member for the area to represent them at the Sub Committee meeting.

1.7 APPLICANT RESPONSE

The applicant has responded to the comments of both Responsible Authorities and residents to reflect the following proposed hours.'

Monday to Thursday 12pm (midday) to 11pm,
Friday and Saturday 11am to 12am (midnight)
Sunday 11am to 11pm.

Seasonal Variation New Years Eve 00.30am

The applicant has indicated a willingness to accept the proposed conditions of the Responsible Authorities but is not in agreement with the Licensing Authority in its role as a responsible authority position in respect of hours and 30 minute wind down period.

A copy of the applicant's response is reproduced as **Appendix 12**.

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

Members will be aware of the three forms of authorisation, namely a premises licence, club premises certificate (CPC) and Temporary Event Notice (TEN) that must be obtained in order to provide licensable activities under the Licensing Act 2003.

Licensable activities can include the sale/supply of alcohol, regulated entertainment and late-night refreshment.

Blackwood Golf Club currently (and has since 2005) held a club premises certificate (CPC) which permits the club to supply alcohol and the provision of live and recorded music to Club Members and guests.

The applicant, Blackwood Golf Club has submitted to an application for a new premises licence for their existing premises. Such an authorisation, if approved would not limit access to members and guests only. Members of the public could legitimately access the premises, purchase alcohol and benefit from any entertainment to be held.

The applicant has revised their application from that initially submitted, following the conclusion of the application consultation period and now seeks the following times for Live Music, Recorded Music and Supply of alcohol (on & off the premises)

Monday to Thursday 12hrs (midday) to 11.00hrs
Friday and Saturday 11hrs to 0.00 (midnight)
Sunday 11hrs to 11hrs

New Year's Eve 00.30hrs.

It is noted that in line with the Council's Statement of Licensing policy the applicant sought pre-application advice from Responsible Authorities (RA's) prior to submitting an application. Paragraph 10.3 of the Council's Statement of Licensing policy states *'Applicants are recommended to seek advice from the Licensing Authority's licensing officers and the police, as well as taking into account, as appropriate, local planning and transport policies, tourism, cultural and crime prevention strategies, when preparing their plans and operating schedules.'*

Members will have noted the representations and initial objections of the Environmental Health (Pollution) Officer who comments upon the absence of any historical official noise nuisance issues and advocated the imposition of conditions which if accepted would satisfy his concerns. This involved a curtailment on the use of the outdoor area to 22.00hrs and management and monitoring by the applicant of entertainment noise. The proposed conditions as set out by the Environmental Health Officer were subsequently agreed by the applicant.

In view of the above, the Environmental Health Officer as lead Responsible Authority for the prevention of public nuisance appears to be satisfied with the applicant's ability to promote the licensing objectives.

Gwent Police as the lead responsible authority for the Prevention of crime and disorder, have made representations seeking conditions to be imposed should a licence be granted, as opposed to an outright objection. No specific concerns are raised in respect of current issues being experienced at the premises from a crime and disorder perspective.

Paragraph 9.12 of the Section 182 Home Office National Guidance states - *Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to*

any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

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

The Licensing Authority in its role as a responsible authority acknowledges and supports the position taken by other RA's in relation to the proposed imposition of conditions.

Following a site visit and discussion with the applicant, the Licensing Authority in its role as responsible authority have advocated that in line with the council's statement of licensing policy that a wind down period be applied, should a licence be approved.

Paragraph 5.8 of the Statement of Licensing policy states '*Even though the traditional drinking up time was not carried over into the Act, the Council recommends that applicants of premises licensed for the on-sale of alcohol should consider a drinking up / cooling down period. During this time music volume may be reduced, customers may finish their drinks and make arrangements for transportation from the premises. The Council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers and consequently reduce any potential negative impact on the area.*

Aside from the issue of the terminal hour for the sale of alcohol and provision of regulated entertainment and whether this should be 23.30hrs or midnight on Friday and Saturday, then Responsible Authorities appear to be content with the applicant's ability to promote the licensing objectives.

There have been representations from Other Parties in the form of two residents who reside in the vicinity.

The concerns of the two residents whilst understandable, appear to be largely anticipatory in nature about the increased levels of behaviour or issues which could arise, should a licence be granted for this premises. Case law in *Daniel Thwaites PLC v Wirral Magistrates Court 2008* has considered similar issues in relation to real evidence and weight to be afforded. One of the residents commented in their representation that to date they had not reported their concerns to the club nor the Licensing Authority.

Members will note Paragraph 28.5 of the Councils Statement of Licensing policy in relation to representations received from Other Parties namely '*Representations should relate to the impact of licensable activities carried on from premises on the Licensing Objectives*'. Therefore, Members should disregard any information relating to noise or traffic issues from other premises such as the local Care Home. Likewise, Members should not refuse the application based on noise from fireworks displays from a local hotel.

However, Members attention is drawn to Paragraph 28.21 of the council's statement of licensing policy which states '*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.*'

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

If Members believe that the applicant can promote the licensing objectives, then the application should be approved. If Members have concerns or a lack of confidence about the applicants' ability to promote the Licensing Objectives, then the application should be refused. Members will note the apparent absence of complaint history in relation to Blackwood Golf Club whilst utilising their Club Premises Certificate.

1.10 RECOMMENDATION

Having had regard to the objections made by residents and position a put forward by responsible authorities, it is recommended that the premises licence be approved for the following hours and conditions as detailed in **Appendix 13**.

Live Music, Recorded Music and Supply of alcohol (on & off the premises)
Monday to Thursday 12am (midday) to 11pm
Friday and Saturday 11am to 11.30pm
Sunday 11am to 11pm
New Years Eve 0.30am

It is considered that any potential conflicts with the promotion of the Licensing Objectives may be adequately controlled by the recommended conditions set out in **Appendix 13**.

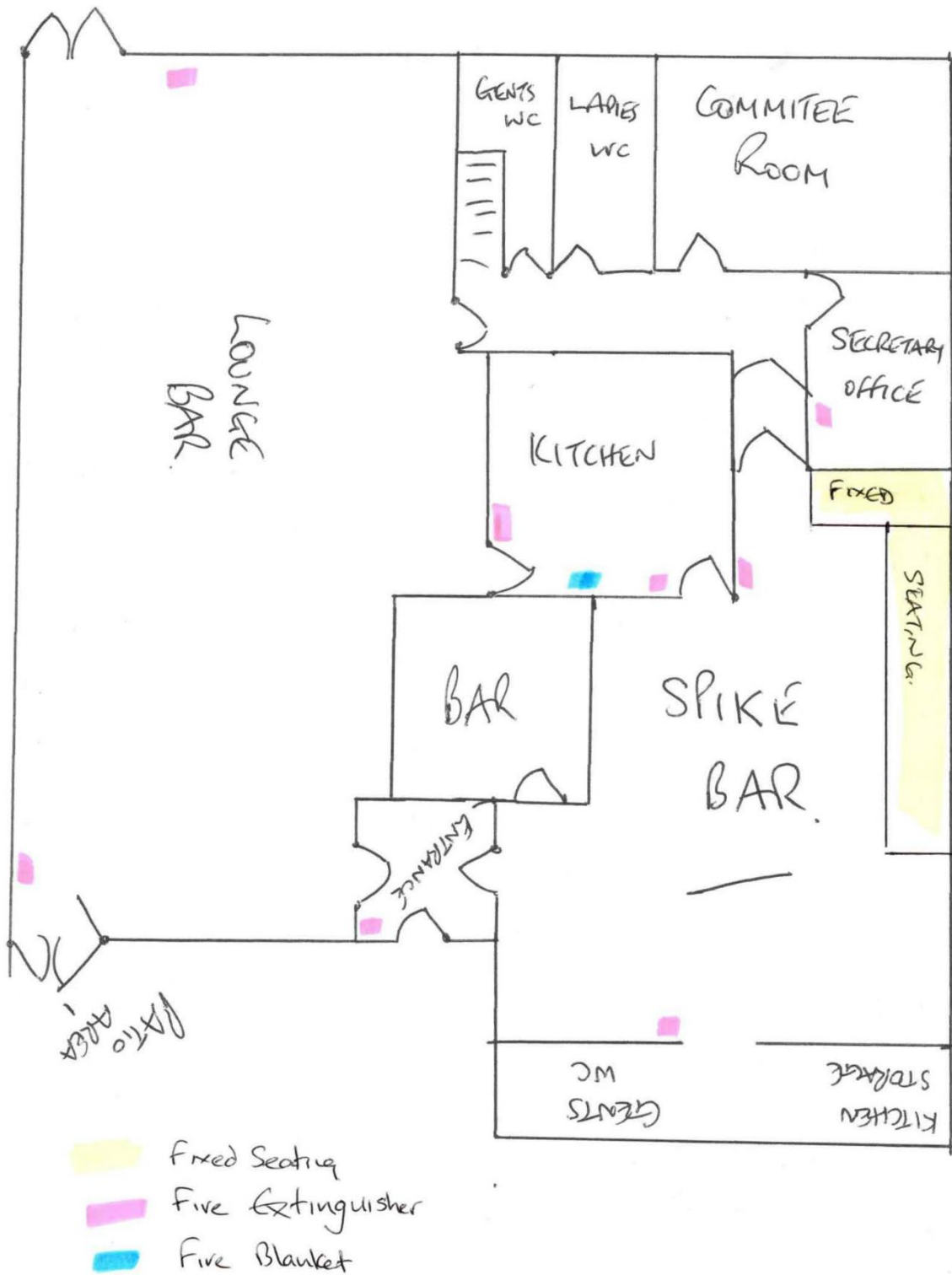
Background Papers: **Statutory Guidance issued under S182 of the Licensing Act**

Caerphilly CBC Statement of Licensing Policy

Date of this report: 13th June 2024

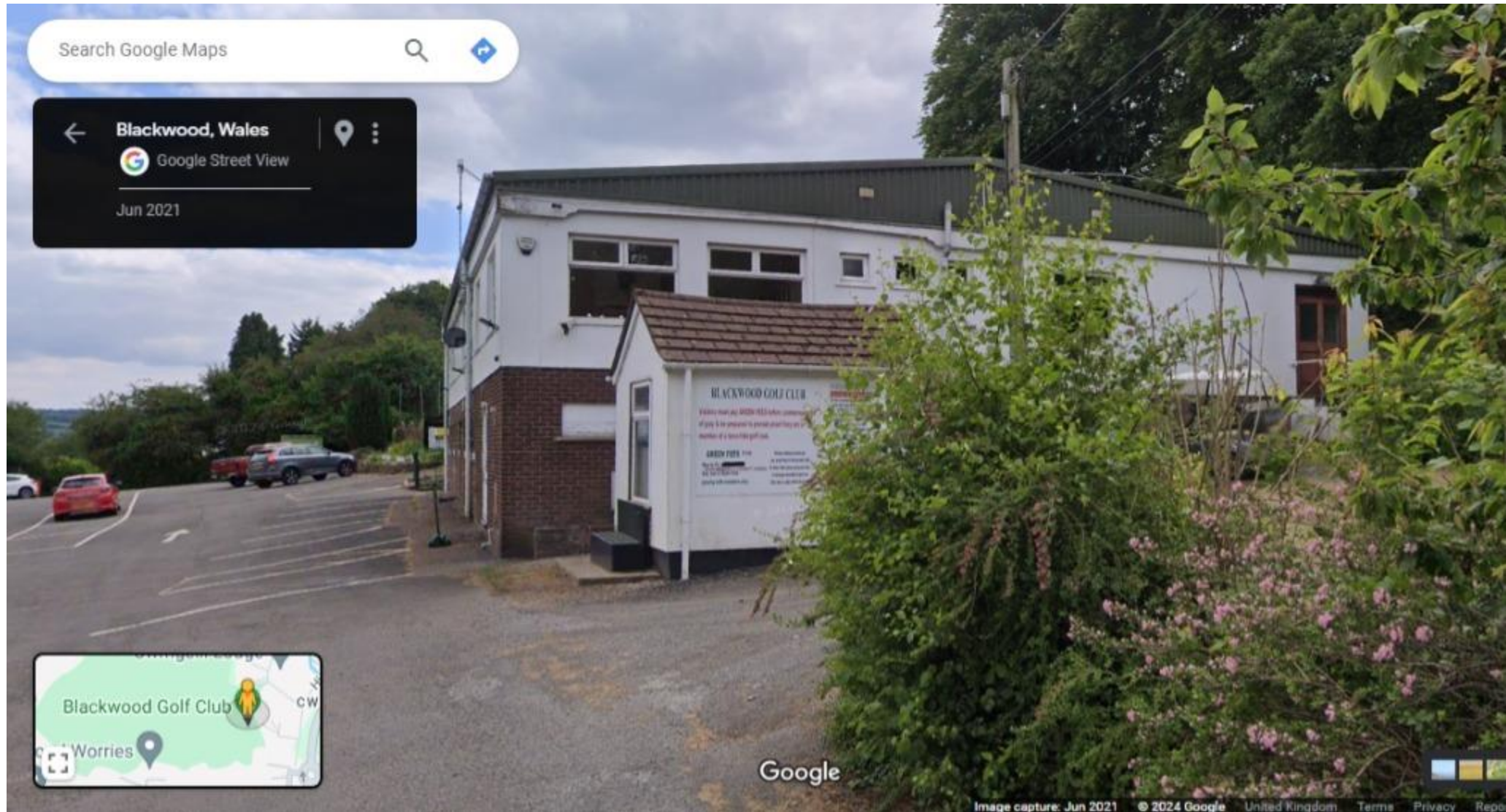
Author: Lee Morgan – Licensing Manager morgal16@caerphilly.gov.uk

FIRST FLOOR PLAN

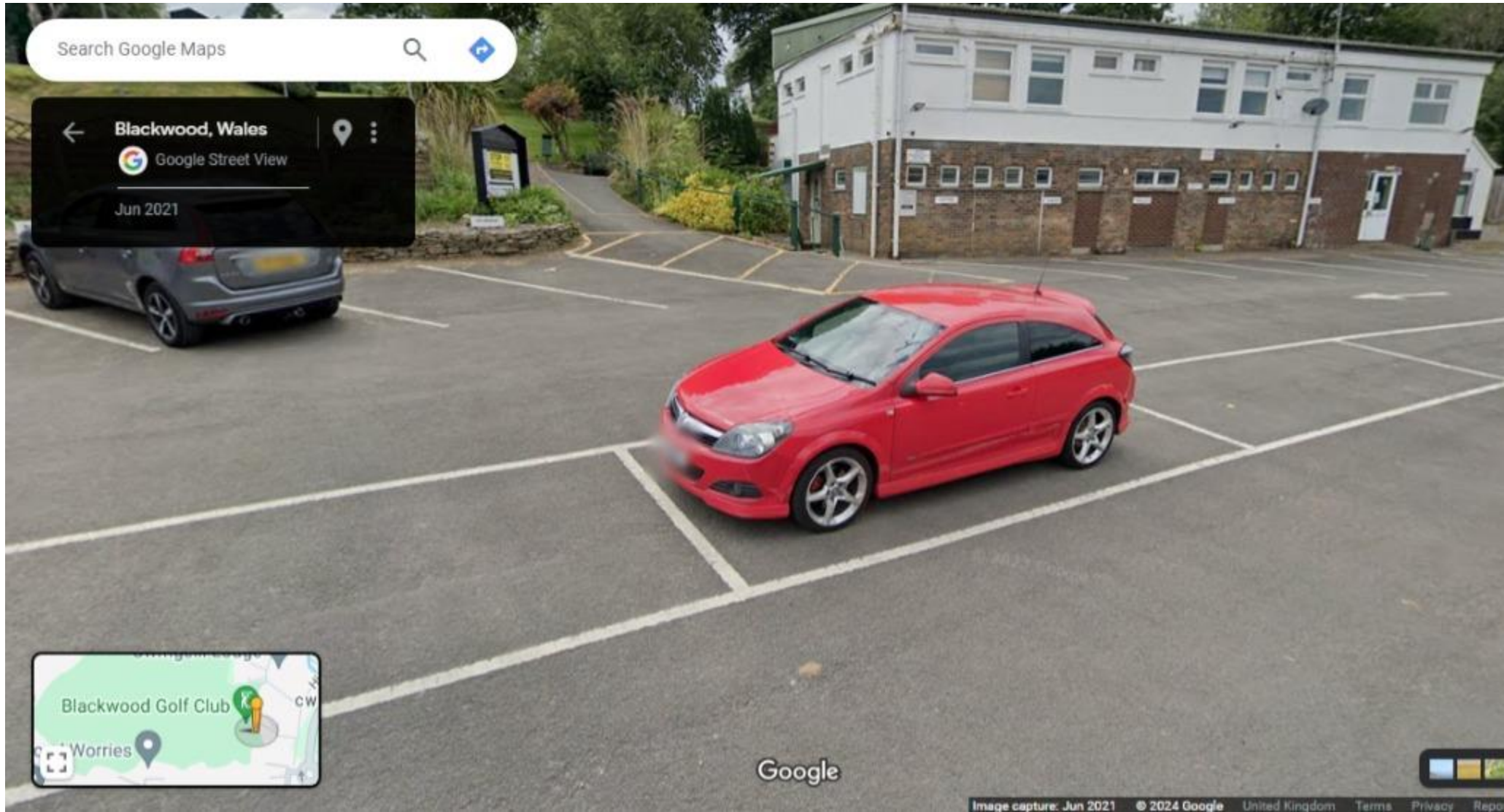


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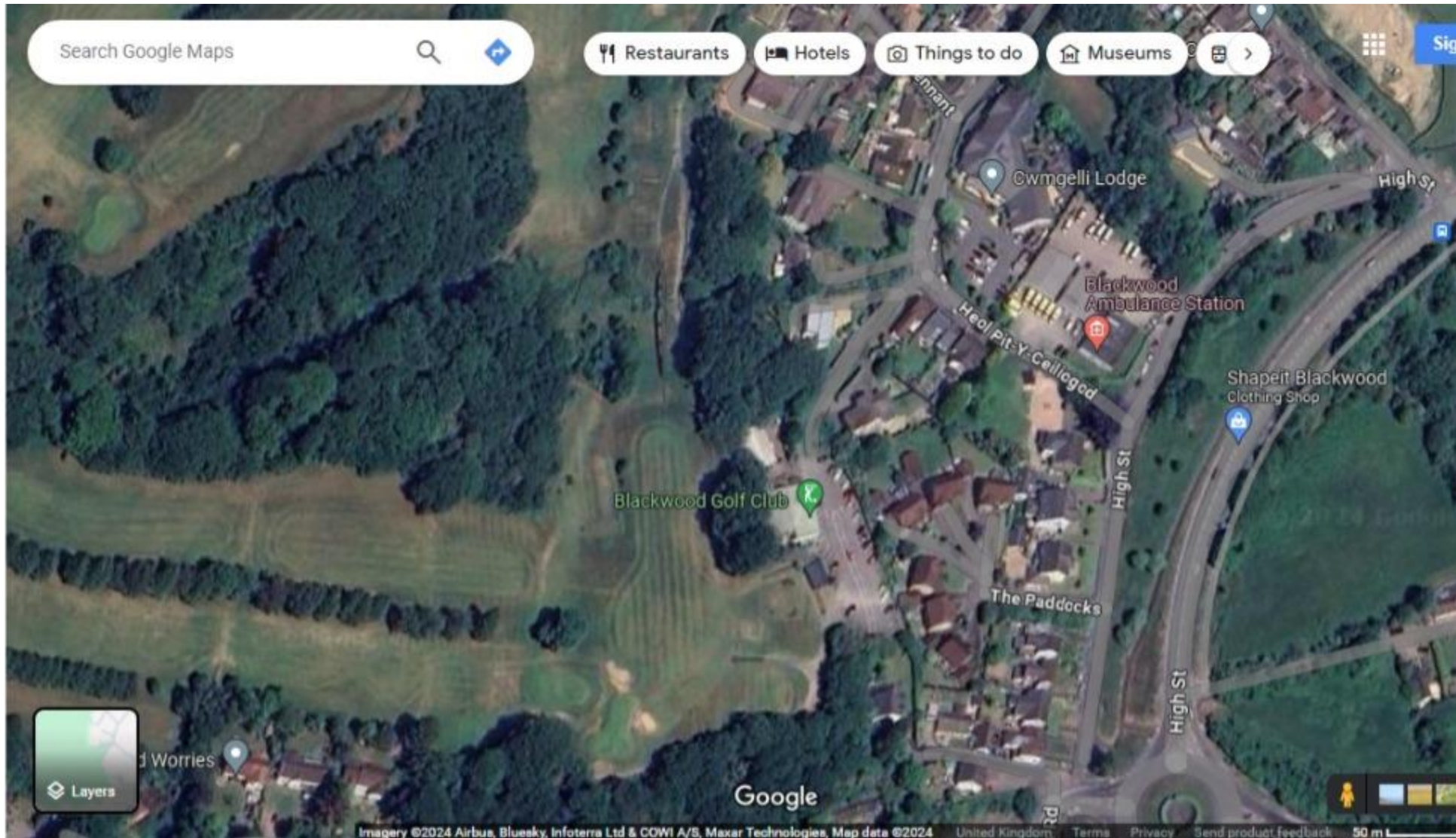








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Gadewir y dudalen hon yn wag yn fwiadol

Extract of Statement of Licensing Policy

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

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

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

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

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

5.8 Drinking up time / cooling down time Even though the traditional drinking up time was not carried over into the Act, the Council recommends that applicants of premises licensed for the on-sale of alcohol should consider a drinking up / cooling down period. During this time

music volume may be reduced, customers may finish their drinks and make arrangements for transportation from the premises. The Council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers and consequently reduce any potential negative impact on the area.

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.

7.4 The intent of the Licensing Act 2003 is to regulate the supply of alcohol. Licensing is therefore the key mechanism by which the availability of alcohol can be regulated, through regulating the times and days of the week alcohol can be sold, premises which can supply alcohol and the conditions of sale.

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

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

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

10.4 The Licensee/applicant should also use their own experience and knowledge of their customers and locations when drafting their operating schedule, which subsequently becomes the basis of conditions on the licence. Failure to do this may lead to a representation from the Authority, a responsible authority or other person. Applicants may wish to consider the following and are advised to refer to the Authority's 'Model Pool of Conditions' when considering an application.

- Is there CCTV, and, if so what are the areas covered, does it have the ability to see clear full face recording of patrons entering, does it record the patron search area at the entrance. What is the retention period of recordings, how easy it to access, produce copies or download images if requested by Police and Licensing.
- Are Security Industry Authority (SIA) door staff employed and what checks are made to the validity of the SIA licence? What records are kept of SIA checks, search policy, entrance policy, restriction of patrons using outside areas, such as smoking areas, employment times of SIA and their training?
- Is there ID scanning on entry to the premises? Will there be 'No ID No Entry' policy in place?
- Is there a clear drug and weapon policy? Is there a regular documented training of this policy carried out with staff when drugs/weapons are seized or stored. Are areas or surfaces designed to prevent the likelihood of drug use at the premises?

- Has the use of plastic or toughened glass for serving of alcohol been considered, will glass bottles be handed over the bar? Are there restrictions of drinks being taken outside?
- Is there a proof of age scheme, do the premises have a challenge 25 policy? Are staff trained regularly on this policy and is it documented?

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.

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

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

14.3 Amendments to the Act has inserted the term ‘other person’ to replace ‘interested party’ as someone who can make representations, it also removed the vicinity test for residents and the specific term of councillor. This opens up the range of persons who may make representation and includes for example the following:-

- Residents living near the premises
- Persons with an interest in the premises or locality
- Local councillors
- Businesses with an interest in the premises or locality.
- Organisations with an interest in the locality, premises or licensable activities.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.

14.5 Unreasonable, frivolous and vexatious representations will be disregarded. Representations that have been made and considered elsewhere, for example as an objection to a planning application, may also be disregarded where consideration of such representations would be duplication.

16.2 Therefore, any person is able to make representations in relation to certain types of applications as an "Other Person" However; all representations must relate to the licensing objectives and may not be frivolous or vexatious.

17.6 Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the Local Planning 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 b) When an application is made, and relevant representation are made to the Authority it must hold a hearing of the Licensing Sub-Committee (unless those who have made representations agree in advance that this is unnecessary). 48 c) The Licensing Sub-Committee will then consider the evidence provided by applicants and by those making representations, the legislation and accompanying Guidance, the Statement of Licensing Policy and any other relevant data. d) The Licensing Sub-Committee will determine the application and will take any steps it considers appropriate for the promotion of the licensing objectives. e) Conditions on the licence, additional to those voluntarily offered by the applicant, may be considered. Appropriate conditions will focus on matters which are within the control of individual licensees and which also relate to the premises or places being used for licensable activities and the impact of those activities in the vicinity. If situations arise where the licensing objectives are compromised but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be issued or for the premises to continue in operation.

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

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

the application process and any conditions imposed by a licensing sub-committee where representations have been made.

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

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

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

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

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

28.7 Whilst the Licensing Authority expects representations to be evidence based, there is no requirement for a Responsible Authority or other person to produce a recorded history of problems at premises to support their representations, and it is recognised that in fact this would not be possible for new premises.

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

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

28.21 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.

1.17 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.

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP)

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

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

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

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

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

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

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

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

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of

how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

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

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

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

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

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

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

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

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what

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

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

9.12 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. 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.

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

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

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

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

physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

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

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

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

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

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

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

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

14.51 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and

licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY – Gwent Police

Name of Applicant	Blackwood Gold Club (Steve Jones)
Premises	Blackwood Golf Club, Lon Pennant, Cwmgelli, Blackwood NP12 1BR

Your Name	Adrian Jones
Job Title	Police Constable 2066
Email Address	LicensingWest@gwent.police.uk
Contact Telephone Number	
Date	20/05/2024

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

Please outline the reasons for your Representations
<p>The applicants Blackwood Gold Club are seeking a premises license for the Sale of Alcohol On & Off the premises, live and recorded music at Blackwood Golf Club, Lon Pennant, Cwmgelli, Blackwood NP12 1BR,</p> <p>The applicant has described the premises as:</p> <p><i>Blackwood Golf Club is a long-established members golf club. There are two bar areas where alcohol can be purchased and consumed indoors. There are external patio areas for outside consumption as per existing licence, both are within 15 metres of the front door. The property is set back from the main thoroughfare at the end of its own road. We do not have passing trade. It is the intention to supply off sales on demand and we anticipate the call for this will be minimal.</i></p>

As the applicant has stated the premises is a long-established golf club that currently manages licensable activity through a Club Premises Certificate and is located in a location that is set back away from any main road its has private dwellings overlooking the main clubhouse/car park.

The applicant has stated the premises` opening hours to be:

Monday-Sunday 10:00-00:00

The Supply of alcohol, recorded and live music to be:

Supply of Alcohol:

Monday-Sunday 10:00-00:00

Christmas Eve and New Years Eve until 01:00

Major golf or other sporting events events eg: the Masters/ Ryder Cup until conclusion of the event

Recorded Music:

Monday-Sunday 10:00-00:00

Live Music:

Monday-Sunday 10:00-00:00

The applicant has stated that both recorded and live music will be curtailed to indoors only.

Several committee members of the Blackwood Golf Club were met with during a visit at the premises on 25th January 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 applicant has provided several conditions at the application stage that will promote the 4 licensing objectives. Gwent Police would advocate the re-wording of these and a small number of additional conditions that would support the applicant in the promotion of the licensing objectives.

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

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

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

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

	<p>The applicant has proposed:</p> <p>CCTV is installed at the premises and will monitor all areas used by premises patrons to monitor numbers and prevent crime and disorder. Images will be retained for a minimum of 31 days. The correct time and date will be generated onto both the recording and real time image screen.</p> <p>The committee members shall ensure that there is a member of staff available in the premises when it is open for the provision of licensable activities who is trained in the operation of the CCTV system. Any CCTV recording taken within the premises shall be played to a police constable or any authorised officer of the Licensing Authority upon their request. A copy of any CCTV recording shall be downloaded to a removable format and provided to a police constable or any authorised officer of the Licensing Authority upon their request.</p> <p>There shall be clear signage indicating that CCTV equipment is in use and recording at the premises</p> <p>Gwent police would like this to be reworded to:</p> <p>CCTV shall be in use at the premises.</p> <p>(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.</p> <p>(ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place.</p> <p>(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;</p> <p>(iv) The correct time and date will be generated onto both the recording and the real time image screen</p> <p>(v) If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is</p>
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N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

	<p>reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified;</p> <p>(vi) The premise licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;</p> <p>(vii) The system shall also record clear images permitting the identification of individuals.</p> <p>(viii) CCTV cameras shall monitor all areas used by patrons including any outside area(s)</p> <p>(ix) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during operating hours</p> <p>The applicant has proposed:</p> <p>Appropriate measures will be employed at the premises to verify the ages of customers obtaining alcohol.</p> <p>Gwent police would like this to be reworded to:</p> <p>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.</p> <p>(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p>
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N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

	<p>Gwent police would like this to be reworded to:</p> <p>The Outside area(s) to be monitored periodically by staff through licensable times.</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>The applicant has proposed:</p> <p>Notices to be displayed at all points where customers leave the building to instruct them to leave the premises and area quietly.</p> <p>Gwent police would like this to be reworded to:</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>The applicant has proposed:</p> <p>All children under the age of 18 must be accompanied by a responsible adult.</p> <p>Gwent police would like this to be reworded to:</p> <p>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.</p> <p>The applicant has proposed:</p> <p>Post 22.00 the smoking area shall not exceed the capacity of 5 persons at any time.</p>
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N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

	<p>Gwent police would like this to be reworded to:</p> <p>The use of the outside licensed area of the premises is not permitted after 22.00, other than for access solely for the use of the smoking area and after such time the smoking area capacity shall not exceed 5 persons. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.</p> <p>The applicant has proposed:</p> <p>The licence holder/ DPS or responsible person shall risk assess the need for polycarbonate or toughened glasses to be used for outdoor events/use.</p> <p>Gwent Police are satisfied with the proposed condition.</p> <p>In addition, Gwent Police would like to add the below conditions which would assist the applicant in promoting the licensing objectives:</p> <p>All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable. All records shall be kept for a period of 12 months</p>
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</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

	<p>The applicant has proposed:</p> <p>All refusals and incidents will be kept in a refusal / incident book detailing the time, date and the goods the person serving refuses and the name of the person who tried to purchase. If no name is given then a good description will be recorded.</p> <p>This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable. This should be kept for a period of 12 months.</p> <p>Gwent police would like this to be reworded to:</p> <p>The premises licence holder shall require the designated premises supervisor, or in his / her absence other responsible person, to keep an 'incident / refusals' logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required. All records shall be kept for a period of 12 months.</p> <p>The applicant has proposed:</p> <p>All reasonable steps will be taken to ensure that patrons using any outside areas do so in a quiet and orderly fashion.</p> <p>The committee members, staff or other competent persons shall manage the outdoor areas to ensure that customers do not behave in a rowdy or offensive manner and measures put in place to monitor these areas on a regular basis.</p>
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N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

Gadewir y dudalen hon yn wag yn fwriadol



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY – CHILDREN’S SERVICES

Name of Applicant	Blackwood Golf Club
Premises	Blackwood Golf Club, Lon Pennant, Cwmgelli, NP12 1BR-Application for Premises Licence

Your Name	Deb Lewis	Date 15/05/2024
Job Title	Child Protection Coordinator	
e.mail Address	Lewisdj1@caerphilly.gov.uk	
Contact Telephone Number	01443 864616	

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

Please outline the reasons for your Representations
I have had opportunity to consider the application and believe the licence can be strengthened by adding the conditions SA02 and SA01. Adopting these conditions will avoid ambiguity.

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	(SA01)All staff/members who serve alcohol to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instances when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.
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	<p>(SA02)</p> <p>(a) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 25' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> <p>(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p>
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</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

Licensing Authority in role as Responsible Authority Representation



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY – Licensing

Name of Applicant	Blackwood Golf Club
Premises	Blackwood Golf Club, Lon Pennant, Cwmgelli, Blackwood NP12 1BR

Your Name	Sandra Lewis-Williams
Job Title	Assistant Licensing Manager
e.mail Address	Lewiss1@caerphilly.gov.uk
Contact Telephone Number	01443 866750
Date	24/05/2024

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

Please outline the reasons for your Representations
<p>Blackwood Golf Club have submitted an application for a new premises licence.</p> <p>The applicants have applied for the sale or supply of alcohol (on and off sales) between 10.00 and 00.00, Recorded Music 10.00 to 00.00 and Live Music 12.00 to 00.00. Seasonal variations have been applied for Christmas Eve, New Years Eve and major golfing events. The closing time of the premises is given as the same time as the terminal hour for licensable activities.</p> <p>It is noted that that the application has not allowed for any 'wind down' time at the end of the evening with closing times given as the same as the last supply of alcohol / live music / recorded music. The statement of Licensing Policy advocates that the sale of supply of alcohol should terminate at least 30 minutes before the closing time of the premises This provides a suitable 'wind down' period and a slower dispersal of customers. As such the Licensing Authority propose to amend the last supply of alcohol times and also the terminal time of recorded and live music by 30 minutes to 23.30 to allow for this. Any music played after this time until closing of the premises must be background low level music only. This would also affect the terminal times for the seasonal variations as applied for.</p>

I support the representations submitted by my fellow responsible authorities and believe their proposed conditions plus the amendment to the terminal hours and condition as detailed below would strengthen the applicants operating schedule in support of the 4 licensing objectives

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.
Are you prepared to discuss these representations with the applicant by way of mediation?	Yes

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

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

Name and Address of Applicant	
Premises	Blackwood Golf Club, Lon Pennant, Cwmgelli, NP12 1BR

Your Name	Gareth Jones
Job Title	Env Health Officer
e.mail Address	jonesgh@caerphilly.gov.uk
Contact Telephone Number	
Date	24 th May 2024

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

Please outline the reasons for your Representations
<p>Further to recent visit to this premises with licensing Officer, Gwent Police and Env Health on January 25th 2024, discussions were had with committee members regarding a premises licence application for Blackwood Golf Club.</p> <p>Based on these discussions and in the absence of any historical official noise nuisance issues, I have objections to the application in its current form and I would advocate the following conditions be imposed in the event of a premises licence being granted.</p> <p>I would like to point out and it made clear to the licensee that this is very much a watching brief at this stage. Should any noise nuisance issues arise as a result of the granting of a premises license, then corrective action will be taken via a potential license review in order to amend and refine any possible premises license.</p>

In the event of any issues arising, I would hope the licensee and the committee of the golf club would provide good management and be pro-active and work with us to bring about swift resolution and negate the need for Env Health to call for official review.

<p>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</p>	<ul style="list-style-type: none"> • The volume of amplified/unamplified live and recorded regulated entertainment must be at a level so as not to cause a nuisance at the nearest residential property. • The use of all outdoor areas of the premises is not permitted after 22:00. Other than access solely for the use of a smoking area. • The smoking area shall not exceed the capacity of 5 persons at any one-time post 22:00. • No alcohol shall be consumed or taken into any outdoor area post 22:00. • Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence. • The Premises License Holder, Designated Premises Supervisor or other competent person shall produce a noise management plan to adequately control noise from the premises. This is to include both internal and external areas and to be submitted and agreed in writing with the Pollution Control Team in Environmental Health.
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N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

	<p>The noise management plan should include but is not limited to:</p> <ol style="list-style-type: none"> 1) A list of mitigation measures implemented to reduce noise from the licensable premises, 2) Regular monitoring at the boundary perimeter during periods of amplified/unamplified entertainment, to ensure noise is not at a level to cause a nuisance at residential receptors, 3) Training of staff to undertake such observations and implement controls to reduce noise level, 4) To implement corrective actions (such as volume reduction) to control noise during licensable hours, 5) Maintaining a written record of such observations and actions taken, to be kept for review upon request by any responsible authorities. <p>This document once agreed should be enforced and updated regularly to ensure the continued compliance with the premises license.</p> <ul style="list-style-type: none"> • Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons. • Clear notices must be displayed at prominent points in all outdoor areas requesting that they respect the needs of local residents and behave in a quiet and orderly manner. • 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 so that noise levels do not cause a disturbance at nearby noise sensitive receptors.
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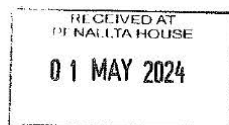
N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

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

	<ul style="list-style-type: none"> • All windows and doors to be kept closed to reduce noise impact at neighboring properties other than when the doors are being used for loading and unloading and for the use of entering and leaving the premises. NOTE This condition shall not prejudice the minimum ventilation levels for health and safety and access to emergency exits shall not be compromised. • During times of amplified/unamplified live and recorded regulated entertainment is taking place, staff shall make regular patrols in the immediate vicinity to ensure noise nuisance does not occur at the nearest residential property. • The applicant is not to remove waste and bottles into external storage areas between the hours of 21:00 and 08.00 • All lighting for external areas of the premises must be aimed so the beam does not give rise to a statutory light nuisance to the surrounding residential areas.
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</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



[REDACTED]
Lon Pennant
Cwmgelli
Blackwood NP12 1BR

25th April 2024

The Licensing Section
Caerphilly County Borough Council
Penallta House,
Tredomen Park,
YSTRAD MYNACH
Hengoed CF82 7PG

Dear Sir/Madam,

RE: Application for a Premises Licence – Blackwood Golf Club, Lon Pennant, Cwmgelli
Blackwood NP12 1BR

I wish to write to express my concerns regarding the above application for a premises Licence at the above property.

I live [REDACTED] to the Club.

My main concern is the hours the application is to cover, especially as it covers most of the day from late morning and lunch time until midnight. Also I am extremely concerned regarding the application to have alcohol and music until 1am on New Years Eve and Christmas Eve.

Since the opening of Cwmgelli Lodge [REDACTED] traffic has quadrupled back and forth to this Care Home. I have previously been in correspondence with Nigel Dix regarding Veolia collecting industrial sized rubbish bins at 5am and we have managed to stop this due to the noise it was causing and mainly they now come mid morning. We also have a fresh produce van arriving at 6am at least twice a week banging doors and crates around, Castell Howell foods small lorry arriving mid morning to delivery other produce, clinical waste vans/small lorries also back and fore. The staff change shift at 7.30am which involves a lot of traffic and movement and then the evening shift changes at 8pm which repeats the traffic and movement of staff.

Added to this the Golf Club have Biffa trucks to collect their rubbish bins and alcohol lorries arriving intermittently with alcohol supplies for the club.

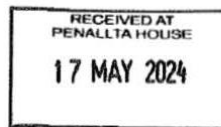
We also have Maes Manor giving firework displays for weekend weddings and New Years Eve.

The only time we have peace and quiet (in what was once a quiet residential location before the Nursing Home opened) is after 8pm at night and through the night until it all starts again at 5 or 6am. The thought of now sitting in the garden or being in our beds at night listening to live music blaring until late into the night is something I strongly object to and would urge you to consider this when taking this application into account.

I hope you can understand the pressures this is putting on the small road we live on and also the noise and increased traffic we would have to endure 7 days a week if this application were granted.

Yours faithfully,

A solid black rectangular redaction box covering the signature of the sender.A solid black rectangular redaction box covering the address of the sender.



[REDACTED]
Golf Club Drive
Lon Pennant
Cwmgelli
Blackwood
NP12 1BR

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

13 May 2024

Dear Sir / Madam,

BLACKWOOD GOLF CLUB - APPLICATION FOR PREMISES LICENCE

I wish to make a representation regarding the above application. I live on Golf Club Drive, the road leading up to the golf club, [REDACTED] I am, perhaps, the [REDACTED]

Cwmgelli is a residential area and its residents enjoy a quiet coexistence with the golf club. This is because the club operates on a membership basis and the number of late night functions and events with loud music is low, approximately 1-2 per month during the summer months; less in winter.

Despite this, on occasion I have witnessed antisocial behaviour in the form of public urination, loud arguments with threats of violence and actual violence. Following a function, Golf Club Drive is also often littered with cigarette, vape and alcohol waste.

I should also point out that the double rear doors of the club are often fully opened during events, especially during the summer. The stage on which music is played or performed is in front of these doors so when they are open it has the effect of increasing the noise level considerably.

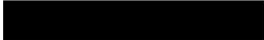
To date, I have not reported these issues to the club or licensing authority because of the relatively infrequent nature of functions and events. However, I wish to place on record my concern that a change to licensing arrangements will result in an increase in the number of events and a deterioration in our quiet coexistence with the club as neighbours. Having said that, I do appreciate the club's need to earn revenue from the functions and I wish to maintain good relations with it and its members.

The council should therefore consider restricting the number of late night music events permitted over the course of a year and a prohibition on opening of the rear doors while music is being performed or played. Notices to prevent patrons taking alcohol containers off premises and to be respectful of neighbours when leaving the club would also be beneficial. This would, in my view, balance the needs of both the club and residents.

Provided these measures are put in place then I would not object to the application. However, should the application be approved I will report to the club and licensing authority if the change in licensing arrangements results in an increase in antisocial behaviour, noise or litter.

I respectfully request that the council considers the content of this letter when making its licensing decision.

Yours sincerely



Copied by email:

Councillor Nigel Dix, nigeldix@caerphilly.gov.uk

Councillor Kevin Etheridge, kevinetheridge@caerphilly.gov.uk

Councillor Andrew Farina-Childs, andrewfarinachilds@caerphilly.gov.uk


Golf Club Drive
Lon Pennant
Cwmgelli
Blackwood
NP12 1BR

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

21 May 2024

Dear Sir / Madam,

BLACKWOOD GOLF CLUB - APPLICATION FOR PREMISES LICENCE

I write following my previous letter dated 13 May. since writing that letter, new information has come to light from Councillor Dix and I now object outright to the application.

Cwmgelli is a very quiet residential area. Access to the golf club can only be achieved via Lon Pennant. Anyone attending the golf club must therefore exit this way, passing residents' houses. The club house and car park also directly adjoin a number of residential dwellings on Golf Club Drive and The Paddocks.

The club's current use as a members club with a small number of functions during the course of the year is in fitting with the club's residential location. A change of use to a premises licence with extended opening hours and music is wholly unsuitable and, in my view, unnecessary.

As Councillor Dix has pointed out to me by email, if the changes go ahead then the club will not know who is drinking on the premises. Further, the application allows music to be played all day until late at night and allows individuals to leave the club well past midnight having consumed alcohol throughout the day / evening. Neither of these are appropriate for an alcohol and music licence in a quiet residential area like Cwmgelli.

I therefore object to the application and respectfully ask the Licensing Authority to consider this letter, and the quiet enjoyment of myself and other residents of Cwmgelli, in making its decision.

Yours sincerely,



Sent by first class post on date of letter and copied by email to:

Councillor Nigel Dix, nigeldix@caerphilly.gov.uk

Licensing Officer Lee Morgan, MORGAL16@caerphilly.gov.uk

█

From: Steven Jones <>
Sent: Tuesday, June 4, 2024 9:14 AM
To: Helps, Tracey <HELPST@caerphilly.gov.uk>
Subject: Re: Blackwood Golf Club Premises Licence Application

Hi Tracey
I confirm that I am happy to comply with all conditions submitted to me by the responsible authorities and that these will be implemented as requested.

I also confirm that the requested licensing hours should be amended as discussed to:

Monday to Thursday 12am (midday) to 11pm
Friday and Saturday 11am to 12pm (midnight)
Sunday 11am to 11pm

There should also be an exception made re New Years Eve where we require closing to be at 00.30am

Trust this is in order, please let me know if you need anything more from me

Regards

Steve

On Fri, May 31, 2024 at 3:48 PM Helps, Tracey <HELPST@caerphilly.gov.uk> wrote:

Good afternoon again Steve
Could you put in writing all the conditions you agree with from responsible authorities and with reference to our conversation earlier, the amended times you suggested in order for me to circulate to the responsible authorities and the residents please?

Many thanks

Tracey Helps

Swyddog Trwyddedu | Licensing Officer
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

☎ 01443 866750
✉ licensing@caerphilly.gov.uk licensing@caerffili.gov.uk

Porwch ein gwefan | Browse our website www.caerffili.gov.uk | www.caerphilly.gov.uk
Hoffwch ni ar Facebook | Like us on Facebook www.facebook.com/CaerphillyCBC
Dilynwch ni ar Twitter | Follow us on Twitter twitter.com/caerphillycbc
Gwyliwch ein Sianel YouTube | Watch our YouTube Channel www.youtube.com/caerphillycbctv
Edrychwch ar ein horiel lluniau ar Flickr | View our photo galleries on Flickr www.flickr.com/photos/caerphillycbc

Gallwch ohebu mewn unrhyw iaith neu format.Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.
Correspondence may be in any language or format.Corresponding in Welsh will not lead to any delay.

[REDACTED]

Gadewir y dudalen hon yn wag yn fwriadol

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)

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

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.

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

trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.

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

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.

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.

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.

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.

The use of the outside licensed area of the premises is not permitted after 22.00, other than for access solely for the use of the smoking area and after such time the smoking area capacity shall not exceed 5 persons. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

No alcohol shall be consumed or taken into any outdoor area post 22:00.

The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.

The volume of amplified/unamplified live and recorded regulated entertainment must be at a level so as not to cause a nuisance at the nearest residential property.

The Premises License Holder, Designated Premises Supervisor or other competent person shall produce a noise management plan to adequately control noise from the premises. This is to include both internal and external areas and to be submitted and agreed in writing with the Pollution Control Team in Environmental Health. is not limited to:

A list of mitigation measures implemented to reduce noise from the licensable premises,

Regular monitoring at the boundary perimeter during periods of amplified/unamplified entertainment, to ensure noise is not at a level to cause a nuisance at residential receptors,

Training of staff to undertake such observations and implement controls to reduce noise level,

To implement corrective actions (such as volume reduction) to control noise during licensable hours,

Maintaining a written record of such observations and actions taken, to be kept for review upon request by any responsible authorities.

This document once agreed should be enforced and updated regularly to ensure the continued compliance with the premises license.

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 so that noise levels do not cause a disturbance at nearby noise sensitive receptors.

Clear notices must be displayed at prominent points in all outdoor areas requesting that they respect the needs of local residents and behave in a quiet and orderly manner.

Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.

All windows and doors to be kept closed to reduce noise impact at neighbouring properties other than when the doors are being used for loading and unloading and for the use of entering and leaving the premises. NOTE This condition shall not prejudice the minimum ventilation levels for health and safety and access to emergency exits shall not be compromised.

During times of amplified/unamplified live and recorded regulated entertainment is taking place, staff shall make regular patrols in the immediate vicinity to ensure noise nuisance does not occur at the nearest residential property.

The applicant is not to remove waste and bottles into external storage areas between the hours of 21:00 and 08.00

All lighting for external areas of the premises must be aimed so the beam does not give rise to a statutory light nuisance

Gadewir y dudalen hon yn wag yn fwriadol