



LICENSING AND GAMBLING SUB-COMMITTEE

REPORT BY LICENSING OFFICER

DATE OF MEETING: 5th April 2018

1. Application Details

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Catherine Brewer T/A Brewers Lodge	Brewers Lodge Gordon Road Blackwood NP12 1DS	Variation of a Premises Licence

1.1 Application for variation of a Premises Licence

Application is made consistent with provisions of Section 34 of the Licensing Act 2003 to vary a premises licence. The premise currently holds a premises licence.

The application is subject to full consideration with Responsible Authorities and Other Persons and therefore can be the subject of relevant representations.

1.2 Site Plan

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

The application and plan of the licensed area is reproduced as **Appendix 2**

1.3 Proposed Trading Times and Licensable Activity

<u>Existing Entitlement</u>		<u>Variation Requested</u>	
(i) <u>Hours premises are open to public</u>		(i) <u>Hours premises are open</u>	
	Total Trading Hours		Total Trading Hours
Mon	N/A	Mon	11.00 to 00.00
Tue	N/A	Tue	11.00 to 00.00
Wed	N/A	Wed	11.00 to 00.00
Thur	N/A	Thur	11.00 to 00.00
Fri	N/A	Fri	11.00 to 00.00
Sat	N/A	Sat	11.00 to 00.00
Sun	N/A	Sun	11.00 to 00.00

<u>Existing Entitlement</u>		<u>Variation Requested</u>	
(ii) <u>Supply of alcohol</u>		(ii) <u>Supply of Alcohol</u>	
	Total Trading Hours		Total Trading Hours
Mon	11.00 to 23.00	Mon	11.00 to 00.00
Tue	11.00 to 23.00	Tue	11.00 to 00.00
Wed	11.00 to 23.00	Wed	11.00 to 00.00
Thur	11.00 to 23.00	Thur	11.00 to 00.00
Fri	11.00 to 23.00	Fri	11.00 to 00.00
Sat	11.00 to 23.00	Sat	11.00 to 00.00
Sun	12.00 to 22.30	Sun	11.00 to 00.00

<u>Existing Entitlement</u>		<u>Variation Requested</u>	
(iii) <u>Live & Recorded Music</u>		(iii) <u>Live & Recorded Music</u>	
	Total Trading Hours		Total Trading Hours
Mon	11.00 to 23.00	Mon	11.00 to 00.00
Tue	11.00 to 23.00	Tue	11.00 to 00.00
Wed	11.00 to 23.00	Wed	11.00 to 00.00
Thur	11.00 to 23.00	Thur	11.00 to 00.00
Fri	11.00 to 23.00	Fri	11.00 to 00.00
Sat	11.00 to 23.00	Sat	11.00 to 00.00
Sun	12.00 to 22.30	Sun	11.00 to 00.00

The application to vary a Premises Licence seeks to amend layout of ground floor plan following recent structural alterations in order to comply with statutory provisions, remove existing embedded conditions, and permit the following Licensable Activities:

Supply of alcohol

Monday – Sunday, inclusive 11.00 to 00.00

Non Standard timings for resident guests between 00.00 to 23.59 on any day

Live Music & Recorded Music*

Monday – Sunday, inclusive 11.00 to 00.00

***Please note there is an exemption within the Licensing Act 2003 permitting amplified live music and recorded music at licensed premises for audiences less than 500 between 8.00 to 23.00**

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

1. The CCTV system shall include all external areas of the premises.
2. A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised office of the council or the Police.
3. The CCTV equipment shall be maintained in good working order continually record on a 24 hour basis
4. 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;
5. There shall be clear signage indicating that CCTV equipment is in use and recording at the premises

6. The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.
7. In the interests of nearby residential amenity all openable glazing units on the front elevation of the property shall be closed to achieve maximum sound reduction when any "Regulated Entertainment"(as defined in the Licensing Act 2003) takes place.
8. Signs shall be prominently displayed at the premises requesting that patrons respect local residents and leave the premises quietly.
9. Children must be accompanied by a responsible adult.
10. An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 21' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 21 years of age.

1.4 RELEVANT CONSIDERATIONS

Caerphilly County Borough Council Licensing Policy

National Guidance

1.5 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS

1.5.1 Responsible Authorities:

Trading Standards

Document	Date Received	Appendix Reference
Initial Representation	19 th February 2018	Appendix 3

Environmental Health Officer (Pollution Team)

Document	Date Received	Appendix Reference
Initial Representation	13 th March 2018	Appendix 4
Supplementary Comments	23 rd March 2018	Appendix 5

Licensing Authority

Document	Date Received	Appendix Reference
Initial Representation	13 th March 2018	Appendix 6

1.5.2 Other Persons:

Local Elected Member – Cllr. Nigel Dix

During the consultation period, the Licensing Authority received a representation from a local Councillor Nigel Dix confirming the representation was on behalf of his constituents.

Document	Date Received	Appendix Reference
Initial Representation	12 th March 2018	Appendix 7

Local Residents –

During the consultation period, the Licensing Authority received a representation from a local resident within Gordon Road, Blackwood, NP12 1DS.

Document	Date Received	Appendix Reference
Initial Representation	12 th March 2018	Appendix 8

1.6 SUMMARY OF REPRESENTATIONS

Trading Standards

Having considered the application, the Trading Standards Officer raises no objection to the application but proposed conditions relevant to the protection of children from harm licensing objective. As a result of these representations the applicant suggested the conditions were proportionate and reasonable, therefore agreed the proposed conditions be added to the licence if granted.

Environmental Health Officer (Pollution Team)

Having considered the application, the Environmental Health Officer raises no objection to the application but proposed a number of conditions relevant to the prevention of public nuisance licensing objective. These included restriction of use of the outside area (Beer garden), and noise management. Comments were received from the applicant accepting the proposed conditions, however the applicant expressed concerns with controlling access due to the fire exit escape route. Due to her concerns Environmental Health suggested amendments to the conditions (Appendix 5).

Licensing Authority

Having considered the application, the Licensing Authority Officer raises no objection to the application but proposed a time limit be placed on music in the outside areas relevant to the prevention of public nuisance licensing objective. The Licensing Authority Officer confirmed that no complaints have been received since 27th August 2013. Records indicate that the complainant resided in Bryn Rhedyn and was not the objector in this instance. It is noted that the premises was operated by a different premises licence holder at the time of complaint.

Other Person – Local Member/Local Resident

Representations received from both Cllr Nigel Dix and local residents raised concerns in relation to the added hour from 23.00 to 00.00 (Monday to Saturday) for the specified licensable activities. They have expressed their concerns arising from noise from patrons, cars etc. will result in prolonging disturbance to residents. The local resident has confirmed she is unable to attend the hearing, however stated that Cllr Dix has agreed to attend the meeting and speak on their behalf.

Applicant Response

The applicant has agreed to the proposed conditions offered by Trading Standards. The applicant also commented on conditions proposed by Environmental Health (Pollution) and agreed to conditions 1 to 3 below. In relation to conditions 4 & 5 the applicant expressed her concern in relation to controlling access due to fire exit escapes.

1. 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.
2. 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.
3. 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.
4. The use of the beer garden area of the premises is not permitted after 11.00 PM.
5. The designated smoking area, as stipulated on the plan provided by the applicant shall not exceed the capacity of 10 persons at any one time after post 11.00 PM.

Due to comments received from the applicant regarding conditions 4 & 5 Environmental Health suggested amendments to the conditions below, however to date no response has been received from the applicant in relation to this.

- The use of the beer garden area of the premises is not permitted after 11.00 PM. This condition shall not compromise the use of the access for emergency purposes.
- The designated smoking area, as stipulated on the plan provided by the applicant shall not exceed the capacity of 10 persons at any one time after post 11 PM. This condition shall not compromise the use of the access for emergency purposes.

The Licensing Authority proposed time limits for entertainment in outside areas. The applicant responded confirming she is happy to impose a time limit as she needs to consider her hotel guests indicating that late night outside music would be detrimental to her business.

The applicant has stated she is keen to address concerns from Responsible Authorities and Other Persons.

1.7 OBSERVATIONS – Responsible Authorities

The Trading Standards Officer, Environmental Health Officer (Pollution) and Licensing Authority in its role as Responsible Authority under the Licensing Act 2003 have proposed a number of conditions which have been agreed by the applicant. These conditions would be added, together with existing conditions to the premises licence should the application be granted. The existing conditions are as follows:-

- That 2 Security Industry Authority Door Staff are to be present on the premises during the permitted hours on any day of the week when regulated entertainment is taking place on the premises.
- That no children under the age of 16 years will be on the premises after 20.00, except residents and those attending as pre-arranged meal.

Therefore the Responsible Authorities in respect of this application are satisfied that the imposition of conditions can promote the licensing objectives.

OBSERVATIONS – Local Resident

Comments were received from one local householder and a local member for the Blackwood area who expressed their concerns regarding potential noise from patrons in relation to the extra hour applied for. Local Authority records held confirms the last noise related complaint was in August 2013 prior to applicant being the premises licence holder.

1.8 LICENSING ASSESSMENT

Members will note that the application submitted seeks to amend the current plans in view of structural alterations to the building. In addition, the applicant seeks to remove the embedded conditions. Furthermore, the applicant seeks to increase licensable activity provisions in respect of the retail sale of alcohol and provision of live music and recorded music. In effect, this results in an extra 1 ½ hours on Sunday and 1 hour Monday to Saturday.

The Sub-Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

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

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

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

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.


Background Papers: These are attached to this report.

Date of this report: 23rd March 2018

Author: Mrs K Hopkins

APPENDIX 1



Imagery ©2018 Bluesky, Infoterra Ltd & COWI A/S, DigitalGlobe, Getmapping plc, The GeoInformation Group, Map data ©2018 Google 50 ft 

APPENDIX 2

13 FEB 2018

CAERPHILLY CBC
LICENSING SECTION



Application to vary a premises licence under
the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Catherine Brewer T/A Brewers Lodge

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PRM422

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Brewers Lodge
Gordon Road

Post town

Balckwood

Postcode

NP12 1DS

Telephone number at premises (if any)

01495230240

Non-domestic rateable value of premises

£ 34,000

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

If not, from what date do you want the variation to take effect? DD MM YYYY

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Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Amend layout of ground floor plan

Remove all embedded conditions

Vary timings of operating schedule

Add steps proposed in section M to promote the licensing objectives as voluntary conditions consistent with the operating schedule at Annex 2

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	Yes
f) recorded music (if ticking yes, fill in box F)	Yes
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J) Yes

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>	
Day				Start	Finish	
				Outdoors	<input type="checkbox"/>	
			Both			<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)			
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	yes
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	11.00	0.00			
Tue	11.00	0.00	<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Wed	11.00	0.00			
Thur	11.00	0.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri	11.00	0.00			
Sat	11.00	0.00			
Sun	11.00	0.00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	yes
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	11.00	0.00			
Tue	11.00	0.00	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed	11.00	0.00			
Thur	11.00	0.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri	11.00	0.00			
Sat	11.00	0.00			
Sun	11.00	0.00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur								
Fri								
Sat						<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	Yes
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	11.00	0.00			
Tue	11.00	0.00			
Wed	11.00	0.00			
Thur	11.00	0.00			
Fri	11.00	0.00			
Sat	11.00	0.00			
Sun	11.00	0.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Supply of Alcohol for Resident Guests for consumption on the premises between 00.00 and 23.59 on any day					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	11.00	0.00	
Tue	11.00	0.00	
Wed	11.00	0.00	
Thur	11.00	0.00	
Fri	11.00	0.00	
Sat	11.00	0.00	
Sun	11.00	0.00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Remove all embedded conditions

Please tick as appropriate

- I have enclosed the premises licence Yes
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The CCTV system shall include all external areas of the premises.

A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised office of the council or the Police.

b) The prevention of crime and disorder

The CCTV equipment shall be maintained in good working order continually record on a 24 hour basis

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;

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

c) Public safety

The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

d) The prevention of public nuisance

In the interests of nearby residential amenity all openable glazing units on the front elevation of the property shall be closed to achieve maximum sound reduction when any "Regulated Entertainment"(as defined in the Licensing Act 2003) takes place.

Signs shall be prominently displayed at the premises requesting that patrons respect local residents and leave the premises quietly.

e) The protection of children from harm

Children must be accompanied by a responsible adult.

An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 21' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 21 years of age.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or Yes
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. Yes
- I understand that I must now advertise my application. Yes
- I have enclosed the premises licence or relevant part of it or explanation. Yes
- I understand that if I do not comply with the above requirements my application will be rejected. Yes

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Catherine Brewer
Date	8/2/18
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</p>			
Post town		Post code	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

cath@brewerslodge.co.uk

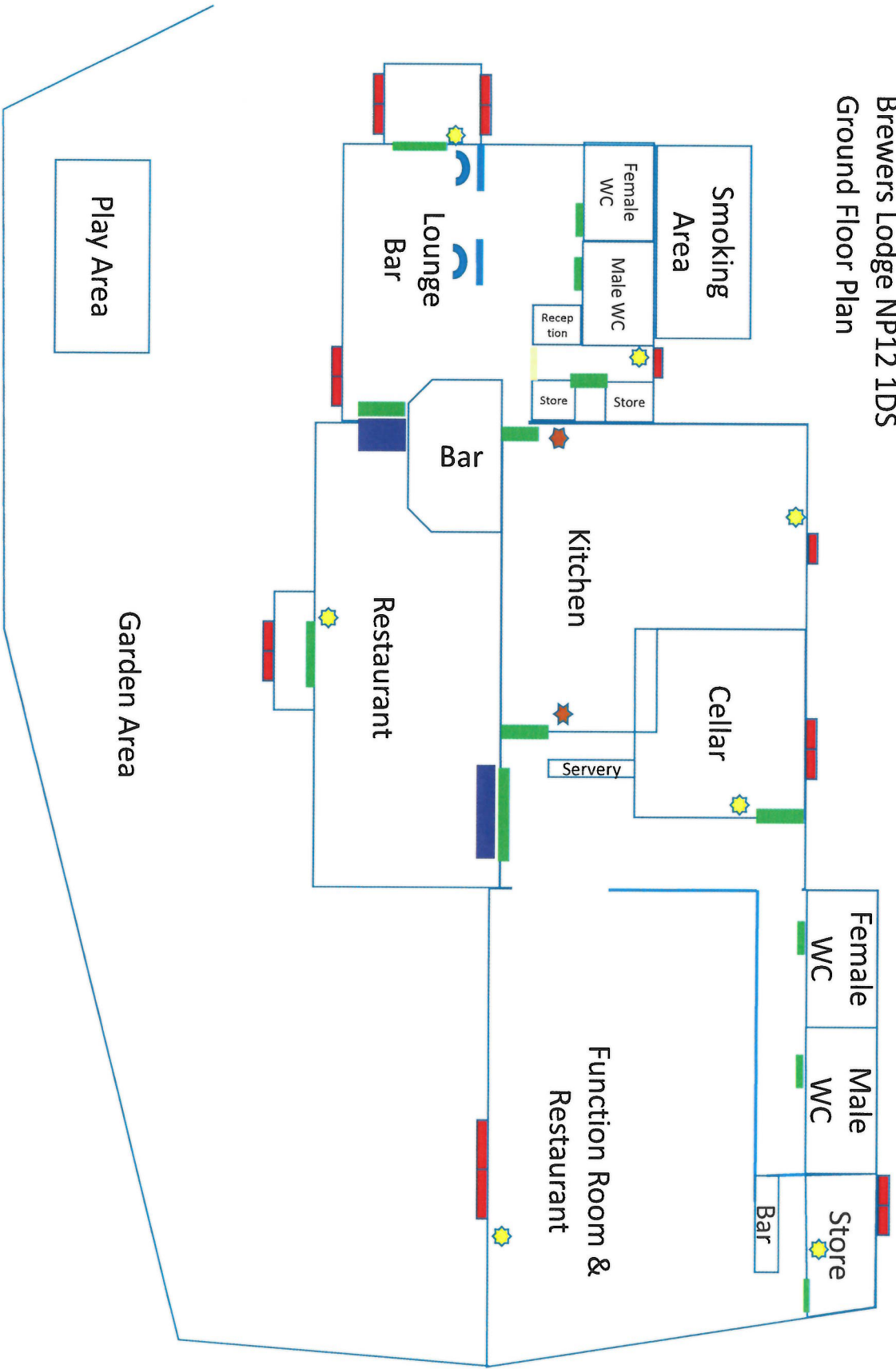
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Brewers Lodge NP12 1DS Ground Floor Plan





RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) –
Trading Standards

Name and Address of Applicant	Catherine Brewer, Brewers Lodge, Gordon Road, Blackwood NP12 1DS
Premises	Brewers Lodge, Gordon Road, Blackwood NP12 1DS

Your Name	Tim Keohane	Date 19/2/18
Job Title	Senior Trading Standards Officer	
e.mail Address	keohatp@caerphilly.gov.uk	
Contact Telephone Number	01443 811319	

Which of the four Licensing Objectives does your representation relate to?	✓	Please outline the reasons for your Representations
The Prevention of Crime and Disorder		
Public Safety		
The Prevention of Public Nuisance		
The Protection of Children from Harm	✓	The application does not cover staff or members awareness on the sale of alcohol to over 18s who subsequently supply to those under 18 years of age, nor staff/members training. It is suggested that the operating schedule of the licence can be improved by the addition of the following conditions.

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>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account</p>	<p>(SA07)Staff will be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur, subject to the exemptions under Section 149 (5) of the Licensing Act which allows beer, cider or wine to be purchased for an individual aged 16 or 17, providing the beer, cider or wine is for consumption with a table meal and a person aged 18 or over is accompanying the individual'</p> <p>(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</p>	
<p>Are you prepared to discuss these representations with the applicant by way of mediation?</p>	<p>Yes or No</p>	<p>Yes</p>

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

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



RESPONSIBLE AUTHORITY REPRESENTATION

RESPONSIBLE AUTHORITY (Please delete as applicable) -

Pollution Control

Your Name	Abbie Brown
Job Title	Environmental Health Officer
Postal and e-mail address	browna2@caerphilly.gov.uk
Contact telephone number	01443 831147

Name and Address of Applicant:	Brewers Lodge
Premises	Gordon Road, Blackwood, NP12 1DS

Which of the four Licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation.
The prevention of crime and disorder	No	
Public safety	No	
The prevention of public nuisance	Yes	<p>The Pollution Control Team is of the opinion that the premises has the potential to cause a public nuisance due to the provision of live music and regulated entertainment for the extra hours stipulated within both indoor and outdoor areas.</p> <p>The extended time period has the potential to intensify the noise climate within unsociable hours and also will encourage the use of the outdoor area thus increasing the number of people allowed to congregate within the area for elongated periods of time late at night, causing potential disturbance to nearby residential properties, coupled with the sound from the live music/regulated entertainment.</p> <p>In addition, the uncontrolled use of the smoking area into the late hours is also seen to cause a potential issue.</p> <p>It is for this reason that it is strongly recommend that the following conditions be added to any premises license granted to reduce the impact of the public house upon the nearby residential area.</p>

The protection of children from harm	No	

<p>What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account.</p>	<ol style="list-style-type: none"> 1. 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. 2. 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. 3. 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. 4. The use of the beer garden area of the premises is not permitted after 11.00 PM. 5. The designated smoking area, as stipulated on the plan provided by the applicant shall not exceed the capacity of 10 persons at any one time after post 11 PM. 	
<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.

Signed: **A.Brown**

Date: **13/03/2018**

Hopkins, Kathryn

From: Brown, Abbie
Sent: 23 March 2018 14:55
To: Hopkins, Kathryn
Subject: FW: Premises Variation
Attachments: Brewers Lodge, Gordon Road Reps 13.03.2018.doc; Monnington Lodge.doc; Brewers lodge

Hello Kath,

Further to the review of the applicant's e-mail below, I would suggest that amendments to the following conditions are made as follows to address the concerns of the applicant:

5. The use of the beer garden area of the premises is not permitted after 11.00 PM. This condition shall not compromise the use of the access for emergency purposes.
6. The designated smoking area, as stipulated on the plan provided by the applicant shall not exceed the capacity of 10 persons at any one time after post 11 PM. This condition shall not compromise the use of the access for emergency purposes.

Kind Regards,

Abbie

Abbie Brown

Environmental Health Officer | Swyddog Iechyd yr Amgylchedd
Caerphilly County Borough Council | Cyngor Bwrdeistref Sirol Caerffili

☎ 01443 811347
✉ browna2@caerphilly.gov.uk

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Watch our YouTube Channel www.youtube.com/caerphillycbctv
View our photo galleries on Flickr www.flickr.com/photos/caerphillycbc

From: Hopkins, Kathryn
Sent: 19 March 2018 12:02
To: Brown, Abbie
Subject: FW: Premises Variation

Hia Ab,

FYI – comments received from applicant in relation to reps.

Thanks

Kathryn

From: _____
Sent: 14 March 2018 10:34
To: Hopkins, Kathryn
Cc:
Subject: FW: Premises variation

Hi Kathryn,

Many of the objections seem to relate to outside music and noise, it appears that concerns are because we have created a new beer garden and smoking area but these are existing and have been in use for many years with no complaints or issues.

I'm very keen to address these concerns as soon as possible and would be very grateful if you could facilitate mediation?

Are there suitable condition we could use from the model pool?

With regards to Cllr Dix objection we could add signage asking customers to respect neighbours and our hotel residents when they leave the premises?

I'm more than happy to place a time limit on the use of outside music as suggested by Chris Morgan as we have our hotel guests to consider, late night outside music would be detrimental to our business.

With regards to the environmental health suggested conditions:

1. 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. We would be more than happy to keep all doors/windows closed when regulated entertainment is taking place
2. 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. Agreed as we already control/regulate noise so not to cause nuisance to our residential guests, hence no record of any complaints being received to date
3. 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. Agreed as we already control/regulate noise so not to cause nuisance to our residential guests, hence no record of any complaints being received to date
- 4.
5. The use of the beer garden area of the premises is not permitted after 11.00 PM. We could certainly control the selling/serving of alcohol and regulated entertainment in the existing beer garden after 11.00pm but I have concerns about controlling access as the fire exit escape route runs through it. There have been no complaints about noise in the beer garden to date
6. The designated smoking area, as stipulated on the plan provided by the applicant shall not exceed the capacity of 10 persons at any one time after post 11 PM. We could certainly control the selling/serving of alcohol in the existing smoking area after 11.00pm but again I have concerns about controlling access as the fire exit escape route runs through it. There have been no complaints about noise in the smoking area to date

Kind Regards

Catherine Brewer
Brewers Lodge

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



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY (Please delete as applicable) –
Licensing Authority

Name and Address of Applicant	Catherine Brewer, Brewers Lodge, Gordon Rd, Blackwood
Premises	Brewers Lodge

Your Name	Christopher MORGAN	Date 13/3/18
Job Title	Fair Trading Officer	
e.mail Address	morgac6@caerphilly.gov.uk	
Contact Telephone Number	01443 811327	

Which of the four Licensing Objectives does your representation relate to?	✓	Please outline the reasons for your Representations
The Prevention of Crime and Disorder		
Public Safety		
The Prevention of Public Nuisance	x	<p>As the Licensing Enforcement Officer for the Authority, I have never received a complaint regarding the conduct of the premises, either as the Monnington Lodge or as Brewers Lodge.</p> <p>I have researched the computer held records for the premises under its present name and it's previous name, The Monnington Lodge.</p> <p>I can only find one complaint relating to noise from the premises, this was made on the 27th August 2013 from a resident of Bryn Rhedyn Blackwood, relating to outdoor music noise late at night on the 26th August 2013, a Bank Holiday Monday. At this time the person responsible for the premises is not the same as the applicant.</p>
The Protection of Children from Harm		

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

What conditions could be added to the licence to remedy your representation that the Licensing Sub-Committee could take into account	Place a time limit on music in the outside areas.	
Are you prepared to discuss these representations with the applicant by way of mediation?	Yes or No	Yes

Hopkins, Kathryn

From: Morgan, Lee
Sent: 13 March 2018 09:35
To: Hopkins, Kathryn
Subject: FW: Application to vary Premises licence Brewers lodge, Blackwood

Rhyeolwr Trwyddedu / Licensing Manager
 Trwyddedu / Licensing
 Cyngor Bwrdeistref Sirol Caerffili / Caerphilly County Borough Council
 Diogelu'r Cyhoedd / Public Protection
 Ty Penallta Parc Tredomen / Penallta House Tredomen Park
 Ystrad Mynach, Hengoed
 CF82 7PG
 Rhif Ffôn / Tel No. 01443 811330

From: Cllr. Dix, Nigel
Sent: 13 March 2018 08:44
To: Morgan, Lee
Subject: Re: Application to vary Premises licence Brewers lodge, Blackwood

Hi Lee the concerns are of my constituents who live next to pub , and as their councillor I have raised them .
 Nigel

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

01495 227908
dixn1@caerphilly.gov.uk

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On 12 Mar 2018, at 14:25, Morgan, Lee <MORGAL16@CAERPHILLY.GOV.UK> wrote:

Hi Cllr Dix

I can acknowledge receipt of your e-mail below, could I take the opportunity to confirm that the concerns expressed below are your own concerns or whether they relate to those brought to your attention by local residents in the area? If they do relate to local residents in the area, anyone that has specific concerns regarding the

application should submit their comments in writing/by e-mail to the Licensing Authority for their consideration. The closing date for representations in respect of this application is tomorrow.

Kind Regards

Lee Morgan

Rhyeolwr Trwyddedu / Licensing Manager

Trwyddedu / Licensing

Cyngor Bwrdeistref Sirol Caerffili / Caerphilly County Borough Council

Diogelu'r Cyhoedd / Public Protection

Ty Penallta Parc Tredomen / Penallta House Tredomen Park

Ystrad Mynach, Hengoed

CF82 7PG

Rhif Ffôn / Tel No. 01443 811330

From: Cllr. Dix, Nigel

Sent: 12 March 2018 12:20

To: WWW: Licensing

Subject: Brewers lodge

I would like to object to a licence being granted to extend their opening hours by 1hr a day , From 11pm to 12 midnight , as granting the licence will result in customers leaving the premises later , resulting in prolong period of disturbance or residents.

Cllr Dix

Blackwood Ward

1.a.m due to drinking up time, putting coats on, saying farewells and then car door slamming, more goodnight calls and horn sounding farewells etc .

Cllr Nigel Dix

Cynghorydd Sir - Coed Duon | County Councillor - Blackwood

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

01495 227908

dixn1@caerphilly.gov.uk

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APPENDIX 8


Gordon Road,
Blackwood,
Gwent, NP12 1DS

10th March 2018

The Licencing Officer
Licencing Department
Caerphilly Council
Tredomen House,
Ystrad Mynach.

Referred to

Date Answered

Date Received


No. 12 MAR 2018

Caerphilly County Borough Council
Directorate of the Environment

Dear Sirs,

We wish to object to the application by Mrs. Catherine Brewer of Brewers Lodge, Gordon Road, Blackwood, Gwent to increase the opening hours of Brewers Lodge from 11. p.m. to Midnight every night.


If this request is granted it would cause us great distress. Stopping the sale of alcohol at midnight would not mean that the noise would cease at midnight. Drinking up time, putting coats on saying farewells would take up to 12, 30 at least. Then comes the noise in the car park. Goodnight calls to each other, car doors slamming, engines revving Plus car horn farewells. It would be 1.am before the noise abated. We would add that the car park is only approx. 10 metres from our rear bedroom and back door.

We are both  years of age and we do not go out in the evenings therefore every night would be disturbed.

We would be extremely grateful if you could take all these points into consideration before making a decision.

Yours faithfully

 and 

Tel: 01495 

E.Mail 