

<b><u>BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></b>	
<b>Report to</b>	<b>THE CHAIR AND MEMBERS OF THE STATUTORY LICENSING SUB-COMMITTEE</b>
<b>Report Subject</b>	<b>LICENSING ACT 2003 – NEW PREMISES LICENCE – THE POTTERS, CEMETERY ROAD, ABERBEEG, ABERTILLERY</b>
<b>Report Author</b>	<b>LEANNE BLANCHARD LICENSING OFFICER</b>
<b>Report date</b>	<b>26<sup>TH</sup> MAY 2016</b>
<b>Directorate</b>	<b>PUBLIC PROTECTION Environment &amp; Regeneration</b>
<b>Portfolio</b>	<b>Licensing</b>
<b>Date of meeting</b>	<b>17<sup>TH</sup> JUNE 2016</b>
<b>Date signed off by Chair</b>	<b>N/A</b>
<b>Key words</b>	<b>NEW PREMISES LICENCE</b>

## **Report Information Summary**

<b>1.</b>	<b>Purpose of Report*</b>
1.1	To inform the committee of an application for a New Premises Licence issued in accordance with the Licensing Act 2003 in respect of The Potters, Cemetery Road, Aberbeeg, Abertillery
<b>2.</b>	<b>Scope of the Report*</b>
2.1	To determine the application by Mr Lyndon Paul Rickard and Miss Juliette Claire Williams for a New Premises Licence Licence
<b>3.</b>	<b>Recommendation/s for Consideration*</b>
3.1	That the sub-committee consider the information in this report and appendices and determine if they will <ol style="list-style-type: none"><li>1. Grant</li><li>2. Not grant</li><li>3. Grant with conditions</li></ol>

## **Main Report**

<b>1.</b>	<b>Background</b>
1.1	To consider an application made by Lyndon Paul Rickard and Juliette Claire Williamson for a New Premises Licence in respect of The Potters, Cemetery Road, Aberbeeg, Abertillery in accordance with the Licensing Act 2003.
1.2	A location plan of the premises is attached at Appendix 1.
<b>2.</b>	<b>Evidence and Information</b>
2.1	In accordance with the Licensing Act 2003, as part of the consultation process, the applicant has a duty to send copies of the application to Responsible Authorities. Therefore, consultation has been carried out with Gwent Police, South Wales Fire and Rescue Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement, Planning, Environmental Health, Social Services departments and Aneurin Bevan Health Board. In addition,

	notice of the application was placed in the Gwent Gazette within 10 days of the application being submitted to the Council and at the premises for 28 days to enable 'other persons', i.e. local residents and businesses, to make representation.
2.2	No representations were received from Gwent Police, South Wales Fire and Rescue Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement, Planning, Social Services departments and Aneurin Bevan Health Board.
2.3	Representations were received from Blaenau Gwent County Borough Council Environmental Health Department.
2.4	Representations were received from 2 'Other Persons', copies of the representations are attached as Appendix 2.
2.5	<p>However, following discussions Blaenau Gwent County Borough Council Environmental Health Department, the applicant agreed to amend the application to include the following conditions:-</p> <ol style="list-style-type: none"> <li>1. The Licensee shall ensure that no noise, odour or light shall emanate from the licensed premises or vibration be transmitted through the structure of the licensed premises which gives rise to a nuisance to the occupiers of premises in the vicinity of the licensed premises.</li> <li>2. At times when regulated entertainment is provided and/or provision for entertainment facilities is made within the licensed premises all external openings to the licensed premises must be kept closed, save for the purposes of entering and exiting the premises.</li> <li>3. No form of loudspeaker or sound amplification equipment shall be sited in or near any foyer, doorway, window or any external opening of the licensed premises.</li> <li>4. Clearly legible notices shall be displayed at all exits from the premise requesting public, and staff to respect the needs of local residents and to leave the premise and area quietly.</li> </ol>

	<p>5. Patrons will not be permitted to use external areas of the licensed premises between the hours of 10.00pm through 10.00am Monday to Sunday inclusive other than for the purposes of arrival, departure or use of a designated smoking area. Where the Licensee intends to designate a smoking area a plan indicating its location must be submitted to the Licensing Authority for approval by the Local Authorities Environmental Health Department prior to use.</p> <p>6. Appropriate waste receptacles for the receipt of tobacco waste shall be provided in all designated smoking areas to the licensed premises.</p>
2.6	As a result of the amendment, Blaenau Gwent County Borough Council Environmental Health Department decided to withdraw their representations.
2.7	However the 'Other Persons' have not withdrawn their representations and still wish to object to the application.
2.8	<p>The sub-committee must take account of the provisions in the Licensing Act 2003 in particular the Licensing Objectives which are:</p> <ul style="list-style-type: none"> <li>• The prevention of crime and disorder</li> <li>• Public safety</li> <li>• The prevention of public nuisance</li> <li>• The protection of children from harm.</li> </ul>
2.9	The guidance issued by the Home Office under section 182 of the Act., and the councils policy when considering this application
<b>3.</b>	<b>Options for Consideration</b>
3.1	<p>The options available to the sub-committee are:</p> <ol style="list-style-type: none"> <li>1. To grant the application</li> <li>2. To reject the whole or part of the application</li> <li>3. To grant the application with modifications to the conditions</li> </ol>

<b>4.</b>	<b>Conclusion*</b>
4.1	The application for a New Premises Licence complies with the requirements of the Licensing Act 2003 and the Sub-Committee must therefore determine the application in accordance with the Act, as appropriate.
<b>5.</b>	<b>Appendices</b>
5.1	Appendix 1 – Location plan of the premises
	Appendix 2 – ‘Other Persons’ Representations