

<u>BLAENAU GWENT COUNTY BOROUGH COUNCIL</u>	
Report to	Chair and members of the Statutory Licensing Committee.
Report Subject	Licensing Act 2003 – Variation of Premises Licence – The Garw, Carmel Street, Abertillery
Report Author	Leanne Blanchard Licensing Officer
Report date	23rd November 2016
Directorate	Public Protection Environment & Regeneration
Portfolio	Licensing
Date of meeting	13th December 2016
Date signed off by Chair	N/A
Key words	Variation of Premises Licence

Report Information Summary

1.	Purpose of Report*
1.1	To inform the committee of an application for the variation of a premises licence issued in accordance with the Licensing Act 2003 in respect of The Garw, Carmel Street, Abertillery.
2.	Scope of the Report*
2.1	To determine the application by Mr David Andrew Boulton for the variation of a Premises Licence to extend the hours of all current licensable activities from 1am to 2am.
3.	Recommendation/s for Consideration*
3.1	<p>It is recommended that the Sub-Committee considers the application for variation of the premises licence and in doing so, have regard to the representations made, the evidence heard and take one of the following actions:</p> <ol style="list-style-type: none"> 1. To grant the application 2. To reject the whole or part of the application 3. To grant the application with modifications to the conditions.

Main Report

1.	Background
1.1	To consider an application made by David Andrew Boulton for variation of the premises licence in respect of The Garw, Carmel Street, Abertillery in accordance with the Licensing Act 2003. A copy of this application is attached as Appendix 1. A location plan of the premises is attached at Appendix 2.
1.2	There is currently a Premises Licence in force in respect of the premises which was issued on the 11 th January 2010
1.3	<p>The current licence permits the following activities:-</p> <p><u>Films, Indoor sporting events other than boxing or wrestling</u> <u>Entertainment, Live Music, Recorded Music, Performances of dance,</u></p> <p>Sunday to Thursday 11.00am to 12.30am</p>

	<p>Friday to Saturday 11.00am – 1.00am</p> <p><u>Late Night Refreshment</u> Monday to Sunday 11.00pm to 1.00am</p> <p><u>Supply of Alcohol</u> Monday to Sunday 11.00am to 1.00am</p> <p><u>Opening Hours</u> Monday to Sunday 11.00am to 1.00am</p>
2.	Evidence and Information
2.1	<p>In accordance with the Licensing Act 2003, the applicant has consulted in respect of this application as follows</p> <ol style="list-style-type: none"> 1. Copies of the application were sent to the specified Responsible Authorities, i.e. 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. 2. Notice of the application was placed in the Gwent Gazette within 10 days of the application being submitted to the Council, and 3. Notice of the application was displayed at the premises for 28 days to enable 'other persons', i.e. local residents and businesses, to make representation. 4.
2.2	<p>Blaenau Gwent County Borough Council Environmental Health Department confirmed they had no objections to the application and no representations were received from South Wales Fire and Rescue Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement, Planning, Social Services departments and Aneurin Bevan Health Board.</p>
2.3	<p>Representations were received from Gwent Police.</p>
2.4	<p>Representations were received from 28 'Other Persons', of which 19 were residents of Davey Evans Court, Castle Street, Abertillery, 6 Residents of Chapel Street, Abertillery, 1 Resident of Richmond Road, Abertillery, 1 resident of Glandwr Street,</p>

	<p>Abertillery and 1 from an elected member, 26 of these representations were an identical co-ordinated response. However, 5 of these representations have now been withdrawn.</p>
2.5	<p>Following discussions with Gwent Police, the applicant agreed to amend the application to include the following conditions:</p> <ul style="list-style-type: none"> • The need for door staff would be risk assessed for each and every function. If it is then deemed that they have to be used, they must be SIA approved. • CCTV shall be in use at the premises. <ul style="list-style-type: none"> (i) The premises licence holder shall ensure images from the CCTV are retained for a period of 30 days. This image retention period may be reviewed as appropriate by the Licensing Authority; (ii) The correct time and date will be generated onto both the recording and the real time image screen; (iii) 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; (iv) 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; (v) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.
2.6	<p>As a result of these amendments, Gwent Police have decided to withdraw their representations.</p>
2.7	<p>The proposed modifications have been discussed with 'Other Persons' making representations and 5 have withdrawn their</p>

	representations. However the others making representations still wish to object to the application. Copies of these representations are attached as Appendix 3.
2.8	In considering this application, the sub-committee must take account of the provisions in the Licensing Act 2003 in particular the Licensing Objectives which are: <ul style="list-style-type: none"> • The prevention of crime and disorder • Public safety • The prevention of public nuisance • The protection of children from harm. •
2.9	The guidance issued by the Home Office under section 182 of the Act. and the councils policy must be taken into account when considering this application
3.	Options for Consideration
3.1	The options available to the sub-committee are: <ol style="list-style-type: none"> 1. To grant the application 2. To reject the whole or part of the application 3. To grant the application with modifications to the conditions
4.	Conclusion*
4.1	The Garw, Carmel Street, Abertillery has made an application for the variation of their license. The application complies with the requirements of the Licensing Act 2003, and the Sub-Committee must therefore determine this application in accordance with the Act, taking into account the 24 representations made by local residents as appropriate.
5.	Appendices
5.1	<ol style="list-style-type: none"> 1. Copy of the application for the variation of the licence 2. A location plan of the premises 3. 'Other Persons' Representations