

<u>BLAENAU GWENT COUNTY BOROUGH COUNCIL</u>	
Report to	Chair and members of the Statutory Licensing Sub-Committee.
Report Subject	Licensing Act 2003 – New Premises Licence – 1st Floor, 7 The Circle, Tredegar
Report Author	Leanne Blanchard Licensing Officer
Report date	15th March 2017
Directorate	Public Protection Environment & Regeneration
Portfolio	Licensing
Date of meeting	28th March 2017
Date signed off by Chair	N/A
Key words	New Premises Licence

Report Information Summary

1.	Purpose of Report*
1.1	To inform the sub-committee of an application for a new premises licence received in accordance with the Licensing Act 2003 in respect of 1 st Floor, 7 The Circle, Tredegar.
2.	Scope of the Report*
2.1	To determine the application by Mrs Wendy Maxine Powell for a new Premises Licence.
3.	Recommendation/s for Consideration*
3.1	<p>It is recommended that the Sub-Committee considers the application for a new 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 application2. To reject the whole or part of the application3. To grant the application with modifications to the conditions.

Main Report

1.	Background
1.1	To consider an application made by Wendy Maxine Powell for a new premises licence in respect of 1 st Floor, 7 The Circle, Tredegar 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 no Premises Licence in force in respect of the premises.
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, and3. 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.
2.2	South Wales Fire and Rescue Service confirmed it had no objection to the application. No representations were received from Blaenau Gwent County Borough Council Trading Standards, Planning, Social Services departments and Aneurin Bevan Health Board.
2.3	Representations were received from Gwent Police, Blaenau Gwent County Borough Council Environmental Health and Licensing Enforcement departments.

2.4	Representations were received from two elected members.
2.5	<p>The applicant agreed to amend the application to include the following conditions:</p> <ul style="list-style-type: none">(i) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards;(ii) 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;(iii) The correct time and date will be generated onto both the recording and the real time image screen;(iv) 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;(v) 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;(vi) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during (<i>insert hours</i>) hours.

2.6	As a result of these amendments, Gwent Police decided to withdraw their representations.
2.7	<p>The applicant agreed to amend the application to include the following conditions:</p> <ol style="list-style-type: none"> 1. The DPS shall be responsible for maintaining an up to date refusals register detailing refusals of alcohol to persons under the age of 18 years old and persons who are intoxicated. This must be produced upon request by officers authorised under the Licensing Act 2003 and by the Police 2. The DPS must ensure that all staff are trained in their responsibilities with regard to the sale and supply of alcohol. training records will be maintained for all members of staff and made available for inspection by any authorised officer at any reasonable time. This should include training of underage sales, drugs awareness and drunk and disorderly behaviour. Training records will be reviewed on a regular basis. 3. All persons under the age of 18 must be accompanied by a parent, legal guardian or other responsible person at all times and leave the premises by 9pm. 4. When door staff are used the DPS of the premises shall keep a register of persons who are engaged in SIA door supervision and the register must be available for examination by officers authorised under the Licensing Act 2003 and the Police at any time. This must contain the name, address, contact telephone number, SIA badge number and booking on and off time and date for each SIA door supervisor that is engaged.
2.8	As a result of these amendments, Blaenau Gwent County Borough Council Licensing Enforcement department decided to withdraw their representations.
2.9	The applicant agreed to amend the application to include the following conditions:

	<ol style="list-style-type: none"> 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. 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. 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. 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.
2.10	As a result of these amendments, Blaenau Gwent County Borough Council Environmental Health department decided to withdraw their representations.
2.11	The proposed modifications have been discussed with 'Other Persons' making representations but they still wish to object to the application. Copies of these representations are attached as Appendix 3.
2.12	<p>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:</p> <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.
2.13	The guidance issued by the Home Office under section 182 of the Act and the Council's policy must be taken into account when considering this application

3.	Options for Consideration
3.1	<p>The options available to the sub-committee are:</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
4.	Conclusion*
4.1	<p>Wendy Powell, 1st Floor, 7 The Circle, Tredegar has made an application for a new premises licence. 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 two representations made by elected Members as appropriate.</p>
5.	Appendices
5.1	<ol style="list-style-type: none"> 1. Copy of the application for a premises licence 2. A location plan of the premises 3. 'Other Persons' Representations