

<b><u>BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></b>	
<b>Report to</b>	<b>Chair and members of the Statutory Licensing Sub-Committee.</b>
<b>Report Subject</b>	<b>Licensing Act 2003 – New Premises Licence – Farralls, Ground Floor, 13 The Circle, Tredegar</b>
<b>Report Author</b>	<b>Leanne Blanchard Licensing Officer</b>
<b>Report date</b>	<b>15<sup>th</sup> March 2017</b>
<b>Directorate</b>	<b>Public Protection Environment &amp; Regeneration</b>
<b>Portfolio</b>	<b>Licensing</b>
<b>Date of meeting</b>	<b>28<sup>th</sup> March 2017</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 sub-committee of an application for a new premises licence received in accordance with the Licensing Act 2003 in respect of Farralls, Ground Floor, 13 The Circle, Tredegar.
<b>2.</b>	<b>Scope of the Report*</b>
2.1	To determine the application by Mrs Wendy Maxine Powell for a new Premises Licence.
<b>3.</b>	<b>Recommendation/s for Consideration*</b>
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"><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>

## Main Report

<b>1.</b>	<b>Background</b>
1.1	To consider an application made by Wendy Maxine Powell for a new premises licence in respect of Farralls, Ground Floor, 13 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.
<b>2.</b>	<b>Evidence and Information</b>
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"> <li>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.</li> <li>2. Notice of the application was placed in the Gwent Gazette within 10 days of the application being submitted to the Council, and</li> <li>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.</li> </ol>
2.2	South Wales Fire and Rescue Service and Gwent Police confirmed they 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 Blaenau Gwent County Borough Council Environmental Health and Licensing Enforcement departments.

2.4	Representations were received from one elected member.
2.5	<p>The applicant agreed to amend the application to include the following conditions:</p> <ol style="list-style-type: none"><li>1. All relevant staff to be trained in the use of the CCTV System.</li><li>2. 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.</li><li>3. 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.</li><li>4. All persons under the age of 18 must be accompanied by a parent, legal guardian or other responsible person at all times.</li><li>5. Children will be permitted on the premises until 8pm Sunday – Thursday and 6pm on Friday and Saturdays.</li><li>6. CCTV will be in operation at all times, both indoors and outdoors. CCTV recordings will be maintained and kept for a period of 31 days and made available to the Police and any other relevant authority on request.</li><li>7. 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</li></ol>

	booking on and off time and date for each SIA door supervisor that is engaged.
2.6	As a result of these amendments, Blaenau Gwent County Borough Council Licensing Enforcement department 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"> <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>
2.8	As a result of these amendments, Blaenau Gwent County Borough Council Environmental Health department decided to withdraw their representations.
2.9	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.
2.10	In considering this application, the sub-committee must take account of the provisions in the Licensing Act 2003 in particular

	<p>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>
2.11	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
<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	Wendy Powell, Farralls, Ground Floor, 13 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 one representation made by elected Members as appropriate.
<b>5.</b>	<b>Appendices</b>
5.1	<ol style="list-style-type: none"> <li>1. Copy of the application for a premises licence</li> <li>2. A location plan of the premises</li> <li>3. 'Other Persons' Representations</li> </ol>