

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE STATUTORY LICENSING SUB-COMMITTEE

SUBJECT: STATUTORY LICENSING SUB-COMMITTEE – 3RD FEBRUARY, 2022

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR W. HODGINS (CHAIR)

Councillors K. Pritchard
L. Winnett

WITH: Team Leader, Trading Standards and Licensing
Senior Licensing Officer
Licensing Officer
Trading Standards Officer
Specialist Environmental Health Officer
Solicitor

AND: P.C. D. Allen, Gwent Police (Licensing)
Mr. P. McGrath, Resident

Dukestown Club Representatives
Mr. N. Kingsley, Club Secretary
Chairman of the Club
Mr. P. Williams, HR Consultant
Mr. L. Garret, Sound Engineer
Mr. R. Taylor, Treasurer
Committee Member x 3

DECISIONS UNDER DELEGATED POWERS

| ITEM | SUBJECT | ACTION |
|-------|--|--------|
| No. 1 | <p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p> | |
| No. 2 | <p><u>APOLOGIES</u></p> <p>There were no apologies for absence received.</p> | |
| No. 3 | <p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p> | |
| No. 4 | <p><u>LICENSING ACT 2003 – REVIEW OF CLUB PREMISES CERTIFICATE – DUKESTOWN WORKINGMEN’S CLUB, 1 EVANS TERRACE, DUKESTOWN, TREDEGAR, GWENT</u></p> <p>Consideration was given to the report of the Senior Licensing Officer.</p> <p>The Solicitor thereupon informed the Applicant of the Sub-Committee’s decision.</p> <p>The Solicitor stated that considering this application, the Sub-Committee had taken into 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 | |

The Solicitor advised that Section 87 of the Licensing Act 2003, the Guidance issued under the Licensing Act 2003 and the Council's licensing policy had been taken into account when the Sub-Committee considered this application.

The Sub-Committee had considered the written representations received as presented in the Officer's report, together with the oral representations given at the hearing on behalf of the Applicant and the other persons present.

The Sub-Committee was informed of the serious problems which had been experienced in the area concerning persons using the Licensed premises subject to this Application. It had been reported that patrons who used the premises had been heard swearing, shouting and acting in a rowdy manner in the early hours of the morning. There had also been reports of fighting within the vicinity of the premises and these incidents along with noise emanating from the Club was generally disturbing to residents in the area and residents felt this was unacceptable. The Solicitor added that the Police had been called to the premises on a number of occasions because of incidents at the Club and they had attempted to liaise with the Club's Committee to reach a solution. The Club had also been in negotiations with Blaenau Gwent's Environmental Health Team to try and improve the management/running of the establishment.

The Sub-Committee considered the numerous incidents and events that had occurred in and around the Club and also gave due consideration to the conditions set out in the report which were attached to the Club Certificate as well as those set out in Appendix 3 by the Police, and sought to achieve a fair and balanced decision.

In reaching its decision, the Sub-Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Section 4) and the guidance issued under Section 182 of the Act and the Licensing Policy of Blaenau Gwent County Borough Council.

The Solicitor thereupon advised that the Sub-Committee had reached the following decision:-

- To suspend the Club's premises certificate for a period of 28 days, (N.B It was clarified that the Suspension would take effect after the initial Appeal period of 21 days had passed if no Appeal is lodged at court).

The following modifications be made to the Club's activities:-

- Supply of Alcohol from Monday to Sunday from 11.00 am to 11.00 pm
- Opening hours from Monday to Sunday from 11.00 a.m. to 11.30 p.m.
- All other qualifying Club activities from Monday to Sunday from 11.00 a.m. to 11.00 p.m.

The following conditions were agreed to be attached to the Club Premises Certificate:-

- CCTV cameras must be monitored in all areas used by premise patrons (except the toilets) including any external area to monitor numbers and prevent crime and disorder.
- Where a CCTV system was to be installed, extended or replaced, it must be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system was to be installed, it shall be fully operational by the grant of the licence.
- 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.
- 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.

- The correct time and date must be generated onto both the recording and the real time image screen;
- If the CCTV equipment (including any mobile units in use at the premises) breaks down the 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 was reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.
- All staff are to be trained 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;
- There shall be clear signage indicating that CCTV equipment was in use and recording at the premises during licensable hours.
- An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation. These records shall be kept for a minimum of 12 months.

- A 'Challenge 25' policy would be in place for checking persons suspected of being underage. No alcohol shall be supplied to a person who appears to be under the age of 25 unless they provide identification that proved that they are 18 years of age or older when the alcohol was supplied. The only acceptable forms of identification for proof of age shall be a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card. The proof of age scheme would be robustly enforced by the DPS and all staff. Posters stating that the age verification scheme is in operation shall be clearly displayed in the area of the bar.
- All refusals will be kept in a refusals book detailing the time, date, and the goods the person serving refuses and the name of the persons who tried to purchase. If no name is given, then a good description will be recorded. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.
- Any person working in the premises was to be trained with respect to underage sales, proxy sales and how to refuse sales to difficult customers. Safeguarding training should also be undertaken with all staff. Such training shall be updated as necessary when legislation changes. Training should be clearly documented, signed and dated by both the trainer and the person receiving it. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable and kept for a period of 12 months.
- The manager/secretary or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.

- Clear notices must be displayed at all points where customers leave the building instructing them to respect the needs of local residents and leave the premises and the area quietly.
- The responsible person/secretary shall risk assess the need for polycarbonate or toughened glasses to be used in the premises, especially for outdoor events/use.
- The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.
- The use of the outside licensed area of the premises was not permitted after 11.00 p.m. Other than access solely for the use of the smoking area.
- No bottles, cans or glasses are to be taken outside after 11.00 p.m. Adequate notices shall be displayed in appropriate locations to ensure that this information was brought to the attention of patrons.
- Staff shall ensure that any bottles or glasses are removed from persons leaving the premises.
- Children to be accompanied by a responsible adult and supervised at all times.
- The need for SIA Door Supervisors shall be risk assessed. If door supervisors are present then the Responsible person/secretary should ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:
 - Full name;

- SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation);
 - The time they began their duty; and
 - The time they completed their duty.
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- The register was to be kept at the premises at all times and shall be maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.
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- Outdoor lighting shall be positioned, so far as was reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.
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- Amplified music shall not be played at a level that would cause unreasonable disturbance to the occupants of any properties in the vicinity.
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- Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.
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- No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

- Whilst licensable activities are taking place, the toilets at the premises must be checked regularly for illegal drug use or supply. A written log of all checks must be kept at the premises for 31 days and made available for immediate inspection on the request of Gwent Police.

The Solicitor reported that the Sub-Committee wished to thank the Club's Committee for their honesty and to remind them that a suspension of up to three months could have been imposed in relation to the Club Premises Certificate. However, the Committee felt that a 28-day suspension was proper and proportionate. The Sub-Committee also wanted to relay that they sincerely hoped that they would not see this Club and its Members before the Licensing Sub-Committee again in the future and that the issues with the Club would now be resolved.

Right to Appeal

All parties have the right to appeal to the Magistrates' Court within 21 days of receipt of this decision. Any responsible authority or other person has the right to request a review of the Licence.

The Chair thanked everyone for attending and declared the meeting closed.