

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE STATUTORY
LICENSING COMMITTEE**

SUBJECT **STATUTORY LICENSING SUB- COMMITTEE –
6TH JULY, 2022**

REPORT OF: **DEMOCRATIC & COMMITTEE SUPPORT OFFICER**

PRESENT: Councillor Lisa Winnett (CHAIR)

Councillors S. Behr
 G. Humphreys

WITH: Team Manager – Trading Standards and Licensing
 Senior Licensing Officer
 Solicitor

AND: Mr. P. Williams, Dukestown Workingmen’s Club Consultant
 Mr. P. McGrath, Objector

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> Apologies for absence was received from the Applicant’s Legal Representative and the Licensing Officer.	

No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were received.</p>	
No. 4	<p><u>LICENSING ACT 2003 – NEW PREMISES LICENCE – DUKESTOWN WORKINGMENS CLUB, 1 EVANS TERRACE, TREDEGAR, NP22 5ER</u></p> <p>Consideration was given to the report of the Senior Licensing Officer.</p> <p>RESOLVED that the report be accepted and the following decision was agreed:-</p> <p>The Sub-Committee 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.</p> <p>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 and the 4 licensing Objectives.</p> <p>The Sub-Committee made the following decision:-</p> <p>To grant the New Premises License subject to the following:-</p> <p>All licensable activities to take place between 11am and 11.00 p.m. Monday to Sunday.</p>	

Attached Conditions

The prevention of crime and disorder

1. CCTV cameras shall monitor all areas used by premises patrons (except the toilets) including any external area to monitor numbers and prevent crime and disorder
 - (i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed, it shall be fully operational by the grant of the licence.
 - (ii) 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;
 - (iii) 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;
 - (iv) The correct time and date will be generated onto both the recording and the real time image screen;
 - (v) 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;
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- (vi) The premises 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;
 - (vii) There shall be clear signage indicating that CCTV equipment is in use and re-cording at the premises during licensable hours.

2. An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a police or authorised council employee. This book will be used to record the following:-

- (a) All crimes reported to the premises;
- (b) Any ejections of patrons and the reason(s) why;
- (c) Any disorder on the premises;
- (d) Any visit by representatives of a responsible authority;
- (e) Any failure of the CCTV system (including the dates and times of the outage);
- (f) Any refusals of the sale of alcohol to any patrons (including their description, details of the alcohol refused and the reason why and details of any identification requested and/or produced)

This record will be kept for a minimum of 12 months.

3. The licence holder or DPS shall risk assess the need for SIA door supervisors to be present in the premises. If door supervisors are present then the premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a register kept for that purpose:-

- (i) Full name;
 - (ii) 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);
 - (iii) The time they began their duty;
 - (iv) The time they completed their duty.
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This register was to be kept at the premises at all times and shall be so 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.

4. The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.

Public safety

5. Whilst licensable activities are taking place, the toilets at the premises will 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 or an authorised officer of the licensing authority.
6. The License Holder/ DPS or responsible person will not allow the use of the car park as a beer garden. Staff will ensure that any bottles/ cans or glasses are removed from persons leaving the premises.
7. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

The prevention of public nuisance

8. 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.
9. The premises supervisor, manager or other competent person shall manage the outdoor smoking area/car park when in use, to ensure that customers do not behave in a noisy, rowdy or offensive manner.
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	<p>10. Patrons would not be permitted to use external areas of the licensed premises between the hours of 21.00 through to 10.00 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>11. Anyone temporarily leaving the premises to smoke would not be permitted to take alcohol with them.</p> <p>12. 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.</p> <p>13. Regulated entertainment would not be provided outdoors.</p> <p>14. Amplified music shall not be played at a level that would cause unreasonable disturbance to the occupants of any properties in the vicinity.</p> <p>15. 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.</p> <p>16. 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.</p> <p>17. 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.</p>	
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	<ol style="list-style-type: none"><li data-bbox="352 197 1311 577">18. A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music or amplified speech inside the premises to prevent noise nuisance to neighbouring properties. The noise limiter(s) shall be set following consultation with the Council's Noise Prevention Team and the limiter shall be situated out of public view and controllable by the premises staff only.<li data-bbox="352 622 1311 748">19. The Manager or a nominated representative shall receive and respond to complaints and would have full control at all times over the sound amplification.<li data-bbox="352 792 1311 1003">20. The Manager or a nominated representative shall ensure that no nuisance was caused by noise emanating from the premises by implementing a Self-Policing Policy which shall include sound checks inside and out.<li data-bbox="352 1048 1311 1303">21. 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.<li data-bbox="352 1348 1311 1473">22. Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.<li data-bbox="352 1518 1311 1644">23. Appropriate waste receptacles for the receipt of tobacco waste shall be provided in all designated smoking areas to the licensed premises.<li data-bbox="352 1688 1311 1814">24. Glass waste from the premises would not be emptied into receptacles outdoors between the hours of 22:30 and 0800.	
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| <p>25. A noise management plan should be submitted to the Council's Environmental Health department within 3 months of any licence granted. This plan should detail how they intend to control noise from activities both inside and outside the club.</p> <p>26. Picnic tables or any other furniture will not be used in the car park or smoking area at any time. Smoking area was to be a 'standing area only'.</p> <p><i>The protection of children from harm</i></p> <p>27. A 'Challenge 25' policy would be in place for checking persons suspected of being under-age. No alcohol shall be supplied to a person who appears to be under the age of 25 unless they provide identification that proves 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 bearing the PASS hologram.</p> <p>28. The proof of age scheme will 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.</p> <p>29. A record of all refusals will be kept in the incident book detailing the time and date, the goods the person serving refuses and the name of the persons who tried to purchase, if known. If no name was 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.</p> | |
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30. Any person working on the premises who is likely to sell alcohol, is 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 trainee. 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.

31. Children are to be accompanied by a responsible adult and supervised at all times.

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.
