

Committee: Statutory Licensing Sub-Committee

Date of meeting: **13th November 2019**

Report Subject: **Licensing Act 2003 – New
Premises Licence – The Looking
Glass, 10 Castle Street,
Tredegar, Gwent.**

Report Submitted by: **Mrs Lisa Griffin**

Report Written by: **Mrs Michele Bennett**

1. Purpose of the Report

1.1 To inform the Statutory Licensing Sub-Committee of a new premises licence application in accordance with the Licensing Act 2003 attached as Appendix 1

2. Scope and Background

2.1 The purpose of this report is to determine a new premises licence application submitted by Mrs Elle Morgan in respect of The Looking Glass, 10 Castle Street, Tredegar, Gwent, in accordance with the Licensing Act 2003. A location plan of the premises is attached as Appendix 2

2.2 There is currently no licence in force in respect of the premises.

2.3 An application has been made by Mrs Elle Morgan for the following activities and times –

Live Music, Recorded music, Performance of dance, anything of a similar description -

Thursday to Saturday 11.00 pm to 11.30 pm

Supply of alcohol –

Sunday to Wednesday 9.00 am to 11.00 pm

Thursday to Saturday 9.00 am to 11.30 pm

Late night refreshment –

Thursday to Saturday 11.00 pm to 12 Midnight

Sunday 11.00 pm to 11.30 pm

Opening times

Sunday to Wednesday 9.00 am to 11.30 pm

Thursday to Saturday 9.00 am to 12 Midnight

Due to deregulation of Licensable Activities under the Licensing Act 2003, no licence is required for regulated entertainment between the hours of 8 am to 11 pm

- 2.4 In accordance with the Licensing Act 2003, the applicant has served copies of the application on the following Responsible Authorities:-

Gwent Police, South Wales Fire and Rescue Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement, Planning, Environmental Health, Social Services departments, Home Office Immigration Enforcement and the Aneurin Bevan Health Board

A notice of the application was displayed at the premises for 28 days to enable 'other persons', i.e. local residents and businesses, to make representations.

A notice of the application was placed in the local newspaper the Gwent Gazette dated 25th September 2019.

A notice of the application was advertised on the Blaenau Gwent website for a period of 28 days.

- 2.5 Representations were received from Gwent Police and Blaenau Gwent Environmental Health department. No representations were received from South Wales Fire and Rescue Service, Blaenau Gwent Trading Standards, Licensing, Planning, and Social Services departments, Home Office Immigration Enforcement or the Aneurin Bevan Health Board.
- 2.6 The applicant agreed to amend the application to include the following conditions put forward by Gwent Police and Blaenau Gwent Environmental Health department –

Gwent Police conditions -

1. CCTV is installed and working to the satisfaction of the

Police and Licensing Authority. Recordings will be maintained for a minimum of 28 days. Recordings shall be immediately available on request of any authorised officer named under the Licensing Act 2003.

If the CCTV equipment fails, the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into good working order.

The DPS shall train an appropriate number of staff in the use of the CCTV system to facilitate the efficient operation of it with a view to providing evidence when requested by an authorised officer named under the Licensing Act 2003.

The correct time and date will be generated onto both the recording and the real time image screen.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises in accordance with guidance issued by the Information Commissioner's Office

2. An approved proof of age scheme shall be adopted, implemented and advertised within the premise, for example 'Challenge 25' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport
3. All refusals will be kept in a refusals book detailing the time, date, the goods, the staff member 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.
4. All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales

to difficult customers. Safeguarding training should also be undertaken with all staff. Training should be clearly documented, signed and dated by both the trainer and member of staff receiving it. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.

5. Disorderly customers will be asked to leave the premises.
- 6 Children to vacate the premises by 9.00pm

Environmental Health conditions -

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.
5. Patrons will not be permitted to use external areas of the licensed premises between the hours of 10.00pm through 10.00am 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.

6. Appropriate waste receptacles for the receipt of tobacco waste shall be provided in all designated smoking areas to the licensed premises.

2.7 As a result of these amendments, Gwent Police and Environmental Health Department withdrew their representations

2.8 Representations were received from 'Other Persons' attached as Appendix 3

The 'Other Persons' were informed of the amendments to the application put forward by Gwent Police and Environmental Health however, they still wished to object to the application

2.9 In considering this application, the Licensing sub-committee must take account of the provisions in the Licensing Act 2003 in particular, the licensing objectives which are:-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

2.10 The guidance issued by the Home Office under section 182 of the Act and the Council's licensing policy must be taken into account when considering this application.

3 Options for Recommendation

3.1 The options available to the Licensing sub-committee are:

1. To grant the licence
2. To grant the licence with modifications to the conditions
3. To exclude any licensable activity to which the application relates
4. To refuse to specify a Designated Premises Supervisor
5. To reject the licence application

3.2 Background Documents /Electronic Links

- Appendix 1 – Application form
- Appendix 2 – Location plan of the area the premises is situated

- Appendix 3 – Other persons representations