

# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Friday 27<sup>th</sup> August 2021

## Notice of meeting

### Licensing and Regulatory Sub Committee

Tuesday, 7th September, 2021 at 10.00 am  
County Hall, Usk - Remote Attendance

### AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of Interest.	
3.	Application for a Premises Licence for The Old Station, Tintern, Chepstow.	1 - 78

**Paul Matthews**  
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillor Jamie Treharne  
County Councillor Jim Higginson  
County Councillor Tony Easson

Overmonnow;  
Severn;  
Dewstow;

Welsh Conservative Party  
Welsh Labour/Llafur Cymru  
Welsh Labour/Llafur Cymru

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### Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Our purpose

Building Sustainable and Resilient Communities

### Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.



## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b> Application for a Premises Licence for The Old Station, Tintern, Chepstow, NP16 7NX
<b>DIRECTORATE:</b> Social Care, Safeguarding and Health
<b>MEETING:</b> Licensing & Regulatory Sub-Committee
<b>Date to be considered:</b> 7 <sup>th</sup> September 2021
<b>DIVISION/WARDS AFFECTED:</b> Tintern

### 1. PURPOSE:

To consider an application for a Premises Licence under the Licensing Act 2003 for The Old Station, Tintern, Chepstow, NP16 7NX. A copy of the application and plan is attached as Appendix A.

### 2. RECOMMENDATION(S):

- 2.1 It is recommended that members consider and determine the application referred to in 3.1 below, based on the information provided.

### 3. KEY ISSUES

- 3.1 A new application for a premises licence under the Licensing Act 2003 was received from Ms Katie Burton for The Old Station, Tintern, Chepstow, NP16 7NX for the following:-

- Supply of Alcohol (On & Off sales): Monday to Sunday 10.00hrs – 23.00hrs
- Open Hours (Standard timings): Monday to Sunday 10.00hrs – 17.00hrs

- 3.2. The applicant has stated within the application that the premises is a visitor attraction, comprising of a tearoom and carriages. The site also has a green area where people can explore and walk. The tearoom and shop within the carriages will both sell alcohol as gifts to visitors. Alcohol would also be sold for consumption within the café area and picnic seating area. Alcohol may also be consumed within the carriages if there is a wedding or event.

- 3.3 A map of where the premises and site is in situ, along with surrounding area is attached as Appendix B.

- 3.4 The applicant has stated the following when asked in the application to describe the steps intended to take to promote the licensing objectives:

#### General

- The Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The DPS shall check the book once a month ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.
- The Premises Licence Holder shall operate and maintain an up-to-date incident book, detailing the time/date/individual involved /incident that has taken place. This shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The DPS shall check the book once a month ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.

### **The Prevention of Crime and Disorder**

- The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place.
- 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 and any other authorised person.
- The correct time and date will 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 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.
- 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.
- There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.

### **Public Safety**

- The premises will conduct a suitable risk assessment and implement the necessary control measures.
- Arrangements are in place at the premises to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency.
- Adequate and appropriate First Aid equipment and materials are available on the premises.
- The premises has suitable valid Public Liability insurance, which will be displayed at the premises.
- The designated premises supervisor or a responsible person nominated by them, not being a person under eighteen years of age, shall be in charge of and present in the premises at all times during events where the public are on the premises and there shall also be during that time a sufficient staff of attendants in the building for the purpose of securing safety.

### **Prevention of Public Nuisance**

- Signage shall be displayed requesting customers to leave the premises quietly and to have regard for neighbouring premises.
- Staff shall ensure that all litter is collected from outside the premises.

### **Protection of Children from Harm**

- The premises shall operate a Challenge 25 policy and signage will be displayed to indicate this is in operation. The age check shall be made by examining either a passport, photographic driving licence or a PASS approved proof of age card. No other form of identification shall be accepted.
- Fully documented staff training, to include training on the Premises Licence conditions as well as the premises' Challenge 25 Policy must be given. Training must be undertaken at regular intervals throughout the calendar year, at a minimum every 6 months. Staff must sign and date documentation at the conclusion of their training session, acknowledging that they have received and fully understood the

training provided to them. This can be made for inspection by any Responsible Authority under the Licensing Act 2003.

- 3.5 If granted the licence would also be subject to Mandatory Conditions, which are attached to this report as Appendix C. Furthermore, if the sale of alcohol is granted the licence will also benefit from the Live Music Act 2012. The relaxation of amplified live/recorded music can only take place if alcohol is sold on the premises. The relaxation states that it has to be between the hours of 08.00hrs and 23.00hrs and not exceed 500 people. In this instance it would mean that should the on-licence be granted then the music can be played between 10.00hrs and 23.00hrs providing numbers do not exceed 500. Further information on the Live Music Act is attached as Appendix D.
- 3.6 The applicant has a statutory duty to send copies of his/her Premises application to the 'Responsible Authorities' namely Gwent Police, South Wales Fire Service, The Local Health Board and departments of Monmouthshire County Council being the Environmental Health Section, Social Services, Planning, Licensing and Trading Standards Department, which was carried out by the applicant. A notice also has to be circulated in a newspaper within the area of the premises as well as a notice displayed at the premises to enable businesses and residents to make a representation; again, the applicant duly carried this out. The application is also advertised via the Council's website, which gives details on how a person can make a representation and this was carried out by the Licensing Authority.
- 3.7 No representations were received by any statutory consultee. A response from the statutory consultees advising they have no representations, were received by Gwent Police, South Wales Fire Service, The Local Health Board and departments of Monmouthshire County Council being the Environmental Health Section, Social Services, Planning, Licensing and Trading Standards Department.
- 3.8 Representations were however received during the consultation period by other persons. As a result of these representations Licensing mediated with the applicant. On 13<sup>th</sup> August 2021 the applicant e-mailed the Licensing Authority to confirm they wish to amend their original application to change the hours for the sale of alcohol from 10.00hrs till 23.00hrs to 12.00hrs till 17.00hrs as a result of the objections raised. This change of hours would then also change the relaxation hours for the live music if the on licence is granted, as referred to in 3.5 above. It would now permit amplified live/recorded music between the hours of 12.00hrs – 17.00hrs without the need of a further licence.
- 3.9 As a result of the amended application, Licensing informed the 'other persons' of the new hours proposed. Licensing enquired with the objectors if they still wished to continue with their representation in light of the amended hours for the sale of alcohol.
- 3.10 14 of the 'other persons' still wished to object and their objections are summarised as follows:-
- The site is used mainly by families for picnics ect. The addition of alcohol may change the use of the site and make it unviable for families to use the site as they have done historically
  - There will be no residential landlord at the premises to ensure the entire site is closed when the premises is shut
  - There is limited car parking at present and with the addition of alcohol this may exacerbate the issue, causing vehicles to be parked dangerously and cause obstructions
  - There may be an increase in traffic on an already dangerous road, with a dangerous exit from the site
  - The existing footpaths are inadequate and full of debris. This causes pedestrians to walk on the road and with alcohol being consumed could present dangerous situations
  - Due to the rural nature of the site, customers may be tempted to drink drive as public transport is limited

- Music will be applicable under the Licensing Act 2012 in certain circumstances and may lead to noise pollution
- There may be an increase in litter, mainly glass bottles which could also be hazardous if left where children play
- The area is secluded and close to a river and so children require constant supervision, however alcohol could hinder this
- There are already sufficient local businesses selling alcohol in the area
- The area has current and historical issues with anti-social behaviour, drinking, drugs and vandalism. These issues may be exacerbated by sale of alcohol till 11pm

3.11 The representations in full can be viewed in Appendix E and the message of support for the premises licence application can be seen in Appendix F of this report.

3.12 Those who continued with their objections, relate to the following areas

- Main Road A466 , Tintern
- Trellech Road
- Mill Hill, Brockweir
- Glyn View, Tintern
- Loop Road, Beachley
- Park Glade

3.13 Representations made under the Licensing Act 2003 must be made under the four key licensing objectives, namely:-

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

However, Section 9.9 of the Guidance issued by the Home Office states:

It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

3.14 When considering their decision members are asked to consider the licensing objectives guidance issued under the revised guidance under section 182 of the Licensing Act 2003 (attached as Appendix G)

3.15 In accordance with 9.2 of the Home Office Guidance issued under Section 182 of the Licensing Act 2003. A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn..... Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed. As such, no agreement was reached with the other persons who made a representation and a hearing is required.



#### **4. REASONS:**

- 4.1 The determination of an application is to be considered in accordance with Section 18 of the Licensing Act 2003.
- 4.2 In section 9.4 of the Guidance issued under section 182 of the Licensing Act 2003, the Secretary of State recommends that, a representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 4.3 In section 13.10 of the Guidance issued under Section 182. It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority’s statement of policy and this Guidance.
- 4.4 Monmouthshire County Council’s Policy on Prevention of Nuisance are set out in Section 11 and read as follows:

##### **Prevention of public nuisance**

Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.

Subject to case law the Licensing Authority interprets ‘public nuisance’ in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.

Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.

The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area; or
- extended opening hours are proposed.

The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.

When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered

- 4.5 Monmouthshire County Council’s Policy on Public Safety are set out in Section 12 and read as follows:

## **Public safety**

The Licensing Authority will expect operating schedules to satisfactorily address issues concerning public safety, and applicants are advised to seek advice from various organisations, such as the health and safety enforcement officers, South Wales Fire and Rescue Service etc., before preparing their plans and schedules, particularly where regulated entertainment is to be provided.

The Licensing Authority will encourage applicants to conduct a risk assessment of the premises and/or activity. The authority recommends that specialists, e.g. a qualified safety officer, should be consulted to assist with the assessment.

Gwent Police is promoting the use of polycarbonate drinking vessels to reduce the injuries caused by glass drinking vessels. The council supports this initiative.

In order to prevent misunderstandings with conditions already imposed on licences that specify that toughened glass drinking vessels must be used in some circumstances. This condition will be taken to include approved polycarbonate drinking vessels. This will negate the need for licence holders to apply for variations to conditions on those licences.

### **5. RESOURCE IMPLICATIONS:**

Nil

### **6. CONSULTEES:**

Heddlu Gwent Police, South Wales Fire Service and the following departments from Monmouthshire County Council, namely, Environmental Health, Social Services, Planning, Trading Standards, Licensing and the Local Health Board

### **7. BACKGROUND PAPERS:**

Licensing Act 2003 - [Licensing Act 2003 \(legislation.gov.uk\)](http://legislation.gov.uk)

Guidance issued under Section 182 of the Licensing Act 2003 dated April 2018 - [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

Monmouthshire County Council's Statement of Licensing Policy dated 1<sup>st</sup> July 2015 - [Statement-of-Licensing-Policy-2015-1.pdf \(monmouthshire.gov.uk\)](http://monmouthshire.gov.uk)

Live Music Act 2012 - [Live Music Act 2012 \(legislation.gov.uk\)](http://legislation.gov.uk)

### **8. AUTHOR:**

Taylor Watts  
Licensing Officer

### **CONTACT DETAILS:**

Tel: 07773 644801

Email: [Licensing@monmouthshire.gov.uk](mailto:Licensing@monmouthshire.gov.uk)



**Monmouthshire Licensing Section, Abergavenny Community Education Centre, Old Hereford Road, Abergavenny, NP7 6EL**

**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I **Ms Katie Louise Burton**

*(insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description			
The Old Station			
Post town	Tintern	Postcode	NP16 7NX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ N/A

**Part 2 – Applicant details**

Please state whether you are applying for a premises licence as appropriate

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*  please complete section (B)
- I as a limited company/limited liability partnership  please complete section (B)
- II as a partnership (other than limited liability)  please complete section (B)

- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname Burton		First name(s) Katie Louise		
Date of birth <input type="text"/>		<input checked="" type="checkbox"/> Please tick yes I am 18 years old or over		
Nationality <b>British</b>				
Current residential address if different from premises address		<input type="text"/>		
Post town	<input type="text"/>	Postcode	<input type="text"/>	
Daytime contact telephone number		<input type="text"/>		
E-mail address (optional)		<input type="text"/>		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)				

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr. <input type="checkbox"/>	Mrs. <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms. <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		<input type="checkbox"/> Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
11	08	2021

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The old station is a visitor attraction comprising of a tearoom and carriages. The site also has a green area where people can explore and walk. The tearoom and shop within the carriages will both sell alcohol as gifts to visitors. Alcohol would also be sold for consumption within the café area and picnic seating area. Alcohol may also be consumed within the carriages if there is a wedding or event.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment (if ticking yes, fill in box I)**

**Supply of alcohol (if ticking yes, fill in box J)**

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	Outdoors
Mon.			<input type="checkbox"/>	<input type="checkbox"/>
Tue			<input type="checkbox"/>	<input type="checkbox"/>
Wed			<input type="checkbox"/>	<input type="checkbox"/>
Thur			<input type="checkbox"/>	<input type="checkbox"/>
Fri			<input type="checkbox"/>	<input type="checkbox"/>
Sat			<input type="checkbox"/>	<input type="checkbox"/>
Sun			<input type="checkbox"/>	<input type="checkbox"/>

**Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)**

Indoors   
Outdoors   
Both

**Please give further details here (please read guidance note 4)**

**State any seasonal variations for the exhibition of films (please read guidance note 5)**

**Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)**



**C**

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon					
Tue				State any seasonal variations for indoor sporting events (please read guidance note 6)	
Wed					
Thur					Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri					
Sat					
Sun					

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 4)</b>					
Mon								
Tue								
Wed						<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</b>		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)</b>		
Sat								
Sun								

**E**

<b>Live music Standard days and timings (please read guidance note 7)</b>			<b>Will the performance of live music take place indoors or outdoors or both = please tick (please read guidance note 3)</b>	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finis h</b>	<b>Please give further details here (please read guidance note 4)</b>		
<b>Mon</b>					
<b>Tue</b>					
<b>Wed</b>				<b>State any seasonal variations for the performance of live music (please read guidance note 5)</b>	
<b>Thur</b>					
			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)</b>		
<b>Fri</b>					
<b>Sat</b>					
<b>Sun</b>					

**F**

<b>Recorded music Standard days and timings (please read guidance note 7)</b>			<b>Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)</b> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
<b>Mon</b>			
<b>Tue</b>			<b>Please give further details here (please read guidance note 4)</b>
<b>Wed</b>			<b>State any seasonal variations for the playing of recorded music (please read guidance note 5)</b>
<b>Thur</b>			
<b>Fri</b>			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)</b>
<b>Sat</b>			
<b>Sun</b>			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</b></p>			<p><b>Please give a description of the type of entertainment you will be providing</b></p>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<p><b>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</b></p>	<b>Indoors</b>	<input type="checkbox"/>
<b>Mon</b>				<b>Outdoors</b>	<input type="checkbox"/>
				<b>Both</b>	<input type="checkbox"/>
<b>Tue</b>			<p><b>Please give further details here (please read guidance note 4)</b></p>		
<b>Wed</b>					
<b>Thur</b>			<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</b></p>		
<b>Fri</b>					
<b>Sat</b>			<p><b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)</b></p>		
<b>Sun</b>					

<b>Late night refreshment Standard days and timings (please read guidance note 7)</b>			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		
Mon			<u>Please give further details here (please read guidance note 4)</u>	
Tue				
Wed			<u>State any seasonal variations for the provision of late night refreshment (please read guidance note 5)</u>	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)</u>	
Sat				
Sun				

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)	
Mon	10:00	23:00		
Tue	10:00	23:00		
Wed	10:00	23:00		
Thur	10:00	23:00		
Fri	10:00	23:00		
Sat	10:00	23:00		
Sun	10:00	23:00		
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b> Ms Katie Louise Burton	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b> [REDACTED]	
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> [REDACTED]	

**K**



**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**

None

**L:**

<b>Hours premises are open to the public Standard days and timings (please read guidance note 7)</b>			<b>State any seasonal variations (please read guidance note 5)</b>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
<b>Mon</b>	<b>10:00</b>	<b>17:00</b>	<p>Tintern Old Station's normal operating times are 10:00-17:00, however during weddings/events we may operate until 23:00.</p> <p>The attraction is open April-October.</p> <p>Occasional events may be held whereby alcohol is sold for consumption on and off the premises.</p>
<b>Tue</b>	<b>10:00</b>	<b>17:00</b>	
<b>Wed</b>	<b>10:00</b>	<b>17:00</b>	
<b>Thur</b>	<b>10:00</b>	<b>17:00</b>	
<b>Fri</b>	<b>10:00</b>	<b>17:00</b>	
<b>Sat</b>	<b>10:00</b>	<b>17:00</b>	
<b>Sun</b>	<b>10:00</b>	<b>17:00</b>	
			<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</b></p>

**M Describe the steps you intend to take to promote the four licensing objectives:**

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

The Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The DPS shall check the book once a month ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.

The Premises Licence Holder shall operate and maintain an up-to-date Incident book, detailing the time/date/individual involved /incident that has taken place. This shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The DPS shall check the book once a month ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.

**b) The prevention of crime and disorder**

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place.

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 and any other authorised person.

The correct time and date will 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 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.

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.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.

**c) Public safety**

The premises will conduct a suitable risk assessment and implement the necessary control measures.

Arrangements are in place at the premises to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency. Adequate and appropriate First Aid equipment and materials are available on the premises.

The premises has suitable valid Public Liability Insurance, which will be displayed at the premises.

The designated premises supervisor or a responsible person nominated by them, not being a person under eighteen years of age, shall be in charge of and present in the premises at all times during events where the public are on the premises and there

shall also be during that time a sufficient staff of attendants in the building for the purpose of securing safety.

**d) The prevention of public nuisance**

Signage shall be displayed requesting customers to leave the premises quietly and to have regard for neighbouring premises.

Staff shall ensure that all litter is collected from outside the premises.

**e) The protection of children from harm**

The premises shall operate a Challenge 25 policy and signage will be displayed to indicate this is in operation. The age check shall be made by examining either a passport, photographic driving licence or a PASS approved proof of age card. No other form of identification shall be accepted.

Fully documented staff training, to include training on the Premises Licence conditions as well as the premises' Challenge 25 Policy must be given. Training must be undertaken at regular intervals throughout the calendar year, at a minimum every 6 months. Staff must sign and date documentation at the conclusion of their training session, acknowledging that they have received and fully understood the training provided to them. This can be made for inspection by any Responsible Authority under the Licensing Act 2003.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ✓
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ✓
- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected; ✓
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to ✓


work in the United Kingdom or my share code issued by the Home office online right to work checking service (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 166 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 18 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2008 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures (please read guidance note 11)**

**Signature of applicant or applicant's solicitor or other duly authorized agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
<b>Signature</b>	
<b>Date</b>	13 <sup>th</sup> July 2021
<b>Capacity</b>	Site Lead Officer

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorized agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	
<b>Date</b>	
<b>Capacity</b>	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (I) a local authority, or (II) a school, or (III) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (I) the local authority concerned, or (II) the school or (III) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (I) a local authority, or (II) a school, or (III) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (I) the local authority concerned, or (II) the school proprietor or (III) the health care provider for the hospital.
- **Dance:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- **Cross activity exemptions:** no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

- o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 18.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

#### **Right to work/immigration status**

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- o does not have the right to live and work in the UK; or
- o is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 8 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

1) by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 162 of the Licensing Act 2003.

2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Home Office online right to work checking service**

**As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.**

**To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.**

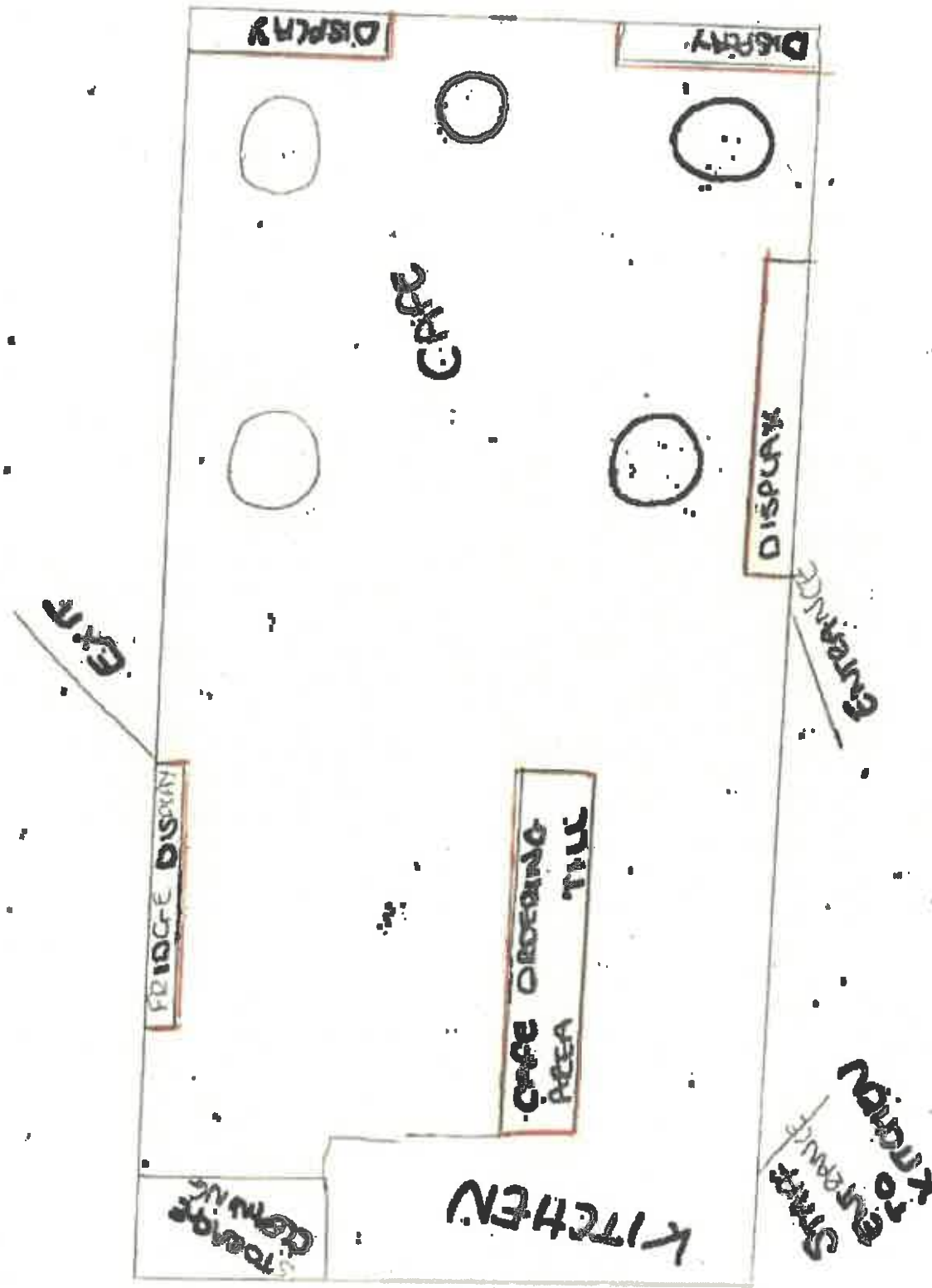
**In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.**

**An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.**

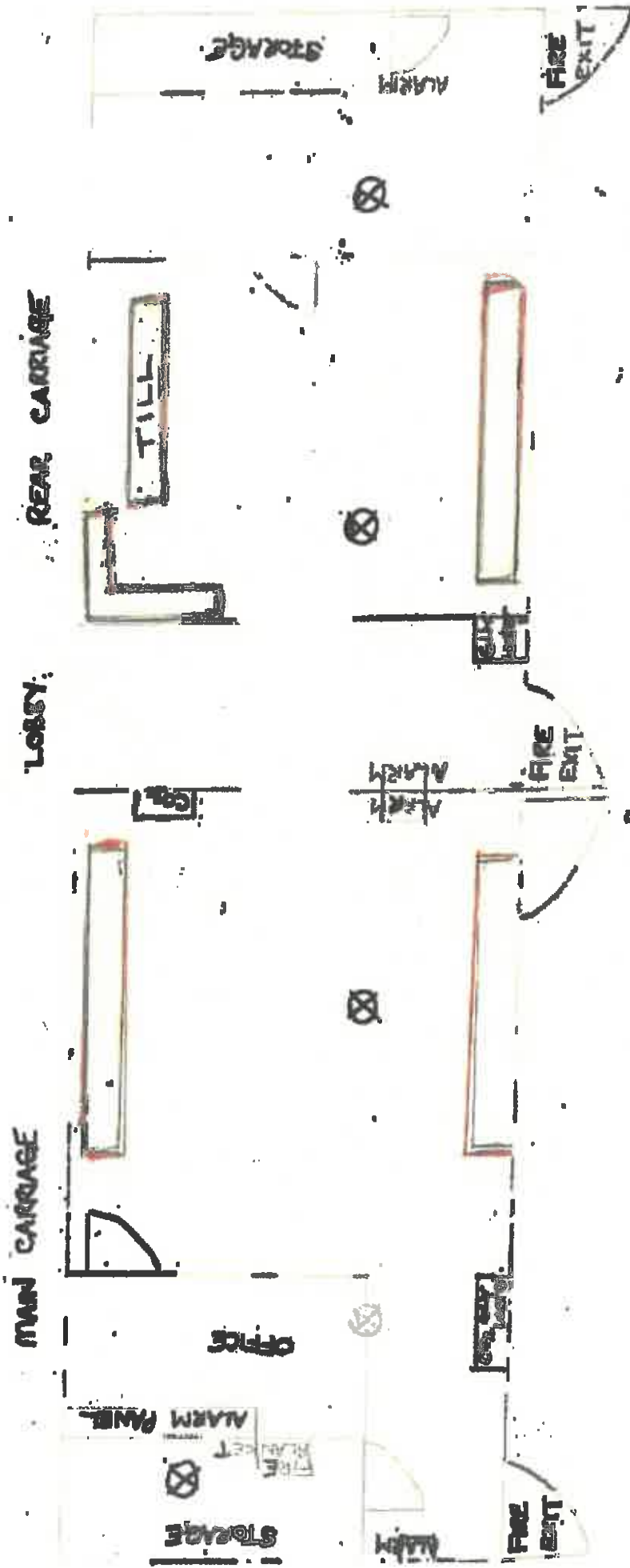
**Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.**



**MINI BUILDING**



**CARRIAGES VISITOR CENTRE not to scale**

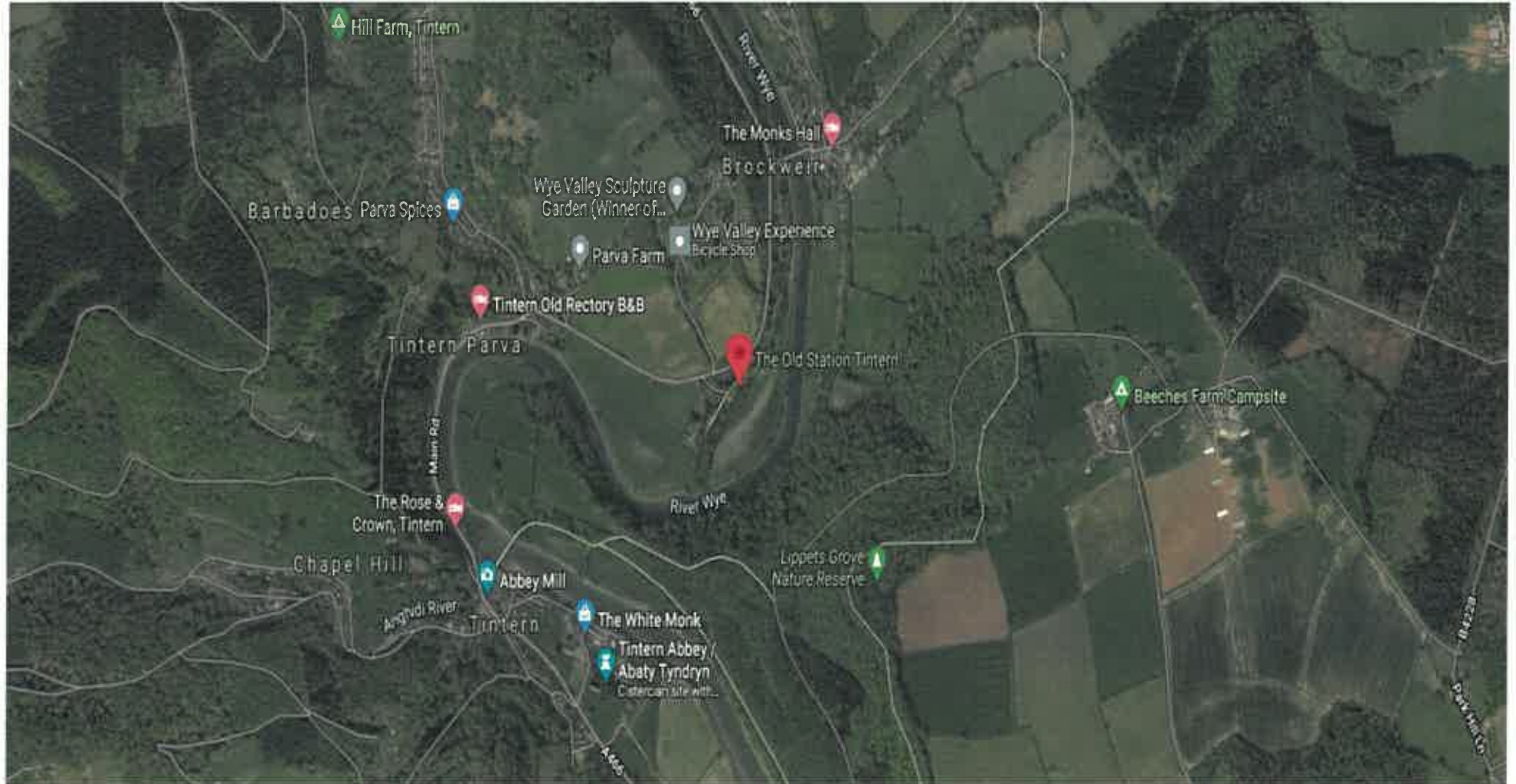


**X** - Smoke detectors

**□** - REPAIR AREA

The Old Station  
 Timbarn  
 Manmaddis  
 NP16 7NX





**Atodlad 1 - Amodau gorfodol**  
**Annex 1 – Mandatory conditions**

**Mandatory Conditions – Supply of Alcohol**

1 No supply of alcohol may be made under the premises licence:

- i) at a time when there is no designated premises supervisor in respect of the premises licence; or
- ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**Mandatory Conditions – Security Activity**

3 Where at specified times one or more individuals may be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority.

For the purposes of this section:

- i) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies; and
- ii) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

**Mandatory Conditions – Exhibition of a Film**

4 The admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or in the absence of a recommendation from the BBFC, the Licensing Authority.

For the purposes of this section:

- i) "children" means persons aged under 18 years of age.

**Mandatory Conditions – Supply of Alcohol for Consumption On The Premises**

5 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

8. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider:  $\frac{1}{2}$  pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

#### **Mandatory conditions - The ban of the sale of alcohol below the cost of duty plus VAT**

9. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:-

(a) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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1. Home (<https://www.gov.uk/>)
2. Licensing (<https://www.gov.uk/topic/business-enterprise/licensing>)

Guidance

# Entertainment Licensing

Information on whether you need approval to put on certain types of regulated entertainment.

From:

Department for Digital, Culture, Media & Sport (<https://www.gov.uk/government/organisations/department-for-digital-culture-media-sport>)

Published

26 March 2015

## Contents

- 1. Overview
- 2. Do I need a licence for music entertainment?
- 3. Do I need a licence to put on a play or a performance of dance?
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- 5. Do I need a licence to stage boxing or wrestling?
- 6. Do I need a licence to screen a film?
- 7. Guidance

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## 1. Overview

Businesses, organisations and individuals who want to provide types of entertainment may require a licence or other authorisation from a licensing authority - a local council.

The types of businesses and organisations that need a licence for entertainment might include:

- nightclubs
- live music venues
- cinemas
- larger theatres
- larger street and open air festivals
- larger indoor sporting arena

In particular a licence may be required by:

- anyone that provides any entertainment between 11PM and 8AM;
- anyone that provides amplified live or recorded music to an audience of more than 500 people;
- anyone that provides recorded music to an audience on premises not licensed for the sale or supply of alcohol;

- anyone that puts on a performance of a play or a dance to an audience of more than 500 people, or an indoor sporting event to more than 1,000 spectators
- anyone that puts on boxing or wrestling
- anyone that screens a film to an audience

## 2. Do I need a licence for music entertainment?

Whether a licence is needed for music entertainment will depend on the circumstances. A licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

You also don't need a licence:

- to put on unamplified live music at any place between the same hours; or
- to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

In other circumstances, a licence may be required. One licence application (<https://www.gov.uk/alcohol-licensing>) can cover all types of regulated entertainment and the sale or supply of alcohol.

There are exemptions from the need for a licence for music entertainment, in defined circumstances as set out in the Guidance, including for:

- places of public worship, village halls, church halls and other similar buildings
- schools
- hospitals
- local authority premises
- incidental music - music that is incidental to other activities that aren't classed as regulated entertainment

The Guidance also sets out the process by which a local council can review a licence where problems may occur in relation to music entertainment and noise nuisance.

## 3. Do I need a licence to put on a play or a performance of dance?

Whether a licence is needed for a performance of a play or a dance will depend on the circumstances. A licence is not required to stage a performance of a play or a performance of dance if:

- it takes place between 8AM and 11PM; and
- the audience is no more than 500 people.

In other circumstances, a licence may be required. One licence application can cover all types of regulated entertainment and the sale or supply of alcohol. A licence is always required for any activity that is sexual entertainment.

(<http://webarchive.nationalarchives.gov.uk/20100413151441/http://www.crimereduction.homeoffice.gov.uk/crimereduction057a.pdf>).

#### 4. Do I need a licence to stage an indoor sporting event?

Whether a licence is needed for an indoor sporting event will depend on the circumstances. A licence is not required to stage an indoor sporting event if:

- it takes place between 8AM and 11PM; and
- the number of spectators is not more than 1000 people.

In other circumstances, a licence may be required. One licence application (<https://www.gov.uk/alcohol-licensing>) can cover all types of regulated entertainment and the sale or supply of alcohol.

#### 5. Do I need a licence to stage boxing or wrestling?

You will need a licence to stage boxing, wrestling and mixed martial arts. One licence application (<https://www.gov.uk/alcohol-licensing>) can cover all types of regulated entertainment and the sale or supply of alcohol.

#### 6. Do I need a licence to screen a film?

A licence is needed to screen a film or exhibit moving pictures. One licence application (<https://www.gov.uk/alcohol-licensing>) can cover all types of regulated entertainment and the sale or supply of alcohol.

There are exemptions from the need for a licence for film entertainment, in defined circumstances as set out in the Guidance, including for:

- places of public worship, village halls, church halls and other similar buildings
- education
- incidental film – moving pictures that are incidental to other activities that aren't classed as regulated entertainment
- television broadcasts

In other circumstances, a licence may be required to show a film:

- In public
- or in private, if those attending are charged for entry and the intention is to make a profit, including raising money for charity.

Licensing of entertainment under the Licensing Act 2003 is entirely separate from copyright authorisation to show films in public (<https://www.gov.uk/showing-films-in-public>).

#### 7. Guidance

Further detail is set out in Guidance (<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>) issued under the Licensing Act 2003.

You can also contact your local council (<https://www.gov.uk/find-your-local-council>) for advice.

#### Elsewhere on gov.uk

Alcohol licensing (<https://www.gov.uk/alcohol-licensing>)

## Early Post-Implementation Review of the Live Music Act

([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/328503/Post-implementation\\_review\\_Impact\\_Assessment\\_of\\_the\\_Live\\_Music\\_Act\\_2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/328503/Post-implementation_review_Impact_Assessment_of_the_Live_Music_Act_2012.pdf))

Intellectual property – guidance: Licensing bodies and collecting societies (<https://www.gov.uk/licensing-bodies-and-collecting-societies>)

Performance licences for children (<https://www.gov.uk/child-employment/performance-licences-for-children>)

Safety certificates: sports stands (<https://www.gov.uk/safety-certificates-for-regulated-stands-at-sports-grounds-e-s-w>)

Organising a street party (<https://www.gov.uk/government/publications/your-guide-to-organising-a-street-party>)

Entertainment Licensing Statistics 2014 (<https://www.gov.uk/government/statistics/entertainment-licensing-2014>)

## Elsewhere on the web

Licensing Resource (<http://licensingresource.co.uk>)

British Board of film classification (<http://www.bbfc.co.uk/>)

Copyright Hub (<http://www.copyrighthub.co.uk/>)

Published 26 March 2015

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## Related content

- Your guide to organising a street party (<https://www.gov.uk/government/publications/your-guide-to-organising-a-street-party>)
- Entertainment Licensing 2014 (<https://www.gov.uk/government/statistics/entertainment-licensing-2014>)
- Private clubs and associations: quick start guide (<https://www.gov.uk/government/publications/private-clubs-and-associations-quick-start-guide>)
- Changes to Section 72: Public showing or playing of broadcasts (<https://www.gov.uk/government/publications/changes-to-section-72-public-showing-or-playing-of-broadcasts>)
- Club premises certificate (<https://www.gov.uk/club-premises-certificate>)

## Brexit

Check what you need to do (<https://www.gov.uk/brexit>)

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- Licensing (<https://www.gov.uk/topic/business-enterprise/licensing>)
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**Watts, Taylor J.**

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**From:**  
**Sent:** 16 July 2021 09:44  
**To:** MCC - Licensing  
**Subject:** Tintern Station

I am very much against granting an alcohol license for Katie Burton at the Old Station Tintern. This is a family recreational site and alcohol has no place there. If people would like alcohol there are plenty of pubs and hotels nearby. I live in Tintern and I do not wish the Station to become another adult space. Our children love going there. Keep it alcohol free please

Sent from my iPhone

## **Watts, Taylor J.**

---

**From:** MCC - Licensing  
**Sent:** 27 July 2021 14:10  
**To:** MCC - Licensing Area C  
**Subject:** FW: Licensing Application The Old Station, Tintern

Mrs Samantha Winn  
Licensing Officer/ Swyddog Trwyddedu  
Tel / Ffon: 01633 644221  
Mobile: 07880838305  
Email / E bost: [samanthawinn@monmouthshire.gov.uk](mailto:samanthawinn@monmouthshire.gov.uk)  
Website/ Gwefan: [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)  
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APPY



Fy Sir Fynwy  
My Monmouthshire



**From:** >  
**Sent:** 27 July 2021 13:53  
**To:** MCC - Licensing <[Licensing@monmouthshire.gov.uk](mailto:Licensing@monmouthshire.gov.uk)>  
**Subject:** Licensing Application The Old Station, Tintern

Dear Sir,

We write to voice our concerns over the licensing application that has been put in to serve alcohol at the above premises. You may be aware that our Chairman spoke with Mr Taylor Watts about the matter as the first knowledge our council had of the application was from concerned residents. The notice had been inadequately displayed and as a result Mr Watts agreed to extend the date for comments to be made. At our council meeting last night the matter was discussed by Councillors. It transpires that there is a ground-swell of public opinion in the community against the application. We also feel that there has been a lack of communication and clarification with both the Council and public as to what is intended at the premises. The sale of alcohol late into the evening is, we feel, wholly inappropriate due to the nature and use of the premises, which is predominantly a family based small activity centre. Also, there is no residential landlord on site and the premises are therefore left unsupervised at night when closed. There are already issues with anti-social behaviour, drug misuse after hours and its proximity to the river, which could result in an accident by a member of the public. We feel the site is a valuable and attractive asset to the community which is appreciated by young families and will be spoilt, not enhanced, by the provision of a license to serve alcohol. We would therefore ask that you take our comments into consideration when making a decision about the premises.

Thank you.



**Watts, Taylor J.**

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**From:**  
**Sent:** 30 July 2021 14:18  
**To:** Watts, Taylor J.  
**Subject:** Alcohol Licence Station Tintern

Thank you for your email. As I understand it a new application has been submitted and that the late night music and late night functions have been withdrawn from the new application. My concern is that if an alcohol licence is granted is it then just a formality that late night functions and late night music are granted. My objections to this licence being granted are as follows.

**Public safety.** Insufficient car parking, there is also a quiet camp site at the station and they will park their cars there to. Also on leaving the station late at night the entrance and exit to this facility is on a very bad corner and there have already been a number of accidents and deaths.

**Prevention of Crime and disorder.** This will depend on the type of people who will use the facility. My main concerns are drugs, motor bikes and people drinking more than the limit, and becoming noisy, which will carry through the village as we are in a valley. I doubt if the police will even come out for either of these offences. Also there is a speed limit on the A466 through the village of Tintern, and I can assure you that outside my property no one takes any notice of this and nobody does anything about it. Late at night when people leave, this speed limit will not be adhered to and the traffic going over the installed traffic bumps will create a terrible noise and keep people awake.

**Public Nuisance.** I can foresee a lot of noise and people bringing their own music. Noise when they leave the site.

**Public safety.** There is a camp site at the station and people walk back from the village late at night, the pavements are not in good order, not cleaned of debris falling from the trees, and people walk in the road.

**Protection of Children.** The Station at Tintern has always been a place where families come, there is a picnic area, and serving alcohol all day will destroy this as a safe place where families come for a day out and a picnic. There is also a play area for children at the station, where I am sure children from the village come on their own.

Are the toilet facilities adequate. They certainly need to be in this day and age re covid 19. Changing this tea room into an Alcohol premises, is planning permission required or change of use required. I also feel that the building is far too small to accommodate people well into the evening. The setting area is very small and only a few tables.

I strongly object to our tea room and picnic area being granted an Alcohol Licence, from 10am until 11pm., it is an area for families with children to enjoy a day out.

**Watts, Taylor J.**

---

**From:**  
**Sent:** 31 July 2021 11:31  
**To:** Watts, Taylor J.  
**Subject:** The Old Station Tintern Premises Licence Application

The alcohol licence has been applied for without the music but is this a strategy so that the music can be applied for on individual occasion basis?

This venue has long been a child & family centred popular one with play ground areas & programmes of childrens activities which draws an enthusiastic audience, who enjoy ice creams, cream teas & pop etc. To grant an 11 hour alcohol licence would completely alter the type & nature of this popular attraction & I believe will deter customers.

**Prevention of crime & disorder:-** the site is spread among trees & unless it is well illuminated it may prove difficult to control.

**Public Safety:-** In my opinion the site vehicle access is on one of the most dangerous corners of the A466 in Tintern-(it is the site of many accidents & several fatalities.) Any planner with safety in mind could not allow a public house to operate on that stretch of road.

Safety for pedestrians is also of concern around this venue Pedestrians often choose to walk on the A466 because of obstructions on the pavement. the footpaths from the Old station are particularly hazardous;- the path to the village is gained by a 2 story high flight of steps. The path to Brockweir Bridge ends in a short but very steep flight of steps between dense bushes. The other paths are along the edge of the river, to make these areas safe late at night will require bright & extensive lighting which will seriously disturb the riverbank flora & fauna & altering the whole riverbank environment in that area . Before any such licence is granted a full environment study should be undertaken.

#### **Protection of children**

On this riverside & in parts secluded & totally unfenced area children need to be constantly watched from wandering away. alcohol consumption could make this more difficult.

I therefore on all these grounds strongly object to this application.

**Watts, Taylor J.**

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**From:** MCC - Licensing  
**Sent:** 03 August 2021 16:02  
**To:** MCC - Licensing Area C  
**Subject:** FW: Application for alcohol licence at Tintern Old Station, NP16 7NX

Mrs Samantha Winn  
Licensing Officer/ Swyddog Trwyddedu  
Tel / Ffon: 01633 644221  
Mobile: 07880838305  
Email / E bost: [samanthawinn@monmouthshire.gov.uk](mailto:samanthawinn@monmouthshire.gov.uk)  
Website/ Gwefan: [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)  
Follow us on Twitter / Dilynwch ni ar Twitter: [www.twitter.com/monmouthshirecc](https://www.twitter.com/monmouthshirecc)

#APUS  
APPY



Fy Sir Fynwy  
My Monmouthshire



**From:** :  
**Sent:** 03 August 2021 16:00  
**To:** MCC - Licensing <[Licensing@monmouthshire.gov.uk](mailto:Licensing@monmouthshire.gov.uk)>  
**Subject:** Application for alcohol licence at Tintern Old Station, NP16 7NX

We feel that this licence should not be approved, as at the moment the old station is a family orientated tourist attraction, providing a safe area for children to play and picnic with their families. Teas and snacks can be bought at the moment. Also the application is for up to 500 people to be able to drink alcohol, play music, park all their cars up to 11 PM every day of the week. Is this really in keeping with the peace and tranquillity of the the Wye Valley AONB?

The reason most people visit the Wye Valley is to enjoy an area of relatively unspoilt beauty.

Sent from my Galaxy

**Watts, Taylor J.**

---

**From:**  
**Sent:** 05 August 2021 18:45  
**To:** MCC - Licensing  
**Subject:** Tintern old station licensing application

To whom it may concern

I am writing to object to licensing application for Tintern old station.

This is a primarily a children's play area and picnic site with a cafe so I do not think it is appropriate for alcoholic drinks to be sold.

I see absolutely no reason for a change in the current arrangement as a temporary event notice can be applied for for weddings or other occasional events.

Please acknowledge receipt of my objection

Many thanks

6 August 2021

**The Old Station, Tintern Licensing application**

Further to our letter dated 10 July 2021, please find below our representation in respect of a revised application by Monmouthshire County Council (MCC). This representation is also for residents and businesses in the vicinity who will be affected by the proposal. Some have objected directly and many through Tintern Community Council (TCC). As suggested, representation is made in relation to the licensing objectives and we have taken time to address them all, but there are no grounds for a licence at a Picnic Site and Designated Historic Asset in an Area of Outstanding Natural Beauty (AONB) in a rural location.

We will all be adversely affected by licensable activities at Tintern Station with noise pollution and disturbing of neighbours, the environment and wildlife, and from risk of public disorder and anti-social behaviour, increased risk of crime, concern for child safety and adverse impact on local tourism businesses. The application contravenes all four licensing objectives and the proposal is a major change of use contrary to the asset class and protected status of this picnic site and heritage listed asset.

<b>PREMISES LICENCE GUIDANCE</b>	
<b>Requirement</b>	<b>Representation</b>
<p><b>2.1 Part 1: premises details</b> ... asks for the address and some other details of the premises. If the premises has no postal address, for example, if the application relates to an event on open land, you should describe the location of the premises or give the Ordnance Survey map reference.</p>	<p>This should include the OS map references to reflect the size of the outdoor picnic areas and to only quote the address is misleading as it veils the outdoor drinking that is planned.</p>
<p>The section also asks for the non-domestic rateable value (NDRV) of the premises.</p>	<p>It's not "N/A". Tintern Station is designated as a picnic site which under the Town and Country Planning Act is class D2 in Wales (F.2 England) and no permitted change – this is a major change of use. (And it must have a rateable value.)</p>
<p><b>2.4 General description of the premises</b> You are asked to describe the premises. For example the type of premises, its general situation and layout and any other information that would be relevant to the licensing objectives. You should also describe any areas that you intend to provide for people to consume alcohol that you sell or supply such as outside areas e.g. beer gardens.</p>	<p>There is a lot of information relevant to this application that is not presented and the description is misleading e.g. the "green area" equates in licensing terms to a beer garden spread over picnic areas of 8+3+9+3=21 acres (for the relevance of the split see 10.) within which there are many problems relevant to licensing.</p> <p>The application includes a drawing of the interior of the Station tearoom and carriages, implying indoor sales and consumption only in that area, but the request references outdoor drinking. A public house seeking a licence for a beer garden and operating in an outdoor space this close to homes would need to be precise with a map of specific and contained areas.</p> <p>The "café area" and "picnic seating area" encompass all green picnic spaces along the platform to the children's playground, behind the carriages and into the overflow car park with the Legends Statues. We've been told new commercial gas and electric BBQs have been purchased inferring beer garden usage. These are all small areas broken up by heritage assets and unsuitable for alcohol.</p> <p>Aside from the picnic areas the site includes protected wildflower meadows (which flood in winter and spring) in an AONB with grassland of nature conservation interest, where mowing is constrained so that plants flower &amp; seed and orchids and invertebrates are protected. It's buzzing with wildlife all year round and unsuitable "premises" for drinkers and hundreds of feet.</p>
<p><b>2.6 Licensable activities</b> You should indicate which licensable activities you wish to carry on by ticking the appropriate boxes. In considering what to put in this section, you should think about all the activities you may want to conduct at the premises in the future and consider whether any are licensable activities under the act. You can include whatever licensable activities you like, but should think about how these might be viewed by responsible authorities or interested parties. You'll also need a TEN<sup>1</sup> if a particular licensable activity is not included in the terms of your existing licence, for</p>	<p>Last month's application referenced plays (outdoors 08.00-23.00 up to 500 people), films (indoors), live music (outdoors, non-standard timings) &amp; recorded music (indoors 10.00-18.00), late night refreshments (indoors &amp; outdoors) and alcohol sales on &amp; off premises (10.00-23.00 with unspecified seasonal variations). Residents are told these are still planned "we don't need a licence for music" but this is incorrect and live music requires a licence regardless of the number of participants. These activities have been deleted from the application which is misleading to interested parties and responsible authorities particularly as we're told the application had been copied from another</p>

<sup>1</sup> Extract from Temporary Events Notice (England and Wales).gov.uk

<p>example holding a wedding reception at a community centre.</p>	<p>request. We know they're already happening at other MonLife venues in Caldicot and Abergavenny but these are both larger and more open parklands in excess of 50 acres (one is even in a town centre) and not a picnic site with heritage assets within protected meadows and conserved grassland at the bottom of a valley where noise spreads. None of this location is suitable for outdoor plays and films especially when those events at other MonLife sites are finishing at 22.55 followed by clearing up time i.e. beyond 23.00. We also have the open grounds of Tintern Abbey for events like that held once a year and our village hall where money raised is vital for its upkeep. See also 6, 10, 11.</p> <p>Weddings and events are referred to in the application. There have been weddings but quiet, family affairs often with railway associations or locals not minding the sewerage works next door. Guests use the picnic site as intended with homemade food and seeking the quiet and simplicity of the rural setting. They usually leave before 17.00 to continue celebrations in suitable locations predominantly local licensed businesses where guests are staying overnight thereby avoiding residential noise disturbance, driving under the influence, plus helping the local economy. Temporary Event Licences were applied for as needed as this picnic site equates to an outdoor community centre for residents. See also 7.</p> <p>The proposed activities are unclear and the application reads as a blanket licence for any alcohol related activity whereas none is suitable here.</p>
<p>You should give timings using the 24-hour clock and only give details for days of the week when you intend the premises to be used for the licensable activities in question.</p>	<p>"Occasional" is vague but also implies a temporary licence - the boxes are on the form for that and ticking 7 days per week 10.00-23.00 without constraint and stating the premises will be used for "non-standard timings" is too broad. There's no evidence of ability to safely manage this scale of operation. Even temporary licences require proper risk assessment including fire, traffic &amp; event management plans etc., letters sent to residents stipulating dates and times of the event and a telephone number for Environmental Health. Notices would be erected warning residents. Leaving this to chance and waiting for public disorder after an improperly managed event is negligent. See also M.</p>
<p><b>Box L: hours premises are open to the public</b> While this may include times where no licensable activities take place, it is important for responsible authorities, interested parties and the licensing authority to know how long your premises is open in addition to the times where licensable activities will take place. For example, it might be necessary and proportionate to ensure that licensable activities finish in good time before the premises closes to the public to allow orderly departure. You should indicate whether any of the 'seasonal variations' to and 'non standard timings' for licensable activities, would affect the hours the premises are open to the public, in the spaces provided. You may also wish to consider whether there will be any seasonal variations or non-standard timings when the premises will be open to the public at different times for non-licensable activities</p>	<p>Tintern Station picnic site is open 24 hours but has always been manned 10.00-16.00 April to October with the overflow car park closing 30 minutes before to ensure orderly and tidy departure and the barrier closed to prevent illegal overnight vehicles and camping. Walkers and families often appear then to enjoy the quiet and one group meet regularly with relatives from further away. Having extended the closing time to 17.00, departing staff do not always have time to check the site (not their fault) and most days the overflow is still open leaving locals to secure it. Reflecting these hours as standard is incorrect and this application is trying to extend hours further.</p> <p>Changing the licensing hours request by 2 hours from a 08.00 to 10.00 start still with a 23.00 finish doesn't alter the unacceptable nature. This is classified as a Picnic Site and Historic Asset (one listed building has been used as a tearoom) to provide refreshments for transit visitors driving through the valley and stopping for a break at the picnic site, within the guidelines set by the Countryside Commission<sup>2</sup> in 1969 when this old railway line was designated a picnic site with no permitted change. It was not intended and is not suitable as a commercial enterprise.</p>
<p><b>M: steps to promote the licensing objectives</b> You are asked to describe the steps you intend to take to promote the 4 licensing objectives:</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>	<p>Dreadfully weak presentation (see 9 to 13). The described steps are a tick box of administrative actions including alcohol refusals, incident book &amp; CCTV recordings (see also 2.9, 10.4, 12) all past actions and nothing to prevent crime, disorder, public nuisance or maintain public &amp; child... safety i.e. It does not promote licensing objectives and is an indictment against them. Even 'nothing beyond existing health &amp; safety/fire safety requirements' would have shown the applicant has considered the objectives but of course</p>

<sup>2</sup> Ultimately subsumed into Natural Resources Wales

	<p>this cannot be stated because they haven't and failure would constitute an offence under the Act.</p> <p>There is no evidence of the consideration of risks and what can be done to mitigate them. Neither the organisation nor applicant appear to understand risks to the licensing objectives and examples herein of where inappropriate use of the picnic site can cause crime, disorder, public nuisance and risks to public safety support no licence. We hope neither operate a licence currently (cannot check as the public register is still inoperative, noted the problem has been escalated). General consensus is that if this had been a private business presenting this poorly-conceived application it would never have gone this far.</p>
<p><b>2.9 Plans</b> The plan of the premises needs to meet the requirements set out in the act and the Licensing Act 2003 to show the following:</p> <ul style="list-style-type: none"> <li>the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises</li> <li>the location of points of access to and egress from the premises</li> <li>the location of escape routes from the premises</li> <li>In a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity</li> <li>fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment</li> <li>In a case where the premises includes a raised area, the location and height of each area relative to the floor</li> <li>In a case where the premises includes any steps, stairs, the location of the steps, stairs</li> <li>In a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms</li> <li>the location and type of any fire safety and any other safety equipment, including if applicable marine safety</li> </ul> <p>Unless you have previously agreed with the relevant licensing authority in writing that an alternative scale plan is acceptable to it, the plan should be drawn in standard scale, where 1 millimetre represents 100 millimetres.</p>	<p>As we're proposing the application is rejected we've not addressed all of these but more information is contained below and in brief the plan does not meet requirements:</p> <ul style="list-style-type: none"> <li>the licensed area is not just the tearoom and carriages but outdoors with picnic areas with heritage assets that risk damage as well as the protected meadows</li> <li>no scale to allow a considered review of the premises: both "buildings" are too small for those hosted now let alone up to 500 people as are the picnic areas adjacent</li> <li>no identification of where different licensed activities would take place</li> <li>there are raised areas</li> <li>there are steps</li> <li>no mention of the toilets</li> <li>unclear coverage of fire equipment, no mention that with a full car park a fire engine would struggle to gain access; no mention of safety equipment for drunk customers by the river (none of which has been needed until this)</li> </ul> <p>The description remains inadequate and the plan is a poorly hand-drawn note without scale or specifications. An unlimited licence allowing 500+ people events cannot be granted on minimal information with no risk assessments especially when the intention is for drinkers to spill outdoors into picnic site &amp; meadows (see also 2.4 &amp; 2.6).</p> <p>This plan presents premises where no alcohol is consumed outside which is contrary to the outdoors wording of the application and without CCTV alcohol cannot be sold or consumed beyond the plan area; although CCTV has suddenly appeared at Tintern Station it does not cover all 21 acres and nor should it in a picnic site, playground and public meadows in a rural location. See also 10.4. more evidence on inappropriateness of a licence.</p>

LICENSING ACT 2003 POLICY STATEMENT 2020 <sup>3</sup>	
Requirement	Representation
<p><b>4. Fundamental principles</b> 4.2 the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living working or engaged in normal activity in the area concerned.</p>	<p>This area isn't a city or town it's a mix of retired people and small often family businesses making a living from tourists enjoying the unique peace <i>'sitting quietly in the Wye Valley AONB, Tintern is a wonderful place in which to live, raise families and enjoy the spirit of community ... visitors who pass this way each year seeking the renewal which comes from a short time spent in its surroundings.'</i><sup>4</sup></p> <p>The privately owned businesses in this village rely on tourism, are struggling through this pandemic and a service business of a council should not be using its position in the public sector to deplete that trade. Local councillors are rightly staunch advocates of this and the preservation of this heritage area. See 10. to 13.</p>
<p><b>5. Zoning and licensing hours</b> 5.2 As part of its licensing policy, the licensing authority may also wish to consider the use of alternative measures such as fixed closed times and zoning</p>	<p>A premises licence allows alcohol to be sold and consumed on that premises and not in outside space, here a picnic site. The Anti-Social Behaviour, Crime &amp; Policing</p>

<sup>3</sup> fyi section 14.6 refers to 20.24 which does not exist  
<sup>4</sup> Tintern village website

	<p>Act 2014 introduced public spaces protection orders which allows an authority to designate areas where anti-social behaviour such as street drinking will be prohibited: this is a public picnic site and meadows not suitable as a beer garden.</p>
<p>5.3 The Authority considers that it is vital to create an appropriate balance between the economic needs of licensed premises and the rights of local residents to be able to enjoy a reasonable degree of peace and quiet at noise-sensitive times and other persons not experience early fall out of the night-time economy.</p>	<p>This area is noise-sensitive 24-7. See 10. and 11. By its nature a picnic site /park has areas accessible to the public that are hidden and at a distance which make control impossible and no lighting as day turns to evening. Additional lighting would be detrimental to the environs (see 11.2) making it impossible to guarantee public safety. Staff will not be able to monitor outdoor drinking across 21 acres. CCTV cannot be erected across it and would be too late to prevent an incident, which is why designated picnic sites are not developed as anything else and are protected.</p>
<p>5.4 because of the problems experienced in some local communities in Monmouthshire arising from the availability of alcohol for sale at local shops for consumption off the premises this Licensing Authority has decided that it will not adopt this general position but instead will expect applicants and licence-holders to trade alcohol at hours which are appropriate to their particular local environment.</p>	<p>There are no licensing hours appropriate to this rural and protected family picnic site; it's a major change of use. Licence to 23.00 means people will carry on drinking afterwards and can even buy supplies in the gift shop to do that; no one to supervise with no time for staff to move drinkers, clear litter etc. See 10 and 11.</p>
<p>5.7 groups of people congregated and have caused anti-social behaviour. Applicants should very carefully consider the appropriateness of selling alcohol during early morning or late evening hours.</p>	<p>The sale of alcohol at any time and particularly before midday and after 17.00 on this picnic site is negligent. See 10.1, 10.8 and 11.7</p>
<p>5.8 Drinking up time/cooling down time: During this time music volume may be reduced, customers may finish their drinks &amp; make arrangements for transportation from the premises. The Council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers &amp; consequently reduce any potential negative impact on area</p>	<p>The applicant hasn't considered this. See Box L. above Tearoom and carriages staff have left by 17.00 and do not always have time to check the whole site, clear litter and lock the overflow car-park. A 23.00 close means a very late clear up, lock-down of the site and will adversely affect the core users and impact the area. See 6. to 13.</p>
<p><b>6. Commercial demand</b> 6.1 The commercial demand for additional premises licences (as distinct from cumulative impact) will not be a matter for the Licensing Authority. These matters would be a specific consideration for the local Planning Authority taking into account the demands of the licensed trade and market demands</p>	<p>There is no market demand for licensed trade in this picnic area &amp; park and this licence is being proposed by MCC for MCC which is anti-competitive to the existing licensed trade in Tintern. As presented it is in danger of appearing like a public governing body setting up a commercial business and approving its own licences etc. in areas which overlap with many existing Tintern businesses (including those that already cater for &amp; after weddings) whilst ruining a designated picnic site, its protected meadows &amp; conserved grassland and historic listed assets. If unconcerned about reputation risk there is certainly a risk of conflict of interest /democracy which the Public Services Ombudsman for Wales was set up to avoid. This is not just a licence application but a major change of asset class and change of use: Tintern Station is a Picnic Site and Designated Historic Asset and selling alcohol here is wholly inappropriate. How can MCC grant its department a licence which would normally have to be approved as a beer garden and wouldn't be because of its designated and historic status. MCC accounts for Tintern Station as a heritage asset<sup>5</sup>; it is not a leisure centre or social club. Residents were unsure if the weakness of the application reflected incompetence or belief that it would be ticked through without question (particularly when the original notice was ineffectually used), as part of a larger scheme. The latter has been confirmed by those who are/were involved that it's neglect caused by disinterest in key heritage aspects of the picnic site so plans for a more commercial business can be introduced, the alcohol licence being the start, and this is confirmed in budgets and plans. Almost 70 years of experience has been lost with the resignations of disillusioned staff, and the many and hardworking volunteers who have been told they're no longer needed and the lack of interest in preserving history i.e. anything that isn't deemed money-making. There is demand for: • the train; money spent on overnight storage and it was ready to be run socially, distanced but now confused children stand by the</p>

<sup>5</sup> FRS102 'maintained principally for their contribution to knowledge and culture'



	<ul style="list-style-type: none"> <li>• tracks - maintained by volunteers - making train noises</li> <li>• the £1/2 children's trails which were taken down and replaced with a £4.50 activity pack that most families of 2-4 cannot afford when they come with their homemade picnic</li> <li>• a gift shop selling toys and sweets cheap enough for children's pocket money. Carriages were refurbished and ready - with a miniature model railway completed by volunteers - before this season started yet they are rarely open or even attended. They can still sell higher-end home and tourist gifts for visitors with money.</li> <li>• Art exhibitions and craft fayres in the signal box prior users say rental increases have priced them out but they still come to paint. Visitors coming for those events normally spend money in the tearoom</li> <li>• a Tourist Information Centre (it's on sat-nav as one) to answer questions and provide maps, sell books etc.</li> <li>• safe green space: Green Flag awards are open to freely accessible parks and those awarded benefit from external funding and grants that recognise the award as a standard, for example, the Heritage Lottery Fund. Tintern Station has applied and won since 2009 so why not apply for Green Heritage Site Accreditation and broaden the grant net.</li> </ul> <p>MonLife concerns over "footfall" and calculating spend per person "it's often pence and not enough" are misplaced: the tearoom has only been open 3 months and the gift shop is closed. The focus is on quick money when there's plenty at Tintern Station for income if it's preserved but no infrastructure in a picnic site for any more than that. This is not a place for corporate exploitation it's a picnic site and selling high price alcohol brings licensing risks which are too high for this rural and vulnerable area.</p> <ul style="list-style-type: none"> <li>◆ Complaints have been made about the Wys Valley AONB carved wooden signs that were cut down to make way for a MonLife version at Tintern Station and at the Lower Wireworks (not "just a car park" but also Tintern history). It's a heritage site and should remain in keeping with an AONB with a reputation for <i>preserving the natural and picturesque</i> not a lurid red &amp; pink sign (not MonLife green colours nor heritage colours of RGB/rosewood) which infers cheap inferior tourism, reminiscent of an amusement leisure park, and doesn't even give opening times but is corporate advertising with website &amp; small details. The black-and-white branding of Tintern Station is part of its listed asset status where 'group value' specifies the name board on the station platform. The same type of notices at the entrance may not be original (still researching) but anything that reflects the heritage status should be preserved. Either this hasn't been researched or it's being ignored.</li> <li>◆ Platform flower beds, tube and hanging baskets used to be tended and watered; rose bushes planted under local guidance on how the platform looked when trains ran and Tintern won best kept platform in the 1800s for its colourful flowers - these have been left to wither and no effort on maintenance.</li> <li>◆ The Circle of Legends statues created from grants but not maintained and were rotting and in danger of disintegrating so Tintern volunteers organised fundraising for chemicals for treating and the sculptor created a new head for one at a reduced cost. They raised £700 to cover this as MonLife hadn't "money or time" for it. They were also told to look after remaining supplies which would be "thrown away" when other newer statues would need treatment. The Tree of Life was to be renovated but was chopped and kicked into a ditch - volunteers tried to rescue but couldn't lift it up the steep slope.</li> </ul>
<p><b>7. Alcohol Harm</b></p> <p>7.2 Research has repeatedly shown that the economic, geographical and temporal availability of alcohol has a significant effect on the level of alcohol related harms, including health harms. Research and real-life experiments have shown that the range of times and days alcohol is available for sale has a significant impact on the harms caused by alcohol.</p>	<p>MCC used to have a zero-tolerance policy to alcohol and wouldn't countenance it on any of its green sites. We understand staff have been assaulted by drunk visitors in the past highlighting that selling alcohol here will exacerbate that sort of behaviour which is negligent. Staff have witnessed or found evidence of drug use, drug delivery, alcohol, illegal camping and inappropriate sexual behaviour. Again alcohol sales will fuel this which is unacceptable for a family picnic site with children.</p> <p>Sadly past weddings had problems with customers drinking too much. The council having a licence and selling alcohol is condoning and encouraging unacceptable behaviour.</p>
<p>7.3 Research has demonstrated that the most effective and cost-effective approach to tackle the harms from alcohol misuse is to reduce the affordability, availability of and access to alcohol.</p>	<p>This is a picnic site where tea coffee and soft drinks are sold and MCC should not be changing the use of a mainly alcohol-free zone.</p>
<p>7.5 Alcohol data shared by Public Health Wales 2019 indicates that Monmouthshire local authority area has: The <b>highest rate</b> of adults self-reporting hazardous drinking when compared to all local authority areas in Wales, and the <b>lowest rate</b> of adults self-reporting to be non-drinkers.</p>	<p>MonLife is meant to be a service group "to support resilient, living and active environments for all ... focus is on enabling health, activity, ecosystem" not a commercial business ruining heritage assets for money with MCC as part of the Welsh government condoning drinking by</p>

(12.8%) compared to all local authority areas in Wales.	profiting in this way.
7.6 Within the context of promoting the four licensing objectives, the Licensing Authority expects applicants to propose licensing conditions to mitigate the impact their premise may have on the health and well-being of their customers, the neighbourhood and the wider community.	The effect of licensable activities at a picnic site and heritage asset is a disproportionate and unreasonable impact on the health and well-being of this neighbourhood and wider community. See also 11.
7.7 The Licensing Authority expects applicants to consider and mitigate the harm by including licensing conditions when their premise is close to the location of treatment services, and areas where children and young people may congregate, such as schools, youth clubs and parks.	The site includes a playground where there are often children after 17.00 and the whole platform and carriages area is a park where families have picnics or barbecues. See also 11, 12, 13
<b>9. Licensing Objectives</b>	
9.2 The Licensing Authority will therefore continue to work in partnership with its neighbouring authorities, the Police, Health Board, Immigration, Safer Monmouthshire Group, local businesses, licensees and local people towards the promotion of the objectives.	
<b>10. Prevention of crime and disorder</b>	
10.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.	There is nothing in the application to protect the area and residents from anti-social behaviour which would inevitably arise and place a strain on already scarce police resources  Owing to the nature of the one-way in approach and narrow drive and Station House sharing that access there will be more noise and disturbance from large numbers entering the picnic site and loitering. This year after the Greenway opened there were two separate instances of sober people urinating and defecating outside the house (the toilets were open) and alcohol sold here will fuel problems further leading to increased unacceptable behaviour of this kind and crime. See also 12.3
10.4 The Licensee/applicant should also use their own experience and knowledge of their customers and locations	No evidence of the applicant's experience and knowledge of this location and its customers; those who did have experience have left and know that this picnic site and heritage asset is unsuitable for a licence. The tearoom has only been open under MonLife management for 3 months, the women running it are very good but it's all been during the pandemic and most during lockdowns so there is no experience of hospitality here let alone opening it up to an alcohol market. There are no mitigations proposed to prevent excessive alcohol consumption and noise / behaviour issues and crime. Staff have said management behind the plans rarely visit and don't know and understand the picnic site, heritage or the village. No-one involved lives in Tintern or they would understand the negative impact and unsuitability of the location.  There are few if any taxi services that will service Tintern so it's a car journey or long walk/cycle for visitors. Only local people can come to the site without driving, advocating events where people will be drinking and driving representing a clear risk to the licensing objective prevention of crime and disorder. Police and authorities will be well aware of the problems from drink-driving in the village. For example, in the last year there have been at least 4 cases of drink-driving incidents at this Parva end of the village causing serious damage outside public houses, even a dead body found in a field, and even more on the junction of Tintern Station drive with the A466. There will be others we don't know.
Is there CCTV, and, if so what are the areas covered?	CCTV does not cover all the areas where drinkers could congregate e.g. along the platform by the train, the playground and not even behind the building, toilets and carriages. Is there CCTV inside the tearoom?
Are there restrictions of drinks being taken outside?	There are no restrictions and customers can move outdoors in the picnic site and heritage areas, into the protected meadows and river or around neighbouring properties - all in the dark there is no lighting - impossible to move on/control.
10.5 Preventable alcohol-related attendances and admissions have a negative impact on limited NHS resources, staff and other patients.	Drunkenness often leads to accidents or injuries from violence, resulting in attendance at emergency departments and use of ambulances. Some incidents will be reported to police, many not. Such information is relevant to the public safety objective and crime & disorder objective. Particularly pertinent during this pandemic and MCC would be seen as adding to already overstretched resources when our First Minister is striving to protect.

<p>10.6 The Authority will endeavour to reduce crime and disorder throughout the County in accordance with its statutory duty under s.17 of the Crime and Disorder Act 1998.</p>	<p>MCC has a duty to consider the impact of a licensing decision in favour of its own department, leading to crime and disorder including anti-social and other behaviour adversely affecting the environment on a picnic site it owns; community councillors know the locality and can represent the views of their residents.</p> <p>Records will note instances of drug use and alcohol consumption that have caused problems including vandalism on the picnic site and warranted intervention, and an alcohol licence will encourage unsupervised drinking and disturbance at any time. The toilets are closed every evening to prevent the same.</p> <p>Once it is known that alcohol, expensive/high-end products are on site it will be even more vulnerable to theft which of course will flow into surrounding houses and villages. The police will know we've already had a number of break-ins in the area including Tintern Station in the past.</p>
<p><b>11. Prevention of public nuisance</b></p> <p>11.1 Licensed premises have significant potential to impact adversely on persons living and working (including those carrying on business) in the area around the premises, and also further afield through public nuisances that arise from their operation. It is therefore important that in considering the promotion of this licensing objective, Licensing Authorities and Responsible Authorities focus on the effect of the licensable activities at the specific premises on these parties which may be disproportionate and unreasonable</p>	<p>This is a picnic site and protected wildflower/grassland which was set up for people to enjoy a picnic with friends or family who couldn't afford to pay to eat out and a safe place for children in the playground and on the platform.</p> <p>Tintern will be losing something very special and unique; it may be considered "outdated" by MonLife but that's its charm and families have been coming here for 50 years for that experience. Income can exist alongside the picnic and families the two are not mutually exclusive but the latter would be pushed out by crowds and alcohol drinkers. Residents use the tearoom to meet friends and family, have meetings and more so since the new menu. The tearoom was closed one day last week and the carpark and picnic areas were full despite that. Calculating "spend per person" at a picnic site is unacceptable it's not a commercial venue and using alcohol to increase spend is negligent and encouraging drinking and anti-social behaviour. This is a protected asset. See also 6.</p> <p>Walkers, joggers, dogs (Tintern and the tearoom are dog-friendly) and children are on site daily and alcohol and large events would interfere with that causing public nuisance from unreasonable behaviour, noise, vandalism, litter and even river pollution danger of people or bottles etc. falling in as the site adjoins the Wye. Motor bikers have always stopped there and are coming back again now that breakfast rolls are on the menu. Tintern holiday lets at this end of the village were starting to market the tearoom as a peaceful place for breakfast. All users would be unreasonably nuisanced by drinkers and disruptive large groups.</p> <p>Noise, littering including potential for broken glass, damage to listed and other heritage assets or protected wildflower meadows and conserved grassland, and any other unacceptable behaviour can spill out into the extension car park where vehicles will be moving, the back of Station House private residence or onto the busy A468 road.</p> <p>MonLife have already started to warn users of private events and the need to "check first". They cannot block public footpaths: a National Trail, the Wye Valley Walk, passes through the carriages and tearoom areas and there is a public footpath all along the river. These are public rights of way and users should not be blocked or scared to proceed faced with an event of drinkers. And the community picnic areas and protected meadows are open to locals 24 hours a day 7 days a week and not a "venue" to be booked for private groups. Again, we've heard other MonLife sites are being closed for events and some users of Tintern Station have been told "free this time".</p>
<p>11.2 Matters giving rise to 'public nuisance' are mainly accepted to include issues relating to noise, light pollution, odour and litter. It may also arise as a result of the adverse effects of dust, insects, accumulations or any other matter which is determined to have an adverse impact on the living and working environment of other persons living and working in the area of the licensed premises.</p>	<p>See 10, 11.3, 11.5 to 11.10</p> <p>There are no street lights in this area nor should there be, any additional artificial light after 16.00 is light pollution affecting those living here and will illegally damage the bats and other nationally scarce Red DataBook protected species at Tintern Station including mammals - dormice - and lepidoptera: Scarce Hook-tip and Fletcher's Pug moths are monitored on the small-leaved lime prevalent at the Station. Wildlife groups have registered concerns about</p>

	<p>additional light pollution and the adverse impact on the other mammals, birds (land and river) that locals don't publicise but enjoy when the tearoom is closed and visitors who don't know how to observe them with care have gone home.</p> <p><i>'For real dark sky remoteness, stay in one of our rural holiday properties ... no streetlights'</i><sup>6</sup> - we have that at this end of Tintern and residents and holiday guests come here for it: they can sit outside in the dark and look up at the stars while listening to the owls, but not if there are bright lights at the Station and music, noise and drunken voices drowning the wildlife.</p> <p>There are already problems with overflowing litter bins where the picnic site cannot cope with increased visitors from the Greenway and it would only get worse with additional alcohol products (users won't look for bins when drunk).</p>
<p>11.3 The Licensing Authority recognise the key links to health and well-being from public nuisance in terms of disturbed sleep, stress caused by nuisance and pollution. Disturbed sleep and stress can add to residents' mental and physical health issues, and their wider wellbeing. Lack of sleep can have an impact on the immune system and can contribute to heart disease and diabetes. Lack of sleep can also contribute to anxiety and depression. Stress can contribute to anxiety and depression, and cardio-vascular diseases. Applicants should consider the potential impact their premise may have on public nuisance particularly from noise and put in place mitigating measures.</p>	<p>Statutory nuisance: Injure health or be likely to injure health from stress or sleep deprivation caused by noise produced day or night.</p> <p>It's a safe and peaceful picnic site where the only sounds competing with the birds and passing traffic are children laughing with families and dogs barking.</p> <p>The tearoom has no sound proofing and nor should it be interfered with as a listed historic building so any noise or music will not be muffled and residents will be disturbed.</p>
<p>11.4 The Licensing Authority expects applicants for premises licences and club premises certificates to have made relevant enquiries and considerations about the local area before submitting their application. The purpose of this is to enable the applicant to consider the most appropriate controls for potential inclusion in the operating schedule with a view to ensuring their activities do not undermine the licensing objective with regard to the prevention of public nuisance. It is important to recognise that the impacts of licensed activity are not contained within a building. Inevitably there is a wider impact as people travel to and from the premises or congregate outside whilst it is in operation. Nuisance is best managed by careful consideration of the suitability of the selected site and any necessary mitigation at an early stage.</p>	<p>No evidence that any of this has been done. In fact it's been acknowledged that communication should have taken place and we've been told the aim was to push this through quickly knowing there would be resistance before enacting wider plans. The impact of licensed activity in a heritage building and outdoors in a picnic area will impact all neighbours and the wider area as people travel to and from the premises and congregate outdoors.</p> <p>Tintern Station abuts the A466 and there were no notices there or anywhere else across the 21 acres. After the initial mismanagement by MonLife new signs went up although still building-centric i.e. many walkers didn't see them. Luckily this area is very communicative and news travels particularly the bad kind. If they'd talked to local councillors who know and use the picnic site / heritage asset they'd have been told it is not viable.</p>
<p>11.5 Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance. When a suitable site is identified, operating schedules should be prepared on the basis of a risk assessment of the potential sources of nuisance posed by the premises operation to those who may be impacted by their activities. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive measures to manage any potential risks.</p>	<p>The Operating Schedule does not address public nuisance, description of the premises is vague with no reference to the proximity of neighbours, and there's no risk management e.g. visitors can leave Tintern Station with alcohol purchases and walk anywhere in the picnic site including the benches, playground, car park, or drive into the village. No-one involved in managing this lives in Tintern or they would have realised the negative impact.</p> <p>See also 2.4, 2.6; M and 2.9</p>
<p>11.6 The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:</p> <ul style="list-style-type: none"> <li>• they are situated in a residential or noise sensitive area; or</li> <li>• extended opening hours are proposed.</li> </ul>	<p>The licence would undermine the prevention of public nuisance. This location is rural in nature where background noise levels are extremely low, exacerbated by being in a valley with an echo effect from the surrounding hills. Any events, particularly open air, will lead to disturbance especially by drunk customers who are audible - inside and outdoors - to neighbouring properties, causing significant disturbance and creating a detrimental effect to local residents<sup>7</sup> in spring and summer when windows are open and year-round when residents are enjoying or working in their gardens. The location is a noise sensitive habitat and not fit for purpose.</p> <p>Station House may be the closest residence (the Stationmaster's house has been there as long as Tintern Station) and certainly in relation to shared boundaries and</p>

<sup>6</sup> Forest of Dean & Wye Valley Tourism

<sup>7</sup> Councils have a duty under the European Convention on Human Rights to protect the rights of a resident to privacy & family life (Article 8)

	<p>drive access, but there are other private residences at NP16 7NX and closest village Brockweir. They may be in Gloucestershire but this is a border and being in the vicinity they will be adversely affected by licensable activities on this picnic site particularly NP16 7NG, Quayside &amp; Underhill. Other immediate residents on both sides of the river Wye include farmers with livestock harmed by noise after 17.00.</p> <p>The Forest of Dean District Council has complaints from their residents in Woodcroft &amp; Tutshill, situated within a mile of Monmouthshire venues. Applying the same criteria here, most homes and businesses in Tintern will be affected by any new noise including outdoor drinking. It's not only nuisance to neighbours but residential guests in B&amp;Bs and holiday lets in the immediate and adjoining areas, sold on the basis of coming to the peaceful Wye Valley in an AONB where sounds of wildlife prevail i.e. damaging Tintern's tourism. It's not enough to take income from the licensed businesses but to adversely impact the rest of the existing trade is maladministration.</p>
<p>11.7 The Licensing Authority recognises that beyond the immediate area surrounding the licensed premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right. However, applicants are encouraged to consider the actions they may take as a responsible licence-holder to mitigate the potential adverse impact of patrons. The operating schedule should again be used to demonstrate an understanding of the potential risks and positive measures that may be implemented to manage such issues.</p>	<p>The application does not address this, a demonstrable misunderstanding of licensing objectives and no mitigation for the effects of drinkers anywhere in the 21 acres. It's a Picnic Site and Designated Historic Asset where public nuisance is a given and will crystallise as soon as alcohol is involved, especially when Tintern Station becomes known as an easy and remote place for alcohol with no-one around at night to do anything about unsociable behaviour and crime (many tourism areas of New Zealand have community owned licensing and only allow TENs).</p>
<p>11.10 ... Licensing Authorities are to have regard to the requirements of the Well-being of Future Generations (Wales) Act 2015 specifically as it may relate to the promotion of the Licensing Objective, the Prevention of Public Nuisance. It is clear ... in the Welsh Government's 'Noise and Soundscape Action Plan 2018-2023' that there is recognition of the impact of noise. The Licensing Authority will have regard to this action plan when determining applications ...</p>	<p>This Act requires local authorities in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems specifically the prevention of crime &amp; disorder and public nuisance. It recognises there is a need to create appropriate soundscapes - the right acoustic environment in the right time and place. This is the wrong time and place, it's a picnic site with heritage assets in a valley with hills where noise travels day or night.</p> <p>Waiting for problems after the fact is a waste of time and money and frankly negligent when local residents and councillors are saying it will not work. Nuisance caused by this licence would deter visitors from entering the local area and no steps proposed by the applicant can prevent that nuisance as it's impossible on a wholly unsuitable site.</p>
<p><b>12. Public safety</b></p> <p>12.3 Depending on individual style and characteristics of the premises and/or events, the following issues may be relevant:</p> <ul style="list-style-type: none"> <li>• The number of people attending the premises/safe capacity levels, (factors may include access and egress, flow around premises, comfort levels, seating provisions, dance areas, accessibility to bars, etc.);</li> <li>• The age, condition, design and layout of the premises, including the means of escape in case of an emergency;</li> <li>• The nature of the activities to be provided, in particular the sale or supply of alcohol and/or the provision of music and dancing and whether those activities are of a temporary or permanent nature;</li> <li>• The hours of operation, differentiating between the hours of opening from the hours when the licensable activities will be provided;</li> <li>• Customer profile (e.g. age, disability etc.);</li> </ul>	<p>There will be an increase in traffic in a narrow drive with no pavement or lighting which is a public safety issue and danger to drivers, walkers, runners, children, wildlife. In July a bicycle and some pedestrians had a near miss - no physical injuries for the child but not unusual in this 5mph drive and the altercation and bad language ticked the noise pollution box. These aspects have not been taken into consideration another element of a picnic site that has never been intended to be an event or alcohol venue.</p> <p>The drive and car parking is for a picnic site; it would not cope and cannot be altered further without impeding the picnic areas which will lead to the following (all of which have happened in the past if large events attempted):</p> <ul style="list-style-type: none"> <li>• double parking on the one-way in drive; there are no other vehicle exits for emergency services to enter,</li> <li>• blocking Station House gates and again emergency services,</li> <li>• parking on the A466 on a dangerous bend, where although the speed limit has been reduced to 40mph there have been at least 5 bad accidents in the last 3 years; in fact in Spring 2018 a car travelling too fast ploughed through fences and trees to avoid a collision and would have otherwise landed on the tearoom,</li> <li>• and any nearby drives from the Nurtons &amp; other private homes, the brewery and sculpture garden to Welsh Water's drive and further to Parva Vineyard, St Michael's church, Fryer's Wharf/Parva Farmhouse</li> </ul>

	<p>&amp; Wye Valley Hotel - residents along here are already having to use traffic cones to protect properties and pedestrians which shouldn't be necessary, more so on a busy A-road where cars speed,</p> <p>that's without including coach parties and delivery lorries, refuse collection and the postman trying to gain access. Parking is already a problem in Tintern. Experienced staff (see 6. and 10.4) were always ready with cones and notices to protect the drive and gateways and stop dangerous double parking. There were enough of them to watch the car parking build up and move vehicles who mis-parked just to be close to the tearoom. This is not happening now and that's without a licence. It's irresponsible to know of traffic and parking problems already occurring in Tintern that risk residents' safety &amp; exacerbate it at a MCC owned area.</p> <p>Tintern has an elderly population who use the site as a safe and protected space as do small groups of vulnerable adults and children on day-trips to a safe space free from discrimination. They'd feel scared and excluded in a different environment with drinkers and noise. And when staff depart leaving visitors drinking there are no businesses right next to the picnic site to watch the neighbourhood, only local residents.</p> <p>See also 10.1, 10.4 and 11</p>
<p><b>13. Protection of children from harm</b></p> <p>13.7 Children and young people are also more vulnerable to certain harms in licensed settings. They have higher levels of vulnerability and risk associated with being on licensed premises that need to be considered and appropriately addressed in licensing policies, practices and processes. The Licensing Authority also recognise the serious impact of parental alcohol misuse on children at every age, and the long-term consequences (i.e. adverse childhood experiences).</p>	<p>This is a designated Picnic Site and Historic Listed Asset where children run freely and play and no-one should be encouraging them to be in a licensed premises or around any adults consuming alcohol when in charge of children or worse driving. It happens but a council should not be implementing it for profit. The application does not convey how access to the premises is restricted or prohibited to children and the vulnerable to protect them other than mentioning that alcohol will not be sold to children. It's not just preventing sales to them it's protecting them from unacceptable behaviour which sadly comes with alcohol.</p>
<p>13.9 To support the age-verification process the Authority strongly recommended that premises have the following measures in place to ensure age verification for sales:</p> <ul style="list-style-type: none"> <li>That the designated premises supervisor shall ensure that, as far as is reasonably practical, alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods likely to be purchased by persons under 18.</li> </ul>	<p>The alcoholic gifts that are already on display on shelves in the tearoom are in the seating area and cannot be constantly observed by staff who are working at the tills leaving problems after the fact e.g. with theft.</p>
<p>14.1 The Licensing Authority will expect applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. In this way, those with a right to make representations or objections are able to fully assess the factors that may affect them.</p>	<p>The application does not fully address objectives, the operating schedule has no regard to the Picnic Site and Historic Assets, nor the nature of the location or the needs of the local community where no-one wants a licensed premises here.</p> <p>Tintern Station is a heritage site preserving the old railway line waiting room, carriages, signal box etc. and not a visitor attraction in the sense of a theme park. It's a picnic site and local park for immediate and nearby residents including dog walkers (from daylight 05.00 until &amp; including the dark) and those unable to pay to eat out but enjoying family meals outdoors for free. It may attract visitors but they've always been encouraged to respect the unique, peace and tranquillity of the area including flora and fauna.</p>
<p>17.2 The Licensing Authority will also have cognisance to the following legislation when it decides to discharge its responsibilities under the Licensing Act. This list is not exhaustive:</p> <ul style="list-style-type: none"> <li>Environmental Protection Act 1990 which deals with noise and nuisance</li> </ul>	<p>Statutory nuisance: unreasonably and substantially interfere with the use or enjoyment of a home or other premises - specifically mentions gardens i.e. outdoor space, even dogs barking which happens here but is acceptable at a Picnic Site and Designated Historic Asset whereas music and alcohol is not. Residents are not unreasonable and have never complained about intruder alarms going off late at night, the use of a loudspeaker, people shouting across the drive early morning, accumulations of litter, use of an aerial drone, the new parking meter with a very bright light, or any other of the issues mentioned herein. See also 11</p>
<p>26.1 All new and variation applications should incorporate an 'operating schedule' which outlines how the premises will be operated. This should include details of how the</p>	<p>Other similar picnic/ heritage asset / family venues do not hold an alcohol licence but apply for a Temporary Events Notice (TEN) as needed. No-one should be able to sell</p>

<p>applicant will promote the four licensing objectives and reduce any potential negative impact from the operation of their business on the local community, depending on the type of premises, location and profile of customers.</p>	<p>alcohol 7 days a week from 10.00-23.00 at outdoor events that have never been undertaken here and which have not been risk assessed (including fire, traffic &amp; event management plans etc.) MonLife used the picnic site argument when other businesses complained about them selling refreshments during lockdown and can't have it both ways. If reputational damage isn't perceived as a risk the likelihood of alcohol related crime or nuisance with the potential for abuse of power must give MCC cause to pause as the press would have a field day particularly the first time something goes wrong.</p>
<p>26.2 In completing an operating schedule, applicants are expected to have regard to this statement of licensing policy and to demonstrate suitable knowledge of their local area</p>	<p>The minimum amount of information has been put forward. The application does not fully address objectives, the operating schedule gives no details on how the negative impact on the local community will be addressed and certainly no knowledge of the local area is demonstrated or the application quite simply wouldn't have been submitted.</p>

**Conclusion**

The applications have been incomplete and misleading and evidence a worrying lack of understanding of licensing - any alcohol sales and large events at this Picnic Site and Designated Historic Asset are inappropriate and irresponsible. In fact it doesn't warrant committee time and deliberation and locals believe a private applicant would have been told to withdraw. We wonder why this picnic and heritage site is controlled by a leisure service and not a dedicated heritage protection and countryside concern. Perhaps Tintern Station should be considered as a candidate site for protection under the Monmouthshire Replacement LDP or preserved as a village asset.

We're encouraged to see that the Wye Valley AONB 2021 Management Plan seeks to mitigate adverse impacts of tourism activity in Tintern which will hopefully draw attention to the risk of further damage. Tintern Abbey is not the only listed asset in Tintern and there is an historic link between that, the old railway station and lower wireworks. It's obvious but warrants stating that Tintern is heritage and its assets should be protected and not treated as tourist attractions to make money, for if they continue to be neglected in this way we lose some of what visitors come here to see. They must be protected and preserved as part of our natural environment and Welsh heritage. MCC are custodians of these assets with a duty to safeguard.

And please don't respond 'irrelevant to licensing'; with backgrounds in financial policy and government regulation we understand delineation of duties but this is MCC for MCC and all facts are relevant to a major change of use so noted for TCC and other interested parties concerned about further deterioration.

The application does not comply with the licensing requirements, there are risks to all four licensing objectives and it should be rejected.

**Watts, Taylor J.**

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**From:**  
**Sent:** 09 August 2021 10:42  
**To:** Watts, Taylor J.  
**Subject:** Licensing application for the Old Station Tintern

Taylor Watts,  
Licensing Officer,  
Monmouthshire County Council,  
NP7 6EL

**The Old Station, Tintern**

I would like to make the following representation against granting the recent licensing application for The Old Station, Tintern.

In terms of licensing objectives, I would like to note the following:

**\* the prevention of crime and disorder**

- the location is well away from existing facilities, there is no public transport, and there have been recent accidents caused by drink driving (three such in the last 6 years; most recently involving cars written off outside Wye Valley Hotel)
- the junction for access off the A466 has been the site of numerous accidents, and increasing turning and joining traffic here can only worsen the likelihood of accidents in the future

**\* public safety**

- the submitted plan of the premises is just a drawing of the inside of the tea room and carriages whereas there will likely be alcohol sold and consumed across the site.
- the drawings do not cover aspects of safety that would be fully addressed in a temporary license application
- the site is on a number of levels, with no safety features to prevent falls off the edges between levels. During the day and with picnickers this may not be considered a problem, but with alcohol involved and potentially during the hours of darkness safety becomes a very different issue

**\* the prevention of public nuisance**

- as the location is well away from existing facilities, the progress of revellers unlikely to be quiet on their return to their homes or holiday accommodation
- the application would allow playing of amplified music, showing films and plays for up to 500 people etc., between the hours of 8am and 11 pm

**\* the protection of children from harm**

- the site currently operates as a picnic site endeavouring to foster a 'family friendly' reputation; unless very strictly monitored, the provision of alcohol in such a place can only worsen the exposure of children to potential harm

I would also like to note:

- It seems to me that there is a conflict of interest between a council operating a site and that same council considering whether to licence it for sale and consumption of alcohol
- the application seems anti-competitive with regard to existing licenced premises in the village and local area
- the site is currently designated as a picnic site, with the designation specifying that no change is permitted
- Tintern Station is grade II listed as a Designated Historic Asset, with several items listed for "group value".

In summary, it seems highly inappropriate to consider these premises for licencing for sale and consumption of alcohol.

Regards,



**Watts, Taylor J.**

**From:** t>  
**Sent:** 09 August 2021 11:47  
**To:** Watts, Taylor J.  
**Subject:** Licensing application for the Old Station Tintern

Taylor Watts,  
  
Licensing Officer,  
  
Monmouthshire County Council,  
  
NP7 6EL

**The Old Station, Tintern**

Dear Taylor Watts,

I am really shocked that you would even consider granting this recent licensing application for The Old Station, Tintern.

Tintern Station is an award winning picnic site & cafe for families and specifically with their children! They run train rides there & a lovely cafe and it is a site in the AONB area which is protected. It is set in a beautiful haven of beauty by the river. There is a residential building close by.

How on earth could this be allowed! You are putting children at risk and you must be fully aware of the implications for such a facility. Litter and bottles and takeout junk is strewn all over our precious countryside and so an influx of booze seeking visitors cannot help the raising of awareness of respect for our natural world.

Families can enjoy the area without the use of booze. We need to be encouraging healthy approaches to living and not degrade a beautiful & already successful venue for visitors. People should not be encouraged to associate pleasure with alcohol and at night, we certainly don't want bouncers and heavies scrutinising the boozing behaviours. This is an ugly ugly proposal which must be prevented at all costs!

It will bring elements that are undesirable into the area and something special and precious will be open to violation. Who stands to make a profit from this exploitation?

The location is well away from existing facilities & will also detract from other local pubs & their already compromised businesses through the covid crisis, which have been set for purpose and have been established over many years.

There is a conflict of interest between a council operating a site and that same council considering whether to licence it for sale and consumption of alcohol! It is currently designated as a picnic site, with the designation specifying that no change is permitted. Tintern Station is grade II listed as a Designated Historic Asset, with several items listed for "group value".

There is no public transport, and there have been recent accidents caused by drink driving (three such in the last 6 years; most recently involving cars written off outside Wye Valley Hotel)- the junction for access off

the A466 has been the site of numerous accidents, and increasing turning and joining traffic here can only worsen the likelihood of accidents in the future.

The progress of revellers is unlikely to be quiet on their return to their homes or holiday accommodation- the application would allow playing of amplified music, showing films and plays for up to 500 people etc., between the hours of 8am and 11 pm! This is out of all proportion and is not a clever trick, even if you paired it down to half that number! It is an outrage!

The submitted plan of the premises is just a drawing of the inside of the tea room and carriages whereas there will likely be alcohol sold and consumed across the site. The drawings do not cover aspects of safety that would be fully addressed in a temporary license application.

The site is on a number of levels, with no safety features to prevent falls off the edges between levels. During the day and with picnickers this may not be considered a problem, but with alcohol involved and potentially during the hours of darkness safety becomes a very different issue.

Drinking, gambling, drugs are all on this spectrum of destroying a healthy community. Monmouth is now rife with problems and this application is aiding further criminalisation of this addiction patterning with mental health and drug aid resources being stretched to their limits. Encourage awareness in natural history and enjoying the beauty of this stunning area. There is no need to turn it into a theme park or a booze venue when the place can be enjoyed in a nurturing family way and for walkers who are visiting and exercising their bodies and wellbeing along the Wye.

Children are not to be put at risk. City people need a more healthy option. Have we learned nothing from this recent crisis? You in the licensing/planning dept have a great opportunity to envision a more balanced & people/nature friendly world. Let us welcome such a vision.

Thankyou for reading this in entirety,

best wishes,

**Watts, Taylor J.**

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**From:**  
**Sent:** 09 August 2021 12:41  
**To:** Watts, Taylor J.  
**Cc:** im  
**Subject:** RE: Licensing application for the Old Station Tintern

Dear Mr Watts

Please note our objections below.

We wholeheartedly endorse the objections noted below and would add that, this is a site of historical importance and interest and an irreplaceable amenity in its current form for the wellbeing of residents and visitors alike. It does not need entertainment status with or without alcohol.

In a time when councils are supposed to be focusing their attention on enhancing environmental awareness and increasing opportunities for environmental appreciation and education, granting this application in this location seems hypocritical, venal and dismissive of the intrinsic value of the site.

Increased footfall centred on having a Sunday afternoon / evening binge in the country works in direct opposition to the care and attention that has been given to this site and the area over the past years that we have known it – often on a voluntary basis. As residents of Tintern for the past 15 years. I would suggest that welcoming visitors to Tintern's history might be possible in a more sensitive manner. As noted below there are plenty amenities for a drink and a chat in the village itself.

We would implore those considering this application to raise their aspirations for this site. Instead of introducing a party spirit during opening hours, they might focus on the educational value of upgrading the carriages for this purpose instead of selling "tat" and perhaps even engage a part-time information officer on the site to provide much lacking (currently seriously tacky) information on the local ecosystems and environment. Children will not benefit from the sale of alcohol but they might just benefit from understanding what sustainability and environmental protection actually means. It is my earnest hope the council can understand these sentiments and use them to guide their decision making process in this instance. Lack of this understanding is exactly why UNESCO have been steadily withdrawing world heritage status for sites in the UK.

I look forward to following the progress of this application with great interest.

With thanks and best regards

**Watts, Taylor J.**

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**From:**  
**Sent:** 09 August 2021 15:57  
**To:** MCC - Licensing  
**Subject:** The Old Station Tintern

Dear Licencing,

It has been brought to my attention that a Licensing application has been submitted for the Old Station Tintern.

As a licensee and local resident, I wish to object.

The old station has over the years received grants and funding to provide the great facilities as a park and picnic area for families, especially for those on low incomes.

I Think The Old Station should continue as it is, providing services to families and not private functions.

The Old Station is and has always been a family area and I do not think it should be a licensed area.

There are enough Licensed premises in Tintern which have all had difficult times recently and another licensed outlet may well effect the viability of existing businesses

I would therefore request that this application be given more time for more detailed consideration.

Regards.

**Watts, Taylor J.**

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**From:**  
**Sent:** 09 August 2021 22:23  
**To:** MCC - Licensing  
**Subject:** Old Station Tintern

I write to object to the application made by Old Station Tintern for a drinks license.

Having worked at Old Station for many years I witnessed first hand the unsavoury goings on at the site late at night, all these were fuelled by alcohol. They include drug use, sexual activity and vandalism including breaking into site property.

The police were notified on numerous occasions and staff were put at risk not only physically by treats but also from clearing away the debris the next morning including used needles and condoms etc.

The site is used widely at night with groups of youths gathering in cars. The fact that alcohol would be sold on site means it will be stored on site making the buildings attractive to break ins.

The site is and should remain a safe and friendly environment for families and other members of the public.

**Watts, Taylor J.**

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**From:** >  
**Sent:** 10 August 2021 22:31  
**To:** Watts, Taylor J.  
**Subject:** Licence application for the Old Station, Tintern

Dear Mr: Watts,

Thank you for the reminder about this application.

Although the application has been altered, there are still some points I would like to make.

The main thing is that the Old Station is a place visited by families or groups including children to enjoy the outdoor space and peace and quiet and natural surroundings in this beautiful AONB. Although I do not have a problem with small amounts of alcohol being sold as gifts, it will be difficult to keep it out of children's reach in the confines of the railway carriages.

My other concern is events being held late at night. These could very easily become noisy and disturbing to local residents. The area is visited by people looking for peace and quiet who will not be wanting to hear loud music until late in the evening. There will also be a lot of traffic coming out on to a dangerous road at the end of the event. My feeling is that any event planned for out of normal opening hours should have a special licence and not be covered by the day time licence otherwise there would be no limit to the number of events that could be held.

Parking is limited at the Old Station and when that is full, people will park in unsuitable and sometimes dangerous places.

I hope these points will be taken into consideration.

**Watts, Taylor J.**

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**From:** MCC - Licensing  
**Sent:** 11 August 2021 06:17  
**To:** MCC - Licensing Area C  
**Subject:** FW: Old station at Tintern

Mrs Samantha Winn  
Licensing Officer/ Swyddog Trwyddedu  
Tel / Ffon; 01633 644221  
Mobile: 07880838305  
Email / E bost: [samanthawinn@monmouthshire.gov.uk](mailto:samanthawinn@monmouthshire.gov.uk)  
Website/ Gwefan: [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)  
Follow us on Twitter / Dilynwch ni ar Twitter: [www.twitter.com/monmouthshirecc](https://www.twitter.com/monmouthshirecc)

# **APUS  
APPY**



**Fy Sir Fynwy  
My Monmouthshire**



**From:**  
**Sent:** 10 August 2021 15:27  
**To:** MCC - Licensing <[Licensing@monmouthshire.gov.uk](mailto:Licensing@monmouthshire.gov.uk)>  
**Subject:** Old station at Tintern

Hi,

I am concerned at the proposed change of use of the site at the old station in Tintern.

I fully understand that the site should be self funding and that this may require a minor change to it's licensing status and the ability to host weddings; the latter of which does seem like a good use of the site so long as it doesn't impact on the access to the site for others during such periods. What is of concern is the application for extended licensing hours until 23:00 which could have a detrimental affect on local hostelryes, who have already been hit hard by Covid restrictions, and the local residents, in particular the property at the station entrance. A reduced hours licence where alcohol sales ceased at 16:00 or 18:00 would be much more preferable and likely to meet with less push back from local residents and businesses owners.

Best regards.

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Watts, Taylor J.

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**From:** MCC - Licensing  
**Sent:** 22 July 2021 07:56  
**To:** MCC - Licensing Area C  
**Subject:** FW: Old Station Tintern

Mrs Samantha Winn  
Licensing Officer/ Swyddog Trwyddedu  
Tel / Ffon: 01633 644221  
Mobile: 07880838305  
Email / E bost: [samanthawinn@monmouthshire.gov.uk](mailto:samanthawinn@monmouthshire.gov.uk)  
Website/ Gwefan: [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)  
Follow us on Twitter / Dilynwch ni ar Twitter: [www.twitter.com/monmouthshirecc](https://www.twitter.com/monmouthshirecc)

# APUS  
APPY



Fy Sir Fynwy  
My Monmouthshire



**From:**  
**Sent:** 19 July 2021 16:42  
**To:** MCC - Licensing <[Licensing@monmouthshire.gov.uk](mailto:Licensing@monmouthshire.gov.uk)>  
**Subject:** Old Station Tintern

I am writing to offer whole-hearted support for the licensing application to open Tintern Old Station for the sale of alcohol in the evenings.

The Old Station is set apart from the village, has ample parking and is a destination that will bring much needed tourist income to the area and support for local businesses. It is great to see Tintern becoming a livelier village with new businesses springing up.

Kind regards,

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## 2. The licensing objectives

### Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

## **Public safety**

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
  - Ensuring appropriate access for emergency services such as ambulances;
  - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
  - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
  - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
  - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
  - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
  - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

## **Ensuring safe departure of those using the premises**

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
  - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

## **Maintenance and repair**

- 2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

## **Safe capacities**

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

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<sup>1</sup> S 177 of the 2003 Act now only applies to performances of dance.

those premises should be.

- 2.14** Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

## **Public nuisance**

- 2.15** The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16** Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17** Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18** As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19** Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the

early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.20** Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21** Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **Protection of children from harm**

- 2.22** The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23** The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
  - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
  - it is known that unaccompanied children have been allowed access;
  - there is a known association with drug taking or dealing; or
  - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24** It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible

authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25** Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26** Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27** Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
  - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
  - restrictions on the parts of the premises to which children may have access;
  - age restrictions (below 18);
  - restrictions or exclusions when certain activities are taking place;
  - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
  - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28** Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.29** Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30** The 2003 Act provides that, where a premises licence or club premises certificate



authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

### **Offences relating to the sale and supply of alcohol to children**

- 2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

## Table of relevant offences under the 2003 Act

<b>Section</b>	<b>Offence</b>	<b>Prosecuting Authority</b>
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority