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County Hall
Rhadyr
Usk
NP15 1GA

Thursday, 4 November 2021

Notice of meeting

Licensing and Regulatory Sub Committee

Friday, 12th November, 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 Club" 15 Whitecross Street, Monmouth, Monmouthshire, NP25 3BY.	1 - 82

Paul Matthews
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillor Jim Higginson	Severn;	Welsh Labour/Llafur Cymru
County Councillor Richard Roden	Dixton with Osbaston;	Welsh Conservative Party
County Councillor Brian Strong	Usk;	Welsh Conservative Party

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Welsh Language

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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

SUBJECT: Application for a Premises Licence for “The Club” 15 Whitecross Street, Monmouth, Monmouthshire, NP25 3BY
DIRECTORATE: Social Care and Health
MEETING: Licensing & Regulatory Sub-Committee
Date to be considered: 12th November 2021
DIVISION/WARDS AFFECTED: Drybridge Ward, Monmouth

1. PURPOSE:

To consider an application for a Premises Licence under the Licensing Act 2003 for “The Club” 15 Whitecross Street, Monmouth. Due to representations received against the licence application the Local Authority, are required to hold a hearing to consider the application. A copy of the application with plans provided by the applicant is attached to the report 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;

2.2 Members of the sub-committee may determine to:-

- To grant the licence with the conditions specified in the application
- To grant the licence with the conditions the Council considers appropriate for the promotion of the licensing objectives
- To exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as premises supervisor
- To reject the application

3. KEY ISSUES

3.1 A new application for a premises licence under the Licensing Act 2003 was received from “The Club” a recognised members club for the following:-

- Indoor Sporting Events 08.00hrs – 00.30hrs Monday to Sunday
- Live Music (indoors) 08.00hrs – 00.30hrs Monday to Sunday
- Recorded Music (indoors) 08.00hrs – 00:30hrs Monday to Sunday (additional New Years Eve 08.00hrs – 01:30hrs)
- Supply of Alcohol (On and Off sales) 08.00hrs – 00.30hrs Monday to Sunday (additional New Years Eve 08.00hrs – 01.30hrs)
- Hours Open to the Public 08.00hrs – 01.00hrs Monday to Sunday (additional New Years Eve 08.00hrs – 01.30hrs)

In the application the Club have stated they will;

- Have CCTV
- Operate a challenge 25 age verification policy
- Be a member of pub watch
- Have a compliant fire alarm and fire risk assessment
- Display notices for customers to leave quietly
- Not have live music outdoors
- Not have children at the premises from 9pm onwards

- 3.2. The premises currently holds a Club Premises Certificate named "Monmouth Conservative Club" licence number CLB037 all who attend the club are currently required to have membership, be affiliated to another club or enter as a guest of a member. The premises in design has three floors, a cellar and car park. The ground floor and first floor above are the only licensable areas with a mixture of bars, function rooms and snooker rooms.

The premises on Whitecross Street is opposite St Mary's Priory Church with residential properties on either side of the building and surrounding the carpark area to the rear of the building.

This application must be consider on its own merit. However, the club already holds a Club Premises Certificate, authorising licensable activities at the premises, a copy of the current licence with times and permissions is attached to this report as Appendix B. The Conservative Club has retained this licence whilst applying for the new premises licence application.

- 3.3 The applicant has a statutory duty to send copies of his/her premises application to the 'Responsible Authorities' namely Heddlu Gwent Police, South Wales Fire Service, The Local Health Board, Immigration. In addition, the following departments of Monmouthshire County Council, Environmental Health section, Social Services, Planning, Licensing and Trading Standards departments. To assist applicants the Licensing Section also circulate a copy of the application and plan to the Responsible Authorities by email, and this was completed.

A notice was correctly circulated in a local newspaper and a public notice was displayed at the premises to enable businesses and residents to make a representation. 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.

- 3.4 No representations were received from South Wales Fire Service, The Local Health Board, Immigration, Environmental Health, Social Services, Planning, Licensing and Trading Standards.

- 3.5 Representations were received against the application from Heddlu Gwent Police requesting the applicant agree to accept alternative licence conditions. The applicant through mediation has agreed to accept the following conditions;

- There shall be CCTV in place, which cover all licensable areas of the premise. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place.
- The secretary 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 secretary shall ensure that they verbally inform 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 secretary shall be responsible for ensuring 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.

- The premise 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 premise 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 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/volunteer training, to include training on the premise 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 12 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.
- Any booking forms for private events for members should be retained in adherence to GDPR.
- Signs should be prominent at the exit of the premise advising patrons to leave the premise quietly and be respectful to local residents.
- The secretary shall be present at all functions at the premise.
- Where there is reasonable suspicion that drugs (defined as class A, B or C controlled substances under the Misuse of Drugs Act) or weapons being carried, the secretary shall ensure that SIA security staff carry out a search of the outer clothing, pockets and bags of those trying to enter the premise. In any event, where controlled substances or weapons are found, the secretary shall ensure that the staff inform the police as soon as reasonably practicable and record this in the incident book.
- The secretary shall ensure that a clearly visible notice will be placed on the premise advising those attending that searches will be carried out and the police will be informed if a weapon or substance is found.
- The secretary shall ensure that documented arrangements are in place at the premise to discourage the use and sale of controlled substances. For example, documented checks of toilet areas throughout the evening. This document should be made available to the police and licensing authority on request.
- When necessary, the premise will comply with ION track operations arranged by the police to swab hands of patrons as a condition of entry or simply to swab the premise for educational purposes to identify areas/surfaces of concern where drugs may be consumed.
- SIA staff will be employed appropriately on a risk assessment basis. The secretary shall provide the police with planned dates/times of employment of SIA staff. If issues arise at the premise, the police or licensing authority reserve the right to request that SIA staff are employed at certain times identified as problematic. These requests will be reasonable and discussed with the secretary before being implemented.
- No drinks are to be taken outside of the premise.
- The smoking/outside areas are to be closely monitored regarding numbers and behaviour of patrons. The secretary shall ensure that the persons outside at any one time are not excessive in order to prevent anti-social behaviour and noise nuisance occurring.

Heddlu Gwent Police removed their representations after the applicant agreed to accept all of the conditions provided above.

3.6 Representations from 14 local residents objecting to the licence were received by the licensing section. The representations are attached as Appendix C, all marked Objection 1 – 14. As there are numerous representations objecting to this licence. I have highlighted the main concerns as below:

- Noise pollution from recorded and live music
- The late night hours applied for alcohol and music
- Noise from customers leaving the premises late at night
- Noise from the beer garden recently introduced at the premises already causing a disturbance
- Poor soundproofing from listed buildings with singular plane glass.
- Concerns for elderly residents
- Concerns over a potential rise in Anti-social Behaviour (one recent incident involving Police attendance, currently under investigation)
- Concerns over transport to and from the venue

A satellite view of the local area with the location of the objectors marked blue in comparison to the premises marked green are attached to this report as appendix D.

3.7 Due to some of the representations referencing house pricing and car parking issues that are irrelevant for Licensing applications the Licensing Section sent a letter to all persons who made a representation to clarify the Licensing Objections, the letter attached as Appendix E.

3.8 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.

3.9 When considering their decision members are asked to consider the licensing objectives guidance. Sections 2.1 – 2.21 of the Home Office revised guidance issued in April 2018 under section 182 of the Licensing Act 2003 are attached as Appendix F.

3.10 A section of the Licensing Act Guidance regarding Responsible Authorities states;

section 9.11 - Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

Section 9.12 - Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective.

3.11 Despite not submitting formal representations the Environmental Health section who specialise in noise nuisance have received notification of the representations from local residents many outlining noise nuisance through their objections. The Environmental Health Section have stated;

“Environmental Health has not objected to this application. The area officer is aware that representations have been made against the application, including noise related concerns. The section has the responsibility for investigating complaints of noise nuisance on behalf of the council, having regard to the statutory nuisance provisions

of the Environmental Protection Act 1990. As such if, following the decision of the Licensing Committee, complaints regarding noise from the premises were received, these would be considered and investigated as appropriate.”

- 3.11 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.

The Licensing Officer has written to residents informing them of the conditions accepted by the applicant following Police comments. Residents have also received notification the applicants intentions for the application to run a similar premises to the existing Monmouth Conservative Club without the requirement to sign in non-members as guests. However, only two representations have been withdrawn by local residents therefore 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 sets out its views on the prevention of Crime and disorder, Prevention of public nuisance and Public safety. The relevant sections 10 – 12.7 of the Policy issued 1st July 2020 are attached to this report as Appendix F.

5. RESOURCE IMPLICATIONS:

Nil

6. CONSULTEES:

Heddlu Gwent Police, South Wales Fire Service, Home Office (Immigration) 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
Guidance issued under Section 182 of the Licensing Act 2003 dated April 2018.
Monmouthshire County Council’s Statement of Licensing Policy dated 1st July 2020.
Live Music Act 2012

8. AUTHOR:

Taylor Watts
Licensing Officer

CONTACT DETAILS:

Tel: 01633 644224

Email: taylorwatts@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 retain a copy of the completed form for your records.

I/We

HE CLUB

(/i).

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			
15, WHITECROSS ST MONMOUTH.			
Post town	MONMOUTH	Postcode	NP235BY

Telephone number (any)
Non-domestic rate premises

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 *
 - 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

(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	The Club
Address	15 Whitecross St Monmouth
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	
Tele	
E-mail address (optional)	monmouth@mail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

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)

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

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"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur								
Fri						<u>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</u> (please read guidance note 6)		
Sat								
Sun								

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	0800		<p>State any seasonal variations for indoor sporting events (please read guidance note 5)</p>	
		0030 0100		
Tue	0800			
		0030 0100		
Wed	0800			
		0030 0100		
Thur	0800			<p>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)</p>
		0030 0100		
Fri	0800			
		0030 0100		
Sat	0800			
		0030 0100		
Sun	0800			
		0030 0100		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment 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					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0800		Please give further details here (please read guidance note 4)		
		0030			
Tue	0200				
		0030			
Wed	0200		State any seasonal variations for the performance of live music (please read guidance note 5)		
		0030			
Thur	0800				
		0030			
Fri	0800		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)		
		0030			
Sat	0800				
		0030			
Sun	0800				
		0030			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take <u>place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finis h		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	0800	0030	Please give further details here (please read guidance note 4)		
Tue	0800	0030			
Wed	0800	0030	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	0800	0030			
Fri	0800	0030	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) NEW YEARS EVE 0800 – 1.30		
Sat	0800	0030			
Sun	0800	0030			

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					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur			<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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0800				
		0030			
Tue	0800				
		0030			
Wed	0800				
		0030			
Thur	0800				
		0030			
Fri	0800				
		0030			
Sat	0800				
		0030			
Sun	0800				
		0030			
			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 (please read guidance note 6)		
			NEW YEARS EVE		
			0800 – 1.30		

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 9).

N/A.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0800		
		0100	
Tue	0800		
		0100	
Wed	0800		
		0100	
Thur	0800		
		0100	
Fri	0800		
		0100	
Sat	0800		
		0100	
Sun	0800		
		0100	

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)

NEW YEARS EVE
0800 - 1.30

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)

~~LICENSEE TO BE RESIDENT AT HOVELTY~~

b) The prevention of crime and disorder

CCTV FITTED
CHALLENGE 25
~~WOULD LIKE TO JOIN~~ PUB WATCH ^{will be a member of}

c) Public safety

COVID RISK ASSESSMENT
FULLY COMPLIANT FIRE ALARM + RISK ASSESSMENT

d) The prevention of public nuisance

NOTICES ON PREMISES TO LEAVE QUIETLY.
NO MUSIC (LIVE) OUTSIDE

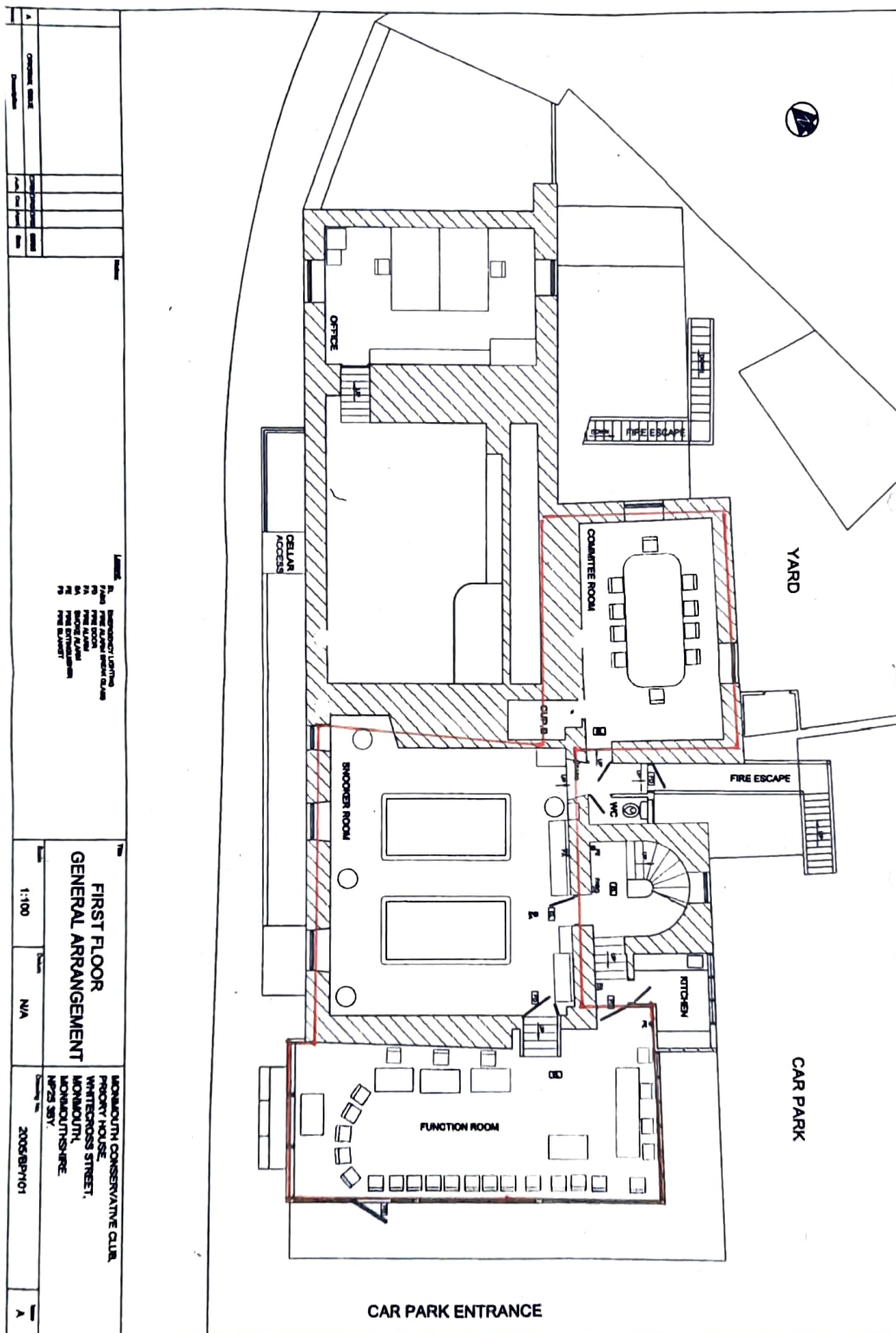
e) The protection of children from harm

CHILDREN NOT ALLOWED AFTER 9 P.M.

Annex 4 – Plans



<p>MONMOUTH CONSERVATIVE CLUB PROPERTY HOUSE, WHITECROSS STREET, MONMOUTH, MONMOUTHSHIRE, NP25 3EY.</p>		<p>Drawing No. 2005SP1100</p>	
<p>GROUND FLOOR GENERAL ARRANGEMENT</p>		<p>N/A</p>	
<p>Scale: 1:100</p>		<p>1:100</p>	
<p>DATE: 2005</p>		<p>DATE: 2005</p>	
<p>PROJECT: MONMOUTH CONSERVATIVE CLUB</p>		<p>PROJECT: MONMOUTH CONSERVATIVE CLUB</p>	
<p>CLIENT: MONMOUTH CONSERVATIVE CLUB</p>		<p>CLIENT: MONMOUTH CONSERVATIVE CLUB</p>	
<p>ARCHITECT: [Faint text]</p>		<p>ARCHITECT: [Faint text]</p>	
<p>DATE: [Faint text]</p>		<p>DATE: [Faint text]</p>	
<p>SCALE: 1:100</p>		<p>SCALE: 1:100</p>	
<p>PROJECT: MONMOUTH CONSERVATIVE CLUB</p>		<p>PROJECT: MONMOUTH CONSERVATIVE CLUB</p>	
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<p>DATE: [Faint text]</p>		<p>DATE: [Faint text]</p>	



Part A Club Premises Certificate

Club premises certificate number

Club details

Name of club in whose name this certificate is granted and relevant postal address of club	
Monmouth Conservative Club Priory House Whitecross Street Monmouth	
Post town Gwent.	Post code NP5 3BY
Telephone number 0600 713263	

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description Not Applicable	
Post town	Post code
Telephone number	

Where the club premises certificate is time limited the dates Issue Date: 05/08/2005
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Qualifying club activities authorised by the certificate Indoor sporting events; Live Music; Recorded Music; Supply of Alcohol; as indicated edged red on the plan attached to this licence.
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The times the certificate authorises the carrying out of qualifying club activities Indoor Sports Monday: 19.00 - 23.00 Tuesday: 19.00 - 23.00 Wednesday: 19.00 - 23.00 Thursday: 19.00 - 23.00 Friday: 19.00 - 23.00 Saturday: 19.00 - 23.00 Bank Holidays: 19.00 - 24.00 New Year's Eve: 19.00 - 01.00
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Live Music
Friday:19.00 - 24.00
Saturday:19.00 - 24.00
Bank Holidays: 19.00 - 24.00
New Year's Eve: 19.00 - 01.00

Recorded Music
Monday:10.00 - 24.00
Tuesday:10.00 - 24.00
Wednesday:10.00 - 24.00
Thursday:10.00 - 24.00
Friday:10.00 - 24.00
Saturday:10.00 - 24.00
Sunday:11.00 - 23.00
Bank Holidays: 10.00 - 24.00
New Year's Eve: 10.00 - 01.00

Supply of Alcohol
Monday:10.00 - 24.00
Tuesday:10.00 - 24.00
Wednesday:10.00 - 24.00
Thursday:10.00 - 24.00
Friday:10.00 - 24.00
Saturday:10.00 - 24.00
Sunday:11.00 - 23.00
Bank Holidays: 11.00 - 24.00
New Year's Eve: 10.00 - 01.00
A period of 30 minutes is allowed at the end of each period for the consumption of intoxicating liquor on the premises.

The opening hours of the club

Opening Hours
Monday:10.00 - 00.30
Tuesday:10.00 - 00.30
Wednesday:10.00 - 00.30
Thursday:10.00 - 00.30
Friday:10.00 - 00.30
Saturday:10.00 - 00.30
Sunday:11.00 - 23.30
Bank Holidays: 10.00 - 00.30
New Year's Eve: 10.00 - 01.30

Where the certificate authorises supplies of alcohol whether these are on and/or off supplies

Alcohol-On the premises
Alcohol-Off the premises

Annex 1 – Mandatory conditions

Mandatory conditions where Certificate authorises supply of alcohol for consumption off the premises.

(1) A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.

(2) Where a club premises certificate authorises the supply of alcohol for consumption off the premises the following conditions apply:

(i) the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises;

(ii) any alcohol supplied for consumption off the premises must be in a sealed container; and

(iii) any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

1.(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5. The responsible person shall 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: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the Club Operating Schedule

General - All Objectives

A. Rules as to admission of non-members not to be altered without the consent of the Licensing Authority.

B. The Licensing Authority to be notified within 14 days of any alteration to any Rule.

C. Monmouth Conservative Club Rules are as follows:-

Name and Objects of Club

1. The Monmouth Conservative Club, hereinafter referred to as the 'Club', shall be situated at Priory House, 15 Whitecross Street, Monmouth. NP25 3BY or such other place as the majority of members shall determine.

Its objects shall be to carry out the business of a Club, and in so doing to promote by all proper means the principles of Conservatism, and the implementation of the Conservative Party's policies.

The Club shall be affiliated to and inter-affiliated with, the Association of Conservative Clubs Limited, subject to the Rules and Regulations thereof.

MEMBERSHIP

Election

2. The election of members shall be vested solely in the Committee and shall be by ballot. Two votes against admission shall exclude a candidate.

3. Only Conservatives, being subscribing members or supporters of The Conservative Party, not being under 18 years of age, shall be eligible for membership.

4. Any two members of not less than two months standing may propose and second a candidate for membership and shall be able from personal knowledge to vouch for the candidate's respectability and fitness to be a member and both of them shall sign the nomination form as shall the candidate, who by so doing, shall pledge to support The Conservative Party and to abide by the Rules of the Club now, or hereafter, in force, in the event of being elected a member.

No paid employee of the Club shall be a member of the Club.

5. The name, address and occupation of each candidate, and the names of the proposer and seconder, shall be posted on the Club Notice Board at least seven days before the day on which the candidate's name is to be submitted for election.

6. Any member who is of the opinion that any candidate so proposed would not be a desirable member, shall inform the Secretary, who shall communicate the objection to the Committee.

7. The Committee may require the attendance of any proposer, seconder and their candidate to answer such questions as may be put to them. Should they not appear before the Committee, if summoned to do so, or send an explanation which the Committee shall deem to be satisfactory for not doing so within four weeks, that application for election shall be rejected.

8. No candidate, other than a candidate elected under Rule 9 (a)

shall be admitted to the privileges of membership until having been:

- (a) formally elected a member of the Committee, and
- (b) notified of election by the candidate's proposer, and
- (c) paid the first subscription together with any entrance fee which may be determined by the Committee, and
- (d) in no circumstances shall a candidate be admitted to the privileges of membership until at least seven days shall have elapsed between nomination and election to membership.

Membership of the Club and acceptance of these Rules by a member shall be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act.

Special Classes of Membership

Honorary Members

9. (a) The Committee shall have power to elect from time to time as honorary members without entrance or subscription, persons of distinction, or those who have rendered valuable services to the Conservative Cause or the Club including the Conservative Agent for the Constituency. An interval of at least seven days shall elapse between their election and admission as members.

Life Members

(b) The Committee shall have power to elect as Life Members those who have completed 45 years successive subscribing membership of the Club and attained the age of 75 years and to terminate at any time the Life Membership of any member so elected if, in their opinion it is desirable in the interests of the Club. Life Members shall be entitled to the full rights and privileges of membership without payment of any subscriptions.

Disqualification of Candidates

10. No rejected candidate shall again be proposed as a member until the expiration of twelve months from the date of such rejection. No person who shall have been expelled from this or any other Conservative Club affiliated to or inter-affiliated with the Association of Conservative Clubs Limited, shall ever again be proposed as a candidate, or make use of the Club premises, except by consent of the Committee.

No other person, who has at any previous time been a member of the Club, shall be eligible for re-election before the period of six months has elapsed from the date of ceasing to be a member.

Resignation of Membership

11. Any member wishing to resign must send a written notice to the Secretary, and shall thereupon cease to be a member. The Committee may accept the verbal resignation of a member provided it is reported and approved at a subsequent Committee Meeting.

SUBSCRIPTIONS

12. The ordinary subscription shall be such sum per annum as shall from time to time determined by the members at a General Meeting. Subscriptions shall be paid in advance on admission and subsequently on the 1st January each year.

13. A suspended member shall remain liable to pay the annual subscription.

14. Every member shall produce a receipt of subscription or card of membership, whenever called upon to do so by any person authorised by the Committee to make such demand on the Club premises.

Non-payment of Subscription

15. Any member failing to pay the subscription within fourteen days after the same has become due, shall be considered in arrear, and notice of the default shall be sent to the member by the Secretary; and if the sum is not paid within another fourteen days after such notice has been sent this person shall cease to be a member.

If however, the delay in payment can be accounted for to the satisfaction of the Committee, the Committee may at its discretion direct that any member shall be exempt from the above.

16. Any member in arrear of subscription shall not be permitted to make use of the Club or take part in its affairs.

CHANGE OF ADDRESS

17. Any member changing address shall, within fourteen days, give notice to the Secretary in writing of such change and until such notice is given, all communications and notices sent to the last recorded address shall be deemed to have been served upon such member.

INTER-AFFILIATION TICKET HOLDERS

18. Members of Clubs inter-affiliated with the Association of Conservative Clubs Limited, subject to the Rules and Regulations of that Association, may on presentation of their Inter-Affiliation Ticket be admitted to the Club premises, and intoxicating liquor may be sold to them by or on behalf of the Club for consumption on the premises.

TERMINATION OF MEMBERSHIP

19. Membership shall terminate:

- (a) On resignation (Rule 11).
- (b) On non-payment of subscription (Rule 15).
- (c) On expulsion (Rule 31).
- (d) On ceasing to be a Conservative supporter as defined in Rule 3.
- (e) On death.

OFFICERS

20. The Officers of the Club shall consist of three Trustees who shall be elected according to Rule 26, a President, a Vice-President, a Chairman, a Treasurer and a Secretary who with the exception of the Chairman shall remain in office until their successors are elected, and shall be elected annually by ballot in the week preceding the Annual General Meeting and at the end of their term of office shall be eligible for re-election. The Chairman shall be elected from among the eight Committee members by the Committee at their first meeting following the Annual General Meeting.

COMMITTEE MEMBERS

21. There shall be eight Committee Members who shall be elected by ballot in the week preceding the Annual General Meeting.

The senior four Committee Members in length of service from the date of last election shall retire at each Annual General Meeting and shall be eligible for re-election.

If two or more Committee Members have served for the same period those to retire shall be selected by the Chairman by lot.

THE COMMITTEE

22. The 'Committee' shall consist of the Officers and Committee Members referred to in Rules 20 and 21.

The Committee shall meet at least once a month. Five members shall

form a quorum.

The Chairman, or in this person's absence, a Chairman elected by the meeting shall preside.

Each member shall have one vote and in the event of an equality of votes the Presiding Officer shall have in addition to one vote as a member of the Committee a second or casting vote.

All references to the 'Committee' shall include the Officers and Committee Members.

23. Any member of the Committee being absent from three consecutive meetings of the Committee shall, unless sending a written explanation which the Committee shall deem satisfactory, cease to be a member of the Committee and shall also cease to be an Officer or Committee Member.

Any member of the Committee ceasing to be a member of the Club, or who is suspended from the privileges of membership, shall cease to be an Officer or Committee Member.

Any vacancy so caused shall be filled as provided by Rule 39.

24. (1) The Officers and Committee Members shall receive such honorarium, if any, as a General Meeting shall from time to time determine.

(2) Any Officer or Committee Member and the Steward or any other employee dealing with the monies of the Club shall give such security as the Committee may from time to time determine, and shall discharge their duties under the direction of the Committee.

APPOINTMENT OF SECRETARY

(3) In the event of a person being appointed Secretary and receiving a fixed salary such a person shall not be an ordinary member of the Club, but the Committee shall have power to direct that such an employee may be admitted to the Club premises and that intoxicating liquor may be supplied for consumption on the premises.

A written Contract of Service shall be sufficient evidence of the appointment under this section and the terms thereof shall be substituted for all provisions in these Rules relating to the election, term of office, retirement and dismissal from office and similar matters relating to the Secretary.

DUTIES OF OFFICERS

The President, Vice-President and Chairman:

25. The President, or in this Officer's absence the Vice-Presidents or the Chairman, shall preside at all meetings (other than Committee meetings) of the Club.

Trustees

26. (a) All property whether real or personal shall be vested in the Trustees upon trust for the time being shall be applied, and dealt with by the Trustees in accordance with the directions and wishes of the members as expressed in the Rules and in accordance with such resolutions and directions as may from time to time be passed or given under the authority of the Rules.

The Trustees shall have power, subject to authorisation by the Committee, to mortgage or charge the premises and other property of the Club for the purposes of raising such moneys as may be required to carry on the Club for the benefit and convenience of its members.

Every Trustee shall be entitled to be indemnified by the Club from and against all liability, costs, damages, claims and demands

incurred or suffered arising out of and in connection with anything done as such Trustee of the Club or at the request of and in accordance with a Resolution of the Committee and the Trustee shall be authorised to charge the assets of the Club in their hands to satisfy any such liability. If the assets of the Club shall be insufficient for the purpose aforesaid then a special subscription shall be raised from and become payable by those persons who shall at the time such indemnity is invoked by members of the Club who shall contribute thereto such amounts as shall be determined by Resolution of the Committee.

(b) The Trustees shall be elected at a General or Special General Meeting by a majority of the members present and entitled to vote and shall remain in office during the pleasure of the Club.

For the purposes of giving effect to such election the Chairman is hereby nominated as the person to appoint new Trustees of the Club within the meaning of the Trustees Act 1925 and he shall by Deed duly appoint the person or persons so nominated at the General or Special General Meeting as the new Trustee or Trustees of the Club and the provision of the Trustee Act 1925, shall apply to such appointment.

Any or all of the Trustees may be removed by a majority of three-fourths of the members present at a Special General Meeting called for that purpose, in the following manner.

The Secretary shall summon the meeting as follows:

(a) at the direction of the Committee, or

(b) upon receiving a request signed by one-fifth of the members or 30 members, whichever is the less,

and the Secretary shall thereupon give fourteen days notice by a notice posted in the Club premises.

In case of a vacancy caused by removal, resignation or death, another Trustee shall be elected at a Special General Meeting called for that purpose in the manner provided in Rule 40.

Treasurer

27. The Treasurer shall be responsible for directing that all moneys, whether received personally, by the Secretary, or any other Official, Steward or any other employee or agent of the Club are paid as directed into the Club's Bank at least once a week. The Treasurer shall also see that all debts of the Club are paid as directed by the Committee (except petty cash payments) by cheques signed by any two of the authorised signatories and countersigned by the Treasurer. At every regular meeting of the Committee (or often if required) the Treasurer shall produce the Paying-in Book, and Bank statements for inspection showing that the forgoing duties have been carried out.

The Treasurer shall keep such accounts, documents and other papers of the Club, not otherwise kept by the Secretary, in such manner and for such purposes as the Committee may direct.

The Secretary

28. General Duties

The Secretary shall carry out the duties of this office under the superintendence, control and direction of the Committee.

The duties of the Secretary shall be:

To receive moneys on account of the Club and pay the same to the Treasurer or direct to the Club's Bank. The Secretary shall keep such accounts, documents, and papers of the Club in such manner and

for such purposes as the Committee may direct.

To summon and attend all meetings and take minutes of the proceedings.

In every year prepare or cause to be prepared the balance sheet and income and expenditure account and submit the same to the Auditor of the Club.

To keep upon the Club premises a register of the names and addresses of the Club members and a record of the latest payment of their subscription.

To ensure that the Club is registered under the provision of the Licensing Acts.

To ensure that the Club Premises Certificate, or a Certified copy thereof, is kept at the Club premises in the custody or under the control of the person nominated for the purposes of Section 94 (2) of the Licensing Act 2003. The nominated person shall be the Secretary unless otherwise decided by the Club Committee and shall be identified in writing to the Licensing Authority. The Secretary shall ensure that the summary of the Certificate issued by the Licensing Authority is prominently displayed on the Club premises.

To be responsible for the insurance of the Club against fire and burglary; and in respect for liability for accidents occurring to Club employees and for any other purposes directed by the Committee.

To comply with the requirements of the Commissioners of Inland Revenue with regard to the deduction of income tax from the wages or salaries of employees and with the requirements of the National Insurance Acts in respect to such employees.

To be supplied by the Committee with copies of the Rules and shall be bound to deliver a copy thereof to any member on demand on such payment as the Committee may from time to time determine.

To carry out such other duties as are reasonably incidental to the office of Secretary.

AUTHORITY OF THE COMMITTEE

29. The Committee shall conduct the general business of the Club, regulate the internal management, have power to enforce Rules and make such bye-laws as may be necessary for the conduct of the Club in conformity with these Rules.

At the first meeting after the Annual General Meeting the Committee may appoint a Political Sub-Committee, of which not more than one-half of the members shall be also members of the Committee and appoint a representative to the Executive Committee of the local Constituency Conservative Association.

It may appoint other Sub-Committees, which shall manage the several departments of the Club under the supervision of the Committee. The appointment and dismissal of the Secretary, if appointed in accordance with Rule 24, the Steward and all other Club employees shall be vested solely in the Committee.

30. No resolution passed by the Committee shall be rescinded unless notice shall have been given at a previous meeting of the intention to propose such rescission.

31. 1. (a) The Committee shall have power to reprimand, suspend from the facilities of membership for a period not exceeding one year, or expel from membership of the Club any member who is adjudged guilty by the Committee or any infringement of the Rules or Bye-Laws

or whose conduct in or out of the Club premises is, in the opinion of the Committee, prejudicial to the Conservative Cause, or to the interests of the Club.

(b) The Chairman or Secretary or in their absence, any member of the Committee, shall be empowered to order the immediate withdrawal of any member whose conduct on the Club premises is in conflict with the Rules of the Club. The matter must be reported to the Committee at their next regular meeting. Such a member shall have no right of re-entry to the Club premises until a decision has been made by the Committee in respect of whether there is a complaint to warrant them summoning the member to appear before them.

(c) In all other cases, any complaint or complaints against a member shall be considered by the Committee at their next regular meeting, and the Committee shall be empowered to require the member concerned to withdraw from the facilities of membership until the date of the meeting to which the member shall be summoned under the terms of sub-paragraph (e).

(d) If the Committee are of opinion that the complaint or complaints do not warrant them summoning him to appear before them, the member in question must be immediately notified to this effect and he shall be free to resume his rights as a member

(e) If the Committee are of opinion that the complaint or complaints do warrant them summoning him to appear before them, at least seven clear days' notice in writing shall be given by the Secretary to the member of his being summoned, and the notice shall contain a statement detailing the complaint or complaints brought against him.

(f) No member shall be reprimanded, suspended from the facilities of membership or expelled from membership without them being first summoned before the Committee, and full opportunity afforded the member to make a defence against the allegations, nor unless a majority of at least two-thirds of the Committee then present vote for the member being reprimanded, suspended or expelled. The Committee's decision shall be final.

Should the member fail to appear before the Committee having given no prior reasonable explanation for his failing to do so, the case can proceed and be dealt with by the Committee in the absence of the member.

Right of Appeal

(2) A member who shall have been suspended or expelled by the Committee from membership shall in either case have the right to appeal against such decision provided such appeal is made by the member within 28 days of such suspension or expulsion in writing addressed to the Secretary.

Any such appeal shall be decided by three arbitrators to be chosen for this purpose as in hereinafter mentioned and any decision shall be binding and conclusive on all parties without appeal, and application for the enforcement of such decision may be made to the High Court or County Court.

The Club shall have a panel of five arbitrators, not being person directly or indirectly interested in the management of the Club, who shall be elected at a General Meeting of the Club and in the event of any dispute arising as aforesaid the three arbitrators to be chosen to decide the dispute shall be those whose names are drawn by lot

from amongst the names of the five arbitrators aforesaid by the complaining party to the dispute or, if there is more than one such party, by that party whose names comes first in alphabetical order.

32. The Committee, or any Officer authorised by them in writing, shall have power to give orders for goods and services and other things necessary for carrying out the objects of the Club; but nothing in this Rule shall empower the Committee, or any Officer authorised by them to incur expenditure except such as is consistent with the purposes for which the Club is established.

ELECTION OF OFFICERS AND COMMITTEE

33. Every candidate for office shall be proposed and seconded by two members entitled to vote. The candidate must have paid the current subscription and have been a member for the previous twelve months, and be not less than 18 years of age.

34. Every member of the Club shall have one vote for each vacancy, and no member shall give more than one vote to any candidate.

35. At least three weeks prior to the day appointed for the commencement of the ballot a notice shall be posted on the Club Notice Board by the Secretary, inviting the nomination of candidates for the office of Committee Member or Officers of the Club. The notice shall remain so posted for ten days.

36. The names of all candidates for office in the Club, together with their proposers and seconders, shall be entered on a nomination sheet which shall be posted on the Club Notice Board seven clear days before the day appointed for the commencement of the ballot and shall remain so posted until the result of the ballot has been declared.

37. (1) The Committee shall appoint three scrutineers to carry out the ballot under their direction and the result shall be declared at the ensuing Annual General or Special General Meeting.

No Officer or Committee Member of the Club or candidate may be appointed a scrutineer.

(2) In the case of a tie between any two or more candidates, the names of such candidates shall be placed in a receptacle, from which the Chairman of the meeting shall draw as many names as there are vacancies to be filled.

The names so drawn shall be declared duly elected.

38. In the event of being elected to two offices, the member shall choose which office to fill. The vacancy thus arising shall be filled by the unsuccessful candidate with the highest number of votes, but if there shall be no such candidates, the office shall be filled by the Meeting who shall elect by ballot a member to fill the office.

Casual Vacancies

39. Any casual vacancies, except vacancies occasioned by the removal under Rule 41, occurring amongst the Officers (other than Trustees) and Committee Members shall be filled by the Committee, who shall appoint a person to assume the office. Any person so appointed shall retain this office so long as the vacating Officer or Committee Member would have retained the same if no vacancy had occurred.

Resignation of Committee

40. In the event of the whole Committee resigning at any time, the Secretary shall obtain nominations during the following ten days, and a ballot shall be take place and be declared at a Special General

Meeting held within fourteen days of such resignation for the election of a new Committee.

The time and notice required for nominations under Rule 36 and for Special General Meetings under Rule 47, shall not apply in this case.

Removal of Committee and Election of New Committee

41. The Committee, or any members thereof, may be removed from office by a majority of three-fourths of the members of the Club present and voting at a Special General Meeting called for that purpose.

The election of a new Committee or any member or members thereof shall take place in the manner prescribed in the previous Rule upon resignation of the Committee.

APPOINTMENT AND DUTIES OF THE AUDITOR

42. (1) The Members, at the Annual General Meeting, shall elect an auditor who publicly carries on the business of an accountant to audit the accounts for the ensuing year.

(2) The auditor shall examine the accounts and for that purpose shall have access to all books of the Club.

(3) The auditor shall examine the books and the receipts and expenditure, funds and effects of the Club, and shall confirm the same, and shall either sign the accounts to be correct, or shall report in what aspects the accounts are incorrect.

(4) None of the following persons shall be appointed as auditor of the Club:

(a) an Officer or employee of the Club

(b) a person who is a partner in the employment or who employs an officer or employee of the Club, or.

(c) a member of the Club.

GENERAL MEETINGS

Annual General Meeting

43. The Annual General Meeting shall be held in December on a day to be fixed by the Committee.

44. Notice of such Annual General Meeting shall be posted on the Club Notice Board for at least twenty-one clear days before the date appointed for the Meeting.

Notice of any Motion for inclusion on the Agenda of the Annual General Meeting must be submitted in writing to the Secretary within ten days of the posting of the notice summoning the Meeting.

The Agenda for the Annual General Meeting shall be posted on the Club Notice Board for at least seven clear days before the date appointed for the Meeting. No business other than that specified in the Agenda shall be transacted at the Meeting.

A copy of the balance sheet and income and expenditure account for the year, with the report of the auditor, shall be posted on the Club Notice Board at least seven days before the Annual General Meeting. At a Special General Meeting ten members excluding the Officers and Committee shall form a quorum. If within half an hour from the time appointed for a meeting a quorum is not present the meeting shall stand adjourned to such day and at such time as the members present may determine and if at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting the members present shall be a quorum.

No want of a quorum occurring after the presiding Officer has opened

the meeting shall make a meeting incompetent to transact business.

Special General Meetings

46. The Secretary shall summon Special General Meetings as follows:

- (1) In accordance with Rule 40;
- (2) At the direction of the Committee;
- (3) Upon a request forwarded to the Secretary signed by one-fifth of the members or thirty members whichever is the less, stating the objects of such meeting, in accordance with Rule 47.

Meetings under the provisions (2) and (3) above shall be held within not less than fourteen days and not more than twenty-one days from the date of the receipt of the request by the Secretary.

47. Notice of any Special General Meeting, and of the object for which it is called, shall be posted on the Club Notice Board a clear fourteen days before the date appointed for such meeting (except in the case of a Special General Meeting called under Rules 40 and 41) and no other business except that for which the meeting has been convened shall be brought before a Special General Meeting.

48. At a Special General Meeting one-fifth of the members, or 30 members which ever is the less, shall form a quorum. If within half an hour from the time appointed for a meeting a quorum is not present the meeting, the meeting if convened upon the requisition of members shall be dissolved, in any other case it shall stand adjourned to such day and at such time as the members present may determine. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting the members present shall be a quorum.

No want of a quorum occurring after the presiding Officer has opened the meeting shall make a meeting incompetent to transact business.

Adjournment of Meetings

49. Any General or Special General Meeting may be adjourned to such a time as a majority shall decide, but no business other than that which could have been transacted at the original meeting shall be brought forward at such adjourned meeting.

Rescission of Resolutions

50. No resolution passed at the Annual General Meeting shall be rescinded unless notice of the intention to propose such rescission shall have been given to the Secretary at least twenty-one days before the date appointed for the subsequent Annual General or Special General Meeting.

Voting

51. At all General Meetings every member present shall have one vote on each resolution.

GUESTS, MEMBERS' FUNCTIONS AND OTHER EVENTS

52. (a) Every member shall be permitted to introduce guests to the Club premises, but the same guest shall not be admitted to the Club premises more than three times within a period of one calendar month unless special consent be obtained from the Committee. Intoxicating liquor may be sold to the guests of Members for consumption on the premises only. The Committee reserves the right to refuse the admission of any guest if in their opinion it is desirable in the interests of the Club.

(b) Members of other Clubs or other organisations who have been invited to take part in organised games, tournaments or other

recreational activities held on the Club premises and Members, Officials and supporters of visiting teams invited to participate in the same, and persons attending the club premises to attend a meeting or function held in the name of The Conservative Party, may at the discretion of the Committee, be admitted to the Club premises as guests of the Members and intoxicating liquor may be sold to such persons for consumption on the Club premises only.

(c) Intoxicating liquor may be sold for consumption on the Club premises to guests attending any function on the Club Premises which has been authorised by the Committee, provided that any such function shall be organised and supervised by at least one member who is present throughout the duration of such function, and the same shall apply to such other functions which may from time to time be held on the Club premises within the scope provided by the provisions of the Licensing Act 2003 in respect of the Temporary Events Notice.

53. The name of any person admitted to the Club premises and where appropriate the name of the member who introduced that person shall be written in the A.C.C. Member's Guest Book which shall be kept for that purpose on the Club premises.

Visitors are the responsibility of the member by whom they are introduced and that member shall remain with the guest or guests at all times they are on the Club premises.

54. No person who has been expelled from this or any other Conservative Club affiliated to or inter-affiliated with the Association of Conservation Clubs Limited, or who, at the request of the Committee, has resigned from membership, or who, having been a candidate for election, has been rejected, or who is indebted to the Club (see Rule 15), shall be admitted as a guest.

55. The Committee may suspend or vary Rule 52 at any time and for such period as they may think fit.

MISCONDUCT OF MEMBERS

56. No betting, unlawful gaming, drunkenness, bad language or disorderly conduct shall be permitted on the Club premises.

Any infringement of this Rule will render the member offending liable to be dealt with by the Committee under Rule 31 (1).

It shall be the duty of any member of the Committee or member of the Club to take every available means for putting a stop to the offences in question, and to report them forthwith to the Committee through the Secretary.

HOURS OF OPENING AND CLOSING PREMISES

57. The Club premises shall be open to the members during such hours as may be determined from time to time by the Committee.

HOURS OF SUPPLY

58. The permitted hours for the supply of intoxicating liquor and for qualifying activities to take place shall be at such as the Committee may determine, subject to the terms and conditions specified in the Club Premises Certificate granted to the Club under the provisions of the Licensing Act 2003.

EXCISABLE ARTICLES

59. No payment whatever shall be received from any person not being a Member of the Club, an Inter-Affiliated Member or a person admitted in accordance with Rule 52. Any person making such payment shall forthwith be expelled from the Club premises.

No person under the age of 18 years shall be supplied or sold intoxicating liquor for consumption on or off the premises and no person under the age of 18 years shall be entitled to play the Club's Gaming Machines. Any Member of the Committee shall make an immediate report to the Secretary of any breach or attempted breach of this regulation.

Intoxicating liquor required for consumption off the premises shall be supplied to members only whilst on the Club premises, and taken away by them from the premises during the hours of supply. Any member who contravenes or attempts to contravene this Rule shall be dealt with under Rule 31 (1).

60. The proceeds of the supply of refreshments shall be carried to the credit of the Club funds and no individual employee or other person shall derive any advantage from the supply thereof.

APPLICATION OF SURPLUS

61. Any surplus of the Club shall be applied in such manner as the Committee considers best in the interests of the Club, and in furtherance of the objects for which the Club is formed, provided that no surplus shall be distributed among the members.

Any surplus on dissolution of the Club shall be dealt with as provided in Rule 63.

AMENDMENT OF RULES

62. Any Rule of the Club not hereinafter declared to be fundamental may be rescinded or amended or any new Rule made by a resolution carried by three-fourths of the votes given specifying the intention to propose such rescission, amendment, or new Rule.

Rules 1, 3, 26, 61 and 63 and this Rule are hereby declared to be fundamental and shall not be rescinded or amended except with the prior consent in writing of the Association of Conservative Clubs Limited and by a resolution carried by three-fourths of the votes given thereon at a Special General Meeting as provided in this Rule. Propositions for amendments of Rules made by the members must be submitted in writing to the Committee one month prior to the date of such Meeting. No proposition shall be taken into consideration unless supported by the twenty members who shall attach their signatures to the proposed amendment.

The Committee may propose Rule amendments at any time in accordance with the terms of this Rule.

Written notice of any new Rule or amendment of Rules must be given by the Secretary to the Licensing Authority within 28 days of the adoption thereof.

DISSOLUTION

63. The Club may be dissolved by the consent of three-fourths of the members present and upon dissolution of the Club all its assets, after the discharge of its debts and liabilities, shall be realised and divided equally amongst the nearest Club or Clubs, not exceeding five, which, at the relevant dates, is or are affiliated with the Association of Conservative Clubs Limited (the A.C.C.) and the Association of Conservative Clubs Limited.

For the purpose of this Rule:

- (a) the relevant date shall be the first day of January immediately preceding the dissolution of the Club;
- (b) the Club shall be deemed to be situated at the address specified

in Rule 1 of these Rules;

(c) a Club affiliated to or inter-affiliated with the A.C.C. shall mean a Club, whether incorporated or unincorporated, which is affiliated to or inter-affiliated with the A.C.C.;

(d) each Club affiliated to or inter-affiliated with the A.C.C. shall be deemed to be situated at the address for such Club recorded in the records of the A.C.C. on the relevant date.

DEFINITIONS

64. In these Rules, including this Rule, unless the subject matter or context are inconsistent therewith -

(a) words importing the singular or plural shall include the plural or singular respectively;

(b) unless the contrary intention appears, words denoting the masculine gender shall be deemed to include the feminine;

(c) Officers for the purposes of these Rules shall include every member of the Committee;

(d) 'intoxicating liquor' for the purposes of these Rules shall mean 'alcohol' within the meaning of Section 191 of the Licensing Act 2003;

(e) 'Inter Affiliation Ticket Holder' for the purposes of these Rules shall 'Associates' within the meaning of Section 67 of the Licensing Act 2003.

BYE-LAWS

1. Such refreshments, and at such a tariff as the Committee may determine, shall be supplied to the members. However, non-excisable refreshments may be supplied by an employee duly authorised by the Committee to do so at the employee's expense and from which the employee shall derive any benefit.

Members' payment

2. All members must pay every expense they incur in the Club before they leave the premises.

3. All complaints or suggestions shall be made in writing to the Secretary.

Conduct of Employees

4. The conduct of a employee shall in no instance be made a matter of personal reprimand by anyone other than the Secretary of the Club. All complaints against employees, or in regard to the domestic arrangements of the Club shall by anyone other than the Secretary shall be addressed to the Secretary who shall submit the same for determination by the Committee.

5. No member shall give any money or gratuity to the employees of the Club, under any pretence whatever.

Bills, Notices, etc.

6. No bill, notice, placard, or newspaper, shall be posted or distributed in or about the Club premises without the permission of the Committee or some person authorised by them.

Books, papers, etc.

7. All books, papers, or pamphlets written or printed shall be stamped with the Club stamp before being placed in the Club rooms, and no books, papers, or pamphlets shall be admitted into the Club without the sanction of the Committee or Secretary.

Petitions

8. No Committee Member or Officer of the Club shall sign any

petition or document on behalf of the Club, relating to matters not immediately connected with the management of the Club, without the express sanction of the Committee.

Damage to Property

9. Any person damaging the furniture or other property of the Club shall make good the same to the satisfaction of the Committee.

Removal of Property

10. No member shall remove any property of the Club.

Dress

11. All members and their guests whilst on the Club premises shall maintain such suitable standard of dress as the Committee in the absolute discretion shall determine.

Children

12. Children shall be admitted to the Club premises during the hours fixed or under Rule 57 and specifically at such times and in such parts of the premises as the Committee in their sole discretion shall determine, always provided they are in the care and under the sole control of a bona fide parent or guardian.

Cashing Members' Cheques

13. Any Officer or paid employee or any other agent authorised by the Committee shall be empowered to cash cheques up to a limit determined by the Committee (£50) presented by a member during any one week, but in the event of default by any such member the facilities shall thereafter be withdrawn unless the sum concerned be repaid to the Club and in any event the member shall be liable to be dealt with in accordance with Rule 31 and as appropriate liable to proceedings for recovery.

Disclaimer for Personal Injury, Loss or Damage to Property

14. The Club accepts no responsibility for injury or loss or damage to persons or property however sustained on the premises of the Club.

15. No dogs, other than guide dogs, etc., shall be allowed on the Club premises except at the discretion of the Committee.

Alteration of Bye-Laws

16. These Bye-Laws shall not be altered without the approval by the members at a Special General Meeting, but the Committee may at any time add thereto by the issue of new Bye-laws.

Exhibition of Rules and Bye-Laws

17. A copy of these Rules and Bye-Laws shall at all times be exhibited in a prominent position in the Club premises.

Prevention of Crime & Disorder

D. All staff will be suitably trained under the Licensing Act 2003.

E. CCTV is installed at the premises which is working to the satisfaction of the Police and Licensing Authority. If the CCTV equipment fails, the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.

F. The premises has a card operated door entry system.

G. Staff will be trained on 'customer code of conduct'.

Public Safety

I. A suitable Fire Risk Assessment is conducted at the premises and the necessary control measures are implemented in line with the Fire Service.

J. The premises have a capacity limit of Main Bar 35, Lounge Bar 35, Skittle Alley 25, Snooker Room 20, Committee Room 20, First Floor Meeting Room 40, Restaurant 30, in line with the Fire Service.

K. Exit doors are regularly checked to ensure they function satisfactorily. The fire exits and means of escape are signed in accordance with the Fire Service.

Prevention of Public Nuisance

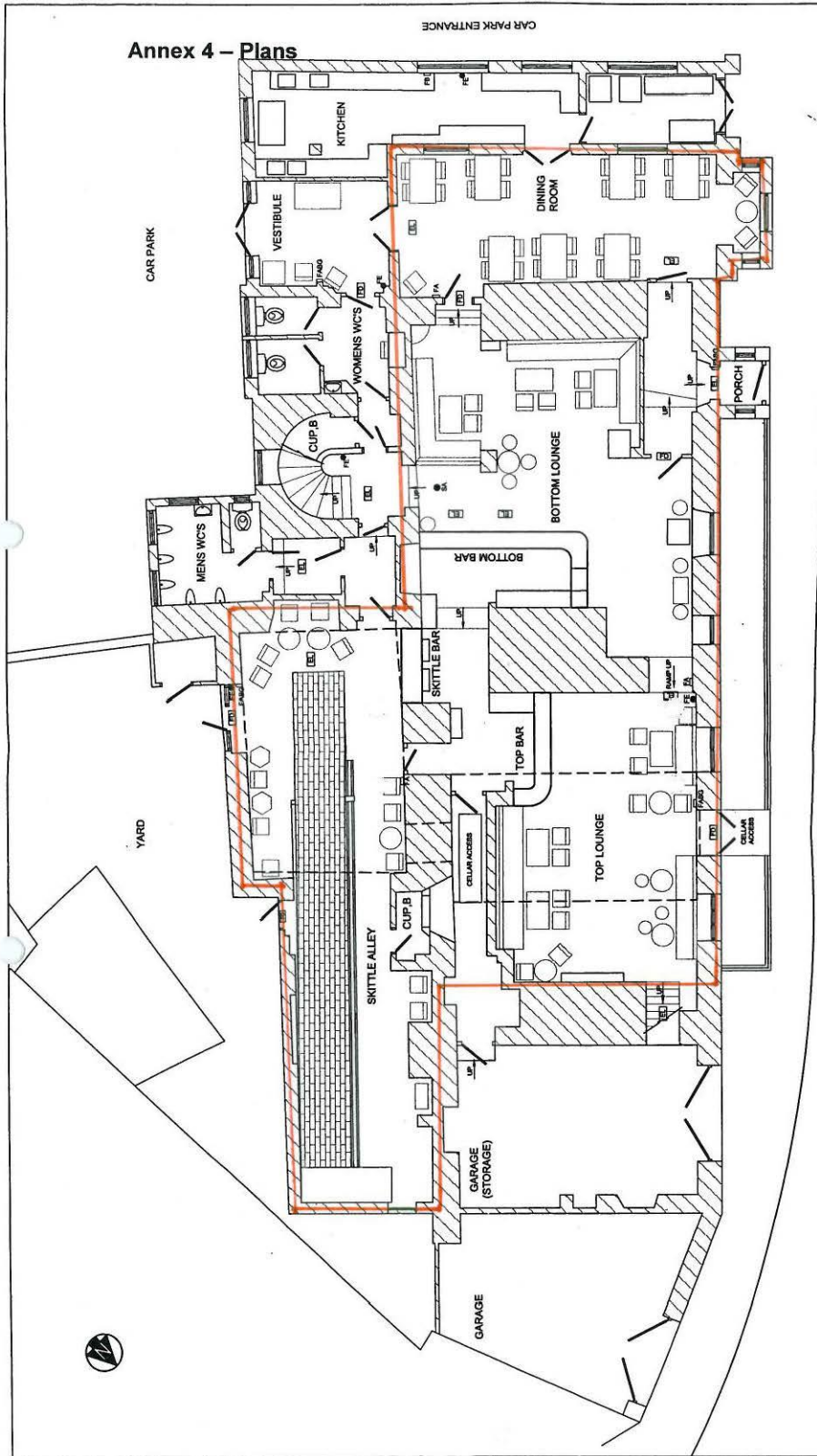
L. A noise management plan has been devised and is in operation at the premises.

Protection of Children

M. Children under 16yrs will be allowed on the premises only when accompanied by an adult.

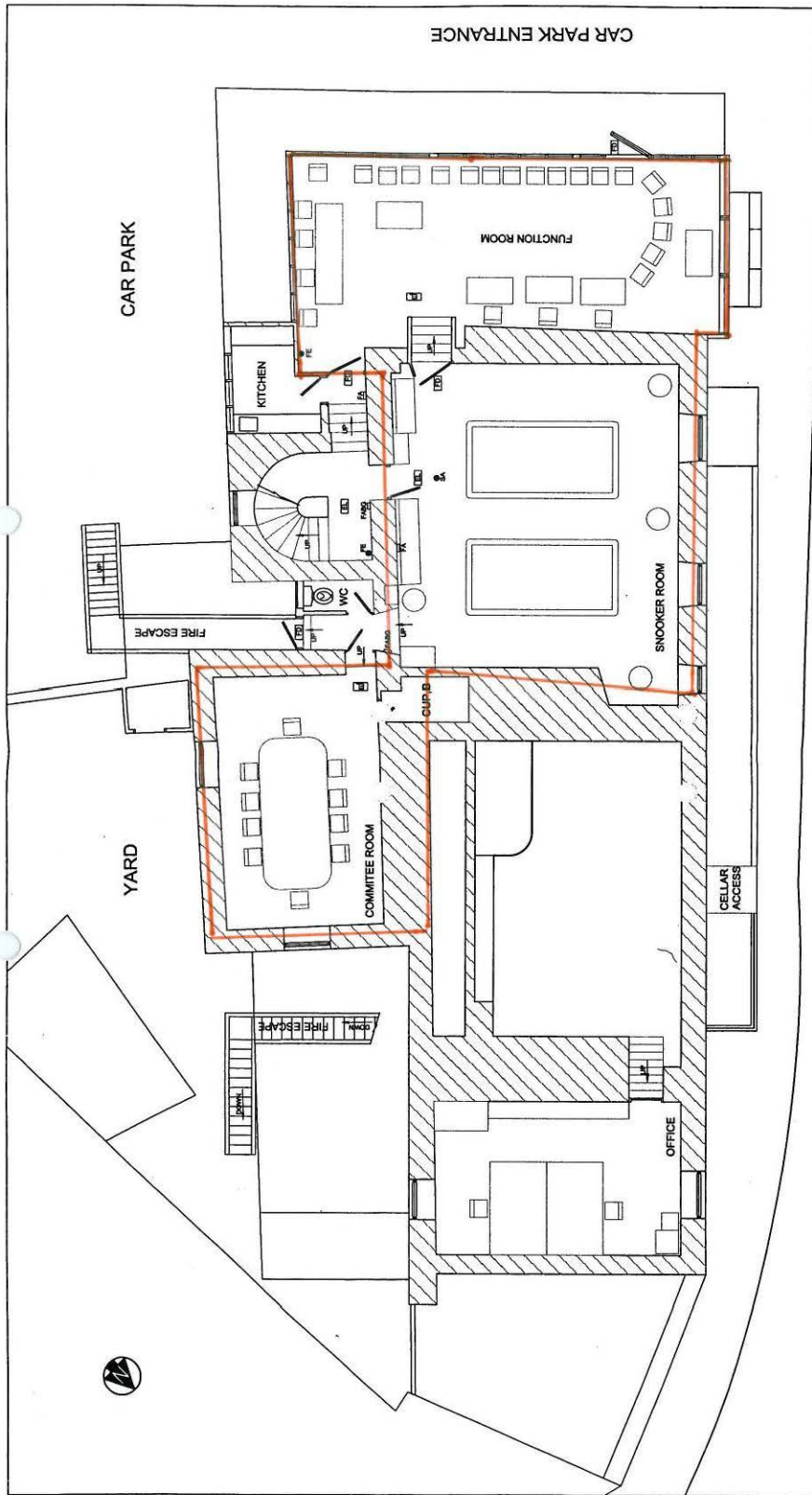
Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

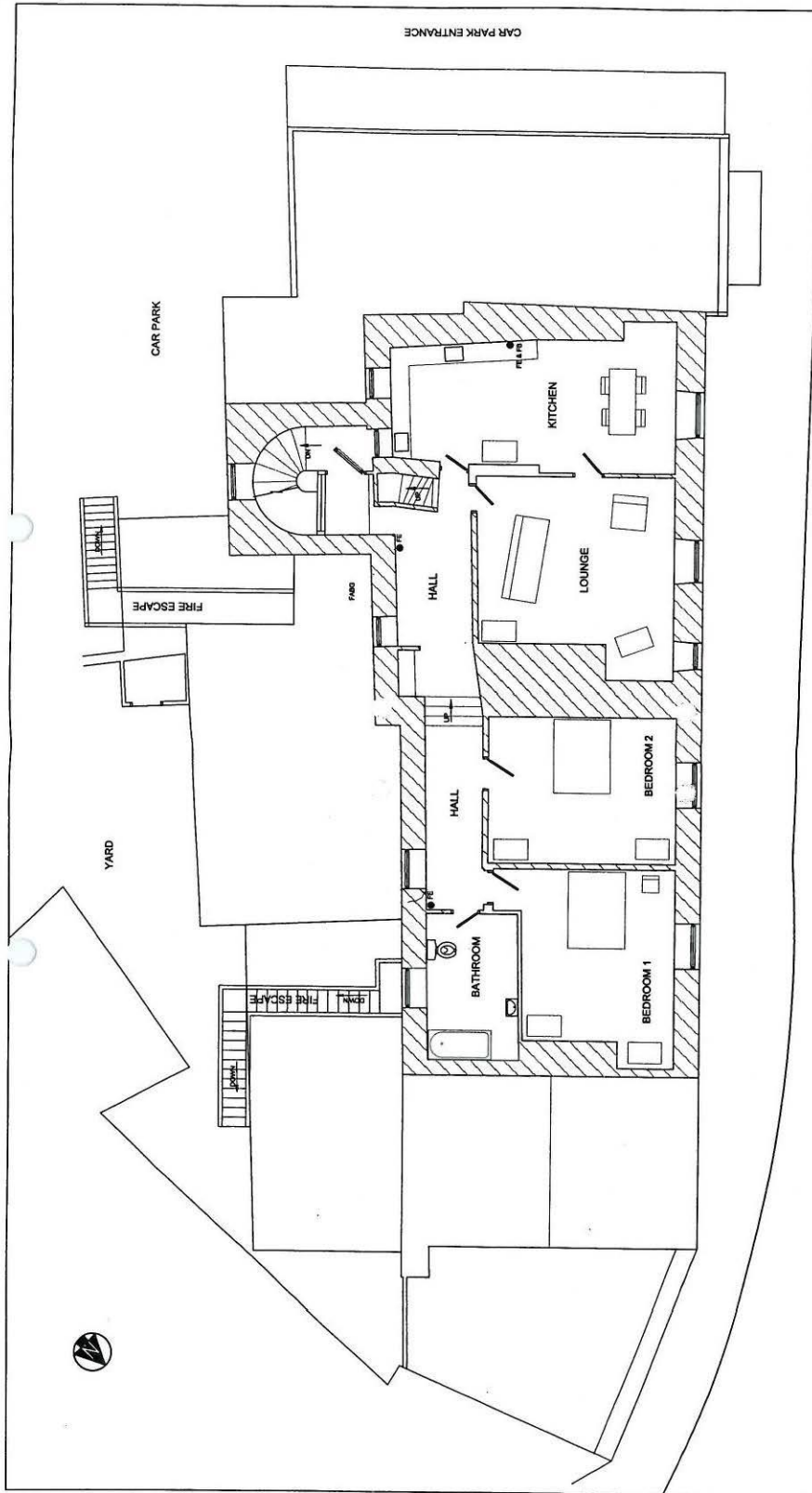


WHITECROSS STREET

ORIGINAL ISSUE Description:	0000 Date:	0000 Date:	0000 Date:
	0000 Date:	0000 Date:	0000 Date:
LEGEND: B BARRICADE F FLOOR FD FIRE DOOR FV FIRE VENT KA KITCHEN ALARM PE FIRE EXTINGUISHER PB FIRE BLANKET			
TITLE: GROUND FLOOR GENERAL ARRANGEMENT			
SCALE: 1:100		DRAWN: N/A	
DRAWING NO.: 2005/BP/100			
PROJECT: MONMOUTH CONSERVATIVE CLUB, PRIORY HOUSE, WHITECROSS STREET, MONMOUTH, MONMOUTHSHIRE, NP25 3BY.			
			ISSUE: A

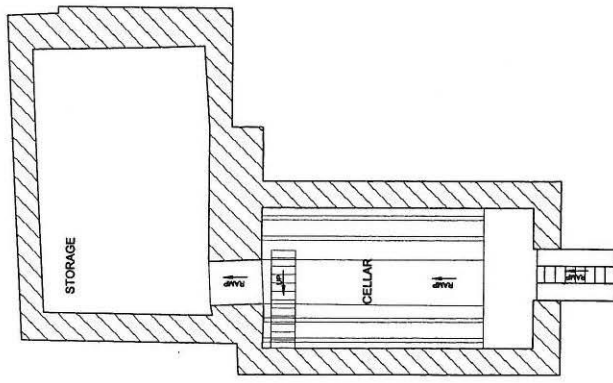
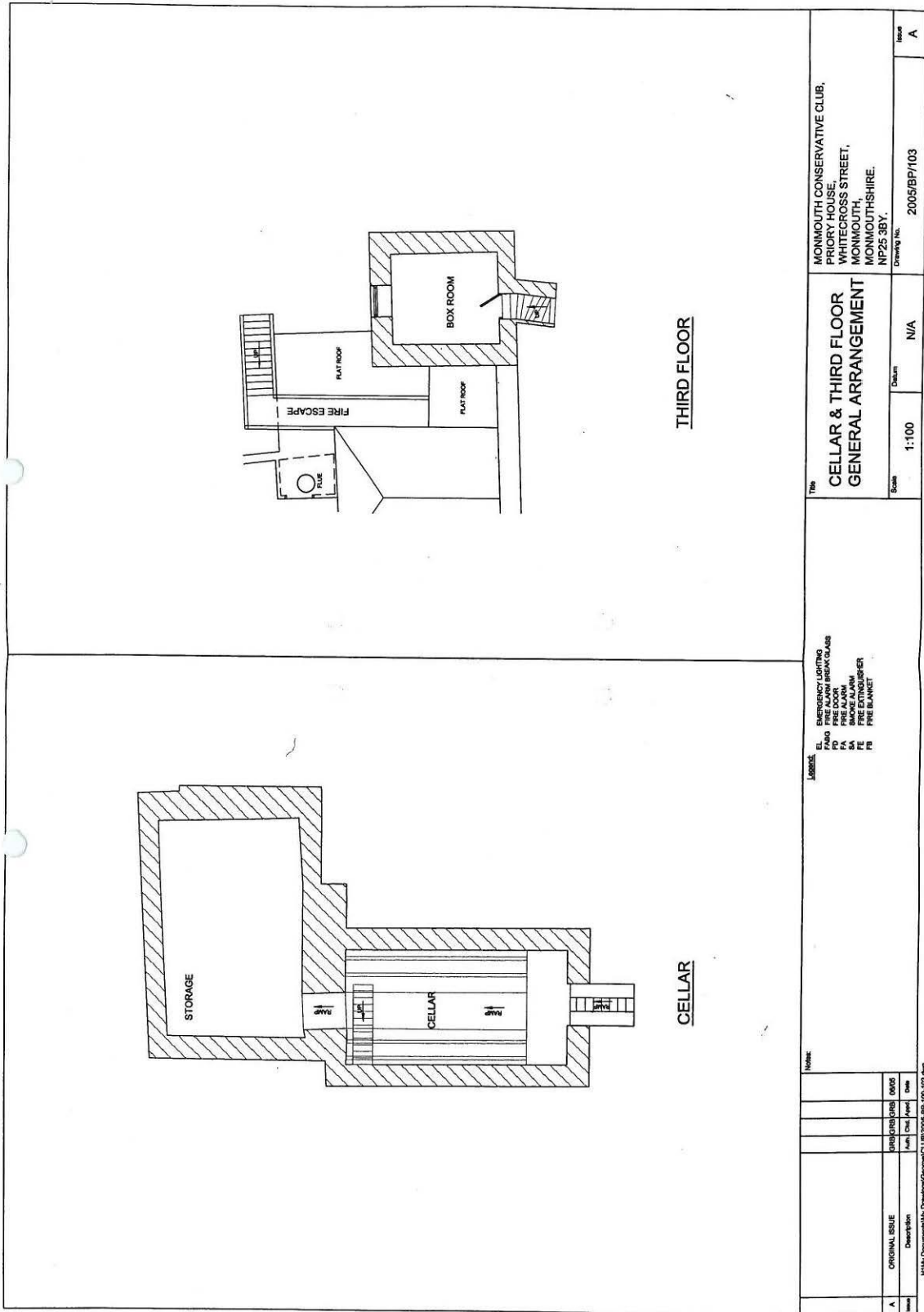


ORIGINAL ISSUE Description	Date Issued	Date Issued	Date Issued	Date Issued
	A	A	A	A
Notes:				
LEGEND: EL EMERGENCY LIGHTING FD FIRE DOOR FA FIRE ALARM FE FIRE EXTINGUISHER FB FIRE BLANKET				
Title FIRST FLOOR GENERAL ARRANGEMENT		Scale 1:100	Datum N/A	Drawing No. 2005/BP/101
Client MONMOUTH CONSERVATIVE CLUB, PRIORY HOUSE, WHITECROSS STREET, MONMOUTH, MONMOUTHSHIRE, NP23 3BT.				Issue A

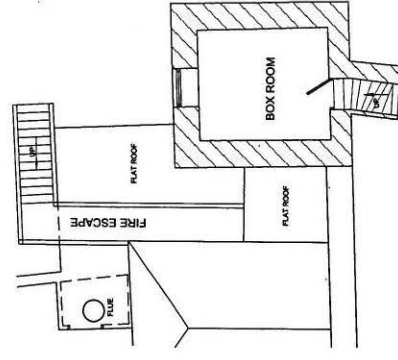


WHITECROSS STREET

<p>Legend</p> <ul style="list-style-type: none"> EL EMERGENCY LIGHTING FANG FIRE ALARM BREAK GLASS FA FIRE ALARM SA SMOKE ALARM FR FIRE RISK REGISTER FB FIRE BLANKET 		<p>Title</p> <p>MONMOUTH CONSERVATIVE CLUB, PRIORY HOUSE, WHITECROSS STREET, MONMOUTH, MONMOUTHSHIRE, NP25 3BY.</p>													
<p>Notes</p>		<p>Scale</p> <p>1:100</p>	<p>Drawn</p> <p>N/A</p>												
<p>Revision</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Auth.</th> <th>Chk.</th> <th>Appr'd.</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>ORIGINAL ISSUE</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		No.	Description	Auth.	Chk.	Appr'd.	Date	A	ORIGINAL ISSUE					<p>Second Floor GENERAL ARRANGEMENT</p>	<p>Drawing No.</p> <p>2005/BP/102</p>
No.	Description	Auth.	Chk.	Appr'd.	Date										
A	ORIGINAL ISSUE														
<p>1:\HW\Documents\Drawings\General\CLUB2005BP-100-102.dwg</p>		<p>Issue</p> <p>A</p>													



CELLAR



THIRD FLOOR

Rev	Description	By	Chk	App'd	Date
A	ORIGINAL ISSUE	DRG	CHN	DRB	06/05

- LEGEND
- EL EMERGENCY LIGHTING
 - FABG FIRE ALARM BREAK GLASS
 - FA FIRE ALARM
 - SA SMOKE ALARM
 - FE FIRE EXTINGUISHER
 - FE FIRE EXTINGUISHER

Scale	1:100	Datum	N/A	Drawing No.	2005/BP/103	Issue	A
CELLAR & THIRD FLOOR GENERAL ARRANGEMENT				MONMOUTH CONSERVATIVE CLUB, PRIORY HOUSE, WHITECROSS STREET, MONMOUTH, MONMOUTHSHIRE, NP25 3BY.			

H:\My Documents\My Drawings\2005\BP\103\2005-BP-103.dwg

Part B

Club Premises Certificate Summary

Club premises certificate number

Club details

Name of club in whose name the certificate is granted and relevant registered postal address of club	
Monmouth Conservative Club Priory House Whitecross Street Monmouth	
Post town Gwent.	Post code NP5 3BY
Telephone number 0600 713263	
If different from above the postal address of club premises to which the certificate relates, or if none, ordnance survey map reference or description Not Applicable	
Post town	Post code
Telephone number	
Where the club premises certificate is time limited the dates Issue Date: 05/08/2005	
Qualifying club activities authorised by the certificate Indoor sporting events;Live Music;Recorded Music;Supply of Alcohol; as indicated edged red on the plan attached to this licence.	
The times the certificate authorises the carrying out of qualifying club activities Indoor Sports Monday-Saturday:19.00 - 23.00, Bank Holidays: 19.00 - 24.00, New Year's Eve: 19.00 - 01.00 Live Music Friday-Saturday:19.00 - 24.00, Bank Holidays: 19.00 - 24.00, New Year's Eve: 19.00 - 01.00 Recorded Music, Supply of Alcohol Monday-Saturday:10.00 - 24.00, Sunday:11.00 - 23.00, Bank Holidays: 10.00 - 24.00, New Year's Eve: 10.00 - 01.00. A period of 30 minutes is allowed at the end of each period for the consumption of intoxicating liquor on the premises.	
The opening hours of the club Monday-Saturday:10.00 - 00.30, Sunday:11.00 - 23.30, Bank Holidays: 10.00 - 00.30, New Year's Eve: 10.00 - 01.30	
Where the certificate authorises supplies of alcohol whether these are on and/or off supplies: Alcohol-On the premises, Alcohol-Off the premises	
State whether access to the club premises by children is restricted or prohibited Children under 16yrs will be allowed on the premises only when accompanied by an adult.	

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Appendix C

**14 Representations from the Monmouth area
marked objection 1 to 14...**

St. James News,
Monmouth
MONMOUTHSHIRE
COUNTY
COUNCIL
NP25 3BW.
18 OCT 2021

From:
Mrs. [REDACTED]

PUBLIC PROTECTION
SERVICES DIVISION
GAVENNY OFFICE

Dear Sir, Madam,

I wish to register my
extreme disquiet at the
application by "The Club"
for a license to sell alcohol.
AND to perform live/recorded
music from 8. am until
after midnight ~~7~~ daily.

This area is a quiet residential
area with many residents
being elderly and some
distinctly frail.

I do most sincerely
hope that this application
will not be granted.

Yours faithfully,
[REDACTED]



Wincrobes Street
Monmouth
Gwent
NP25 3BY
Wales Cancer Research Fund
www.wcrf.org.uk

The licensing section,
MCC.
MONMOUTHSHIRE
COUNTY
COUNCIL

Old Hereford Road,
18 OCT 2011

Abergavenny.
Dear Sir,
PUBLIC
ABERGAVENNY

I will to object now strongly
about this application for the sale of alcohol out
of the premises for live music also at The Old
College

(formerly Monmouth Conservative Club) every
night of the week at 8.30pm

I am a past president of The Conservative
Club + have found that residents in this area,
have been understanding when informed about the
odd party taking place; this is very different
this is a heavily populated area
with many working people.

In the last two weeks there has already
been an incident involving the police

[REDACTED]

[REDACTED] Pitman Court

Monmouth NP25-3DT.

I wish to object to a license.

to allow Alcohol, live music
from 8:00 AM - 12:30 PM

The amount of hours to allow this
is too long. ~~the~~ the hours
should be reduced to normal
public house hours. 12.00 - 11.00 PM.

[REDACTED]

MONMOUTHSHIRE
COUN

18 OCT 1991

PUBLIC
ABERGA

Monmouthshire
County Council

St JAMES MEWS

MONMOUTH NP25 3A

Dear Sirs,

MONMOUTH COUNTY COUNCIL
18 OCT 2021

15/10/21

I wish to register my objection to the granting of a licence for the sale of alcohol and playing of music to 12.30 at night at the Club, 15 White Cross street, Monmouth.

This is a residential area and unsuitable for this form of late night entertainment.

There has already been noticeable noise from these premises, causing disturbance in what is otherwise a quiet area.

Regards

[Redacted signature]

Objection 5


Whitecross Street

Monmouth

NP25 3BY

Dear Sir / Madam

Re : Application for an Entertainments Licence

I wish to express my concerns with regards the proposal being submitted for an Entertainments licence by 'The Club' formerly known as 'The Conservative Club' Whitecross Street Monmouth to the Licensing Section of the Council.

The hours which are being submitted seem to be extreme, it has to be appreciated that this is a quiet residential street. With the closure of the Griffin public house at the other end of Whitecross street the residents have been able to reclaim their Street.

I fully appreciate that to entice the paying public across their threshold Pubs etc have to offer something a little different. However, I do feel that any licence should be restricted to a set number of nights per month with a curfew in place. I would also hope that the suitability of the venue with regard noise levels would also be considered when considering the application.

I believe there has already been one unpleasant incident when live music was playing when the police were informed and duly investigated.

One would hope that any licence application would have input from the Police before any decision is given.

Yours faithfully



MONMOUTH TOWN COUNCIL

CL
C

18 OCT 2021

PUBLIC WORKS
ABERGAVENNY OFFICE

Objection 6

RIVERSIDE PARK
MONTMOUTH.
NP25 3LT

192.

The Licensing Section.
MONTMOUTHSHIRE County Council
Applications Community Centre
Old Forewood Road, MONTMOUTH
Application

18 OCT 2021
RUB' ABERL'

17th Oct. 2021.

MESRS

RE: "THE CLUB" 15 WHITEKROSS ST. MONTMOUTH.

It has just been brought to my attention, that the owners of the above business is applying for licenses to sell alcohol for consumption on and off the premises - together with music licenses for live + recorded music - all from 08:00 hrs until 12:30 am, 7 days a week.

I own a flat in Whitecross Court, next door + adjoining "The Club" - I strongly oppose the granting of the licenses.

I understand for the need of a business to prosper and commend the new owners for the refurbishment of the Old Conservative Club - but please - 08:00-12:30am 7 days a week! Although the area is very close to the trading centre of Montmouth town, over the years the shops and solicitors' offices in Whitecross Street have closed and the area is now very much a residential area.

The Big talk now is all about Mental health - please take this into consideration when making your decision to turn down this application - As we all know, the noise + nuisance which will be

Cont.
2p

Caused, and I understand from the Residents of Whitecross Court, is already evident - but having a licence until 12:30am - 7 days a week - will certainly mean a much later actual finish time - with groups of people leaving "the Club" and gathering outside of the building "saying their Good nights" - and generally being loud and "full of good cheer!"

So, please, for the sanity and well being of the Neighbours, who unlike the partygoers attending one party on one particular night - will be the unwilling guests to every party held there - ~~together~~ with the worry that the Value of their properties and names will certainly be effected and not in a good way!" - Please do not grant these licences.

Thank you -

~~XXXXXXXXXX~~ ()

Beach, Leigh

From: [REDACTED]
Sent: 18 October 2021 08:39
To: Winn, Samantha
Subject: Objections THE CLUB Whitecross Street Monmouth to the late licence at
Importance: High

Objections to the late licence and music every day of the week.

Dear Monmouthshire Council

Living directly next to the club we would like to express our deepest concerns and objections to the possible extension of licence and for music at 'The Club' to such a late hour every night

This is a residential street, residential area and conservation area. The old houses are mostly single glazed due to the listing restrictions. The noise from the club bounces around the back and the front and houses and down our chimneys and disturbs a large number of the neighbours.

The option for music - live and recorded any day of the week seems unfair to our peace, as this means we are not limited to disturbances just at weekends - but any time without any warning. The 'Club' seem to have had an "All Welcome" notice on the front through the last few months, when it was still a private club and had a particularly noisy outside space until late .

Not only that, but people leaving until all hours -raised voices - slamming car doors and leaving engines running, disturbs any possibility of peace for us .

The parking is hard enough and disruptive enough in the street even in the day time. We have enough problems with noise during the day (We work from home) as shoppers parking for free in the street, slamming doors, revving engines doing 17 point turns into parking spaces and believe we have a right to some quiet time.

Please note our objection to this application which we only found out about last night

Best wishes

[REDACTED]
Whitecross Street
NP25 3BY

**Whitecross Street
MONMOUTH
NP25 3BY**

17th October, 2021

The Licensing Section
Monmouthshire County Council
Abergavenny Community Education Centre
Old Hereford Road
ABERGAVENTY NP7 6EL

Dear Sirs

We are writing to object to the application by The Club for a Sale of Alcohol and Live Music License at its premises at 15 Whitecross Street, Monmouth.

The Club is located in a quiet residential area. There are houses very close to The Club itself; it is next door to a block of flats (Whitecross Court) where many elderly people live and Monmouth Parish Church (St Mary's) is directly opposite. There is limited public parking on Whitecross Street - what parking is available is also for the residents of Whitecross Street, most of whom do not have off-street parking attached to their homes. There is limited parking at The Club itself.

The application is for the sale of alcohol and live music from 8.00 am to 12.30 am every day of the week. We believe that selling alcohol and playing live music at these extended hours is utterly unacceptable for premises in this location. It will lead to intolerable levels of noise - from the live music as well as customers leaving The Club - in the early hours of the morning. If the license were to be granted, it is possible that this noise nuisance could occur every day of the week.

We understand that several local residents who live close to The Club experience distress from the current levels of noise emanating from the premises. Granting this license would only exacerbate this existing issue.

Noise nuisance late at night or in the early hours of the morning leads to broken sleep, increases anxiety and can cause other health issues. This is something that is not acceptable under the *Wellbeing of Future Generations (Wales) Act* which states that "...public bodies in Wales are required to think about the long-term impact of their decisions, to work better with people, communities and each other..."

For all the above reasons, we believe that it is totally inappropriate for this type of license to be granted and wish this letter to be our formal objection.

Yours faithfully



Objection 9

MONMOUTH
C.

18 OCT 1971

[REDACTED]
Whitecross Court
Monmouth, NP25 3BZ

Dear Sir / PUBLIC
[REDACTED]

Response: The Conservative Club 'The Club' application for
music + entertainment license at Whitecross St
Monmouth.

I live adjacent to the Club, no more than 30 feet from the
building itself, in a [REDACTED]. I am [REDACTED]
with a number of health issues affecting my mobility
and sleep.

I would like to object to the license application
above. Permitting music, entertainment and games
up to 12:30 every night is excessive. To my health
is already impacted by the small number of events that
take place, and I am very fearful about the
consequences should the events occur with greater
frequency.

Therefore I request that the application is
not approved [REDACTED]

P10

My name is [REDACTED]. The letter on the reverse of
this page was dictated by - and signed - by my mother
[REDACTED]

[REDACTED] I would like to add my comments. I am
very, very concerned about the application. My mother is
a sick woman. She needs daily care. Sleep is of
paramount importance. The noise from the Club and
the garden comes straight into her sitting room.
She moved to Whitecross Court 3 years ago because
she needed a quiet, serene, peaceful home.

I think the idea of permitting music etc 7 nights
a week until 12:30 is ridiculous. It will severely
affect the health and safety of my mother. My mother
has worked hard all her life. She is entitled to live the last
remaining years in peace and safety. She retires every
night at 10:30 pm. Her sleep, her health would be
badly impacted by noise emanating from the club if
this application is approved. Everyone has the right to
the quiet enjoyment of their property. Particularly if you
are a sick, elderly person who has worked hard all
their life.
Yours sincerely [REDACTED]

Joy Lamb
Whitecross, CTS 4LS

Objection 10

Whitecross Court,

Monmouth,

NP23 3BZ.

16th October, 2021

MONMOUTHSHIRE
COUNTY
COUNCIL

18 OCT 2021

PUBLIC OFFICE
ABERGAVENNY

The Licensing Section,
Monmouth Council,
Old Stamford Road,
ABERGAVENNY,

Deans Sir,

Re: "The Club", Whitecross Court,
MONMOUTH

I would like to register my strong objection
to the granting of a licence for the sale of
alcohol and provision of live or recorded music
at the above premises

The residents of Whitecross Court have already
had to endure the unprecedented level of noise
and drunken rowdiness since the premises opened
earlier in the year.

There are 9 flats here at Whitecross Court and
most of the residents are in their 70's or 80's
and beyond! It is extremely unkind and selfish
of the Owners to ask for this licence.

I implore you to PLEASE not grant this licence otherwise all our Pines here are bound to be affected adversely, especially our mental health.

I hope you will take this into consideration when making your decision

I have lived here for 18 years without a peep from the Old Conservative Club.

Yours faithfully

[Redacted signature]

[Redacted address]

Objection 11

NAME [REDACTED]

[REDACTED] WHITECROSS COURT

WE OBJECT TO THE GRANTING OF A
LICENSE FOR THE SALE OF ALCOHOL
AND PROVISION OF LIVE + RECORDED
MUSIC ON THE GROUNDS THAT THE
CLUB IS ALREADY CAUSING DISTRESS,
THE AREA PROVIDET FOR SNOOKING ETC.
PRODUCES GREAT NOISE, SHOUTING,
AND FOUL LANGUAGE WHICH WOULD
ONLY INCREASE [REDACTED]

P.S. WHITECROSS ST. IS A DECENT RATE -
LAYING ST 20 YARDS FROM THE
PARISH CHURCH. ST MARYS.
SCHOOL CHILDREN ALSO PASS THE
CLUB GOING TO AND FROM SCHOOL.

MONMOUTHSHIRE
COUNTY
COUNCIL

18 OCT 2021

PUBLIC PROTECTION
ABERGAVENTNY OFFICE

Objection 12

~~_____~~
~~_____~~
whitacross court
whitacross street

NP25 3BZ
MONMOUTHSHIRE
COUNTY
COUNCIL

18 OCT 2021

PUBLIC PROTECTION
OFFICE

We would like to register
our objection to the proposals
to host live music inside
and outside the "Club"
15 Whitacross Street.

Through the summer the noise
from the garden has already
become a nuisance, as you can
hear the noise inside the flats.

~~_____~~
~~_____~~

Monmouth
NP25 3BY

Objection 13

URGENT

Mrs Samantha Winn
Licensing Officer
Monmouthshire County Council
Abergavenny Community Education Centre
Old Hereford Road
Abergavenny

Saturday 16 October 2021

MONMOUTH
COUNTY
COUNCIL

18 OCT 2021

PUBLIC PRO
ABERGAVENTY

Dear Mrs Winn

Objection to Premises Licence Application by The Club, 15 Whitecross Street, Monmouth

We wish to make a formal objection to the granting of the licenses applied for by The Club.

The chief grounds for our objection are:

1. The noise coming from the premises, where a beer garden has recently been opened, has already become a daily nuisance for some weeks intruding on our house even when the windows are closed and at times making it difficult to sleep.
2. The premises are not suitable for the provision of live or recorded music. The building was originally a private house and so far as we are aware no steps have been taken to soundproof the building or otherwise to prevent noise from spilling out over the adjoining area. This was a problem some years ago when the Conservative Club held what we believe were Karaoke Evenings.
3. This is a residential area in which a great many of those living in adjacent buildings are elderly. In these circumstances we question whether it is necessary, desirable or appropriate to allow what would, in effect, be another pub to come into existence in an area that is already well served in this respect.

We are reluctant to raise objections of this kind but the prospect of loud alcohol-fuelled noise occurring from the beer garden and perhaps continuing until after midnight on a nightly basis fills us with dismay.

Yours sincerely

[REDACTED]
MAYOR'S COURT
WHITEHALL STREET
MONMOUTH
NP25 3BT

Objection 14

Dear Sir N Madam

I wish to make a formal objection to the Licenses
that have been applied for by The Club, 15
Whitehall Street.

The reason for my objection is excess notice.

Yours faithfully

[REDACTED SIGNATURE]

MONMOUTH
COUNCIL

18 OCT 1971

PUBLIC
ABERGAUVALE

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29th October, 2021

Ms Samantha Winn
Licensing Officer
The Licensing Section
Monmouthshire County Council
Abergavenny Community Education Centre
Old Hereford Road
ABERGAVENTNY NP7 6EL

Dear Ms Winn

PREMISES LICENCE APPLICATION – THE CLUB, WHITECROSS STREET, MONMOUTH

Thank you for your detailed but standard letter dated 19th October 2021.

We are writing to confirm that we would like our letter dated 17th October 2021, together with this letter, to be registered as a formal objection to the proposed Licence Application submitted by The Club and to be included within the report to the Licensing Sub Committee. Your letter mentions house prices. Our letter made no reference to this issue.

In addition to the points made in our first letter, we would like to add the following:

1. The fact that The Club already has an alcohol and live and recorded music licence is irrelevant. The Club is seeking to change its business model. It would no longer be a members-only club where non-members have to be 'signed in' by an existing member. A members-only club involves an element of control and accountability – members should be responsible for the behaviour of their guests.
2. The application by The Club to "streamline" their current licencing hours in reality means that they are applying to extend those hours. The extended hours are totally unacceptable for premises in such a quiet, residential area. Why, for example, is it necessary to have a live music and an alcohol licence beginning at eight o'clock in the morning? Similarly, it is unacceptable to have live music playing and alcohol being consumed up to 12.30 am, possibly every day of the week. We reiterate that The Club is next door to a block of flats where elderly people live. Some of these residents are already suffering from distress because of the noise currently emanating from The Club.
3. You mention in your letter that the application relates to activities being "for inside the premises and not outside". Does this mean that The Club will be closing their outside garden? In Covid 19 times? The actual live music and entertainment (televised sporting events) may be inside The Club, but will people not still be drinking outside until closing time, ie until 12.30 am?

4. It is not particularly surprising that the Police have no record of any incidents at the premises to date. That is more than likely because it has been a members-only club which, as noted above, introduces an element of member accountability.

Finally, the health and well-being of people living in this area of Monmouth are of paramount importance and should not be ignored. The *Well-being of Future Generations (Wales) Act* has been introduced so that people living in Wales can live in better, more harmonious communities where the decisions made by one group do not disregard the views and lives of others.

Yours sincerely

Appendix D

15 Whitecross Street, Monmouth = Marked in **green**

General area of the residents who have made representations = Marked in **blue**



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Dear Sir/Madam,

Re: PREMISES LICENCE APPLICATION – THE CLUB, WHITECROSS STREET, MONMOUTH

I refer to your letter objecting to the application for a premises licence at 15 Whitecross Street, Monmouth.

Firstly, the premises already benefits from a licence to supply alcohol and hold live and recorded entertainment.

The new application is to allow non members to enter the premises without being signed in by an exisiting member.

The current Club Premises Certificate has been in place since November 2005 and already allows the following:

The times the certificate authorises the carrying out of qualifying club activities
Indoor Sports
Monday:19.00 - 23.00
Tuesday:19.00 - 23.00
Wednesday:19.00 - 23.00
Thursday:19.00 - 23.00
Friday:19.00 - 23.00
Saturday:19.00 - 23.00
Bank Holidays: 19.00 - 24.00
New Year's Eve: 19.00 - 01.00
Live Music
Friday:19.00 - 24.00
Saturday:19.00 - 24.00
Bank Holidays: 19.00 - 24.00
New Year's Eve: 19.00 - 01.00
Recorded Music
Monday:10.00 - 24.00
Tuesday:10.00 - 24.00
Wednesday:10.00 - 24.00
Thursday:10.00 - 24.00
Friday:10.00 - 24.00
Saturday:10.00 - 24.00
Sunday:11.00 - 23.00
Bank Holidays: 10.00 - 24.00
New Year's Eve: 10.00 - 01.00

Mae’r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

The Council welcomes correspondence in English, Welsh or both languages. We will respond to you according to your preference. Corresponding in Welsh will not lead to delay.

Supply of Alcohol
Monday:10.00 - 24.00
Tuesday:10.00 - 24.00
Wednesday:10.00 - 24.00
Thursday:10.00 - 24.00
Friday:10.00 - 24.00
Saturday:10.00 - 24.00
Sunday:11.00 - 23.00
Bank Holidays: 11.00 - 24.00
New Year's Eve: 10.00 - 01.00
A period of 30 minutes is allowed at the end of each period for the consumption of intoxicating liquor on the premises.

The opening hours of the club

Opening Hours
Monday:10.00 - 00.30
Tuesday:10.00 - 00.30
Wednesday:10.00 - 00.30
Thursday:10.00 - 00.30
Friday:10.00 - 00.30
Saturday:10.00 - 00.30
Sunday:11.00 - 23.30
Bank Holidays: 10.00 - 00.30
New Year's Eve: 10.00 - 01.30

The new premises application is requesting to streamline the licence so all activities start and finish at the same time.

The application hasn't requested any new activities to be covered but the same as above with the hours from 08.00hrs- 00.30hrs. All activities are for inside the premises and not outside.

As you can see from the current Club Premises Certificate the application is to increase the closing hours by 30mins Monday to Saturday and an hour on Sunday. Should the application be refused, the Club will still be able to continue with the current permissions as stipulated above.

The application was circulated to the statutory consultees to review and make comments or objections against.

The Police requested additional conditions that the applicant has agreed to which will help with the running of the premises. These additional conditions includes CCTV (additional cameras installed to include the outside terrace area), regular staff training on the conditions of the licence, drug and weapon checks along with along with underage sales of alcohol, of which the premises has agreed to 'challenge 25' for the premises. 'Challenge 25' requires staff to request identification off the person who appears to be under 25 to see if they are eligible to purchase alcohol. The premises has also agreed to place signage at the

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

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premises requesting patrons to leave the premises quietly and to respect local residents.

The police further stated there has been no record of any incidents at the premises.

These additional conditions have been agreed in accordance with the 4 main licensing objectives under the Licensing Act 2003, namely

- The prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Again, should the application be rejected the additional conditions would not be required to be in place and the premises will revert back to their current licence.

No objections were received from any of the other consultees namely, Fire, Environmental Health (Environmental Health stated they have not received noise complaints for this venue), Licensing, Trading Standards, Planning, Social Services, Immigration and the Local Health Board.

With the additional information highlighted within this letter following the application, I seek to establish whether you still wish to continue with your objection.

Objections can only be made in relation to the 4 licensing objectives as stipulated above. The use of car parking and house prices can not be taken into account.

If you wish to pursue your objection your letter will be included within the report to the Licensing Sub Committee who will make a decision on the application. Please let me know if you are happy to have your details included within the report.

Many thanks

Samantha Winn
Licensing Officer

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

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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 Act¹, 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

¹ 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.

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