

Report



Licensing Sub-Committee Report

Part 1

Date: 18 June 2018

Item: 4

Subject **Review of Premises Licence under Section 51 Licensing Act 2003**

**Picton Arms, 13-14 Commercial Road, Newport, NP20 2PA.
Premises Licence Number 18/00354/LAPVPT**

Purpose The consideration and decision in respect of a review application under Licensing Act 2003.

Author Alastair Dearling (Licensing Manager)

Ward Pillgwenlly Ward

Summary An application for a review of the premises licence was made by Newport City Council Pollution Control Team (Noise) on 25th April 2018 on the basis the premises was undermining the Licensing Objectives of Public Nuisance.

Proposal **To make a decision on the application as detailed within this report.**

Action by Head of Law and Regulation

Timetable Statutory Consultation Period

Signed

Application

1. An application was submitted on the 25th April 2018 on behalf of Newport City Council Noise & Neighbourhood Team for a review of a premises licence under Section 51 of the Licensing Act 2003 for the Picton Arms, 13-14 Commercial Road, Newport, NP20 2PA.

The Premises Licence Holder and also the Designated Premises Supervisor (DPS) is a Mr Ciprian Florin Novac.

2. The application for review can be found in **Appendix A** of this report. It is the view of the Noise & Neighbourhood Team that the Premises has continued to fail to address noise nuisance from the premises predominantly from recorded music from the premises, that's has been alleged to take place after licensing hours.

Representations:

3. In accordance with the provisions of Section 51 Licensing Act 2003 the Licensing Authority electronically served a copy of the application on the 'Responsible Authorities' on 25th April 2018 and the application was also published on Newport City Council website detailing that representations from any person should be served on the Licensing Authority no later than the end of the 28 day consultation period on 23rd May 2018 alongside a site notice of review.
4. On 04th May 2018 a representation from Licensing Officer William Lewis in his capacity as a 'responsible authority' under section 182 (4) of the Licensing Act 2003 was served on the Licensing Authority.
5. This representation is included in this report at **Appendix B of this report**.
6. No other Responsible Authorities or other persons have made representation.

Current Premises Licence

The Premises Licence 15/00607/LAPVM Included at **Appendix C** of this report authorises the following licensable activities:

Sale by retail of Alcohol

Monday to Saturday inclusive 08:00 - 01:00
Sunday 08:00 - Midnight
Good Friday 12:00 - 22:30

Provision of facilities for dancing

Monday to Saturday inclusive 20:30 - 23:00
Sunday 20:30 - 22:30

Karaoke

Monday to Saturday inclusive 20:30 - 01:00
Sunday 20:30 - Midnight

Performance of Live Music

Monday to Saturday inclusive 20:30 - 23:00

Sunday 20:30 - 22:30

Playing of Recorded Music

Monday to Saturday inclusive 20:30 - 01:00

Sunday 20:30 - Midnight

Background History

7. The Picton is an established Licensed Premises operating as a “traditional” public house. It has been a pub premises since long before the introduction of the Licensing Act 2003 on 24th November 2005 when the licence was converted and varied to allow extended hours for licensable activities.
8. On 31st August 2017 the premises were acquired by a Mr Alexejandro Devi Kanda, Mr Alexejandro Kanda was also named as the Designated Premises Supervisor (DPS).
9. On the 19th February 2018 the Premises Licence was transferred to a Mr Ciprian-Florin Novac Of 33 Usk Street, Newport, South Wales, NP19 7BE, Mr Novac was also named as the Designated Premises Supervisor (DPS). It was known that Mr Novac had been working at the Picton as a Manager since approximately October 2017.
10. A formal mediation meeting took place with Mr Novac with the Licensing Authority on the 19th February 2018 regarding the noise complaints and also operating outside the premises licence hours.
11. **Appendix D** of this report highlights the location of the premises.

Legal Considerations, Guidance, Policy Consideration.

12. The decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:
 - Prevention of crime and disorder
 - Public Safety
 - Prevention of Public Nuisance
 - Protection of Children from Harm

In each case the Sub-Committee may make the following determination

- 1 - To modify the conditions of the Premises licence
- 2 - To exclude a licensable activity from the scope of the premises licence
- 3 - To remove the designated premises supervisor from the licence
- 4 - To suspend the premises licence for a period not exceeding 3 months
- 5 - To revoke the premises licence
- 6 - Take No Action in respect of the Premises Licence.

Guidance

13. Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) Section 11 “The review process”

14. Relevant extracts of the Statement of Newport City Council Licensing Policy as regards this application include:

Paragraph 33.1

The Licensing Authority can only review a licence where it is alleged by a “responsible authority”, or other person that the licensing objectives are being breached. Responsible authorities will aim to give licence holders early warning of any concerns identified at the premises. Only Responsible Authorities or other local persons (e.g. local residents, local organisations and councillors) can apply for the review of a licence. At any subsequent hearing, the Sub-Committee will consider evidence and make a determination. It views particularly seriously applications for the review of any premises licence which involves the:

- use of licensed premises for the sale and distribution of controlled drugs and the laundering of the proceeds of drugs crimes;
- use of licensed premises for the sale and distribution of illegal firearms;
- evasion of copyright in respect of pirated films and music;
- underage purchase and consumption of alcohol;
- use of licensed premises for prostitution or the sale of unlawful pornography;
- use of licensed premises for unlawful gaming;
- use of licensed premises as a base for organised criminal activity;
- use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- use of licensed premises for the sale of smuggled tobacco or goods;
- use of licensed premises for the storage or sale of stolen goods;
- the police being frequently called to attend to incidents of disorder;
- **prolonged and/or repeated instances of public nuisance;**
- serious risk to public safety have been identified and the management is unable or unwilling to correct;
- serious risk to children.

33.2 The Licensing Sub-Committee will consider all evidence provided at the hearing and apply appropriate weight to that evidence when making its decision. It will consider all sanctions at its disposal by virtue of the Act and guidance, including taking no action, if appropriate. In cases where a licensing objective is seriously undermined, the revocation of the licence, even in the first instance, will be considered where appropriate to ensure the licensing objectives are promoted.

Issues for discussion

15.

- The review application and supporting witness evidence.
- The response by the holder of the Premises Licence to the application.
- Any other evidence or matters presented by all parties and any mitigating circumstances.
- Any action that the committee consider necessary to ensure the promotion of the four licensing objectives.

Appendix A
Application for the review of a premises licence under the Licensing Act 2003.

Newport City Council Licensing Authority

Application for the review of a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Brian Miles, Pollution Control Officer

(Insert name of applicant)

Apply for the review of the Premises Licence No 18/00354/LAPVPT under Section 51 Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises

Postal address of premises or, if none, ordnance survey map reference or description	
Picton Arms 13 - 14 Commercial Road	
Post town Newport	Post code (if known) NP20 2PA

Name of premises licence holder
Mr Ciprian Florin Novac

Number of premises licence
18/00354/LAPVPT

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Environment & Community Noise & Neighbourhood Team Civic Centre Newport South Wales NP20 4UR
Telephone number (if any) 01633 851708
E-mail address (optional) Brian.miles@newport.gov.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

On the 5th February 2018 due to alleged noise nuisance complaints being received from local residents, an enforcement letter was sent to the then DPS, Mr Alejandro Devi Kanda. (See: **Letter BM01**).

On the 19th February 2018 an enforcement letter was sent to the new holder of premises licence and designated premises supervisor - Mr Ciprian-Florin Novac. (See: **Letter BM02**).

On the 20th March 2018 an Abatement Notice was served under the Environmental Protection Act 1990, requiring Mr Ciprian-Florin Novac to adequately control the volume of the music emanating from the Picton Arms.

The Abatement Notice requires Mr Ciprian-Florin Novac to abate the nuisance i.e. *to adequately control the volume of the music, so that it does not materially interfere with the use and enjoyment of neighbouring accommodation*. (See: **Letter BM03 and Notice BM04**).

On the 25th April 2018, an application for the review of your premises licence under the Licensing Act 2003, was submitted to the Licensing team and a breach of notice letter was sent to Mr Ciprian-Florin Novac, due to further 'noise app' recording being received (See: **Letter BM05**).

Please provide as much information as possible to support the application (please read guidance note 3)

Noise recordings received on the following dates with timings;

17 Mar 2018 @ 02:28am & 02:32am

07 Apr 2018 @ 23:48pm & 23:53pm

21 Apr 2018 @ 02:56am 02:57am, 03:02am, 03:38am & 03:53am.

I would recommend to Members of the Licensing Committee, consider the following points and that they are implemented in order to promote the four licensing objectives:

In that;

Live and recorded regulated entertainment is removed from the license, including the provisions detailed under the terms of the Live Music Act 2010 until a specialist acoustic consultant is employed to conduct an Environmental Noise Survey to enable a sound insulation scheme to be introduced, thus, insulating the premises against the transmission of impact/airborne noise, in-doing so protecting the wellbeing and enjoyment of local residents whilst within the curtilage of their properties from unwanted noise;

Removal of the Designated Premises Supervisor (DPS), being that the DPS has shown a blatant disregard to prior warning from the Noise & Neighbourhood team and other Council employees from our Licensing team and that the DPS has failed to correctly implement standard licensing conditions through the correct managerial intervention.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 25th April 2018

.....

Capacity

Duly Authorised Officer for the Environment & Community (Noise & Neighbourhood team) part of the Licensing Authority

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

NEWPORT CITY COUNCIL

STATEMENT OF WITNESS

(Criminal Procedure Rules r 27.1(1);
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, S.5A [3] and 5B)
The Magistrates Courts [Forms] Rules 1981 as amended by the Magistrates Courts [Forms] [Amendment] Rules
1997
MC [Witnesses Addresses] Rules 1990

Statement of: William Stephen Lewis

Age of Witness [if over 18 enter over 18]: Over 18

Occupation of Witness: Licensing Officer

This statement, consisting of 3 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Date: 09th May 2018

Signature: W S Lewis

I am employed by Newport City Council as a Licensing Officer. My duties include a requirement to deal with the administration and enforcement of statutory provisions of the Licensing Act 2003.

I refer to an application by Newport City Council Environmental Health (Pollution Control) under Section 51 Licensing Act 2003 served on the Licensing Authority on 25th April 2018 for a review of the Premises Licence issued to Ciprian-Florin Novac in respect of The Picton Arms.

In my position as a responsible authority under the Licensing Act 2003 I wish to make representation in support of this application for a review of the Premises Licence held by Ciprian-Florin Novac as a consequence of his management of the premises which has led to complaints of public nuisance thereby undermining that licensing objective.

On 05th February 2018 I received notification from Brian Miles (Pollution Control Officer) with Newport City Council Environmental Health department regarding an ongoing issue in respect of noise nuisance complaints associated with a Licensed Premises trading as The Picton 13-14 Commercial Road, Newport. This notification included a copy of a letter which had been sent to Mr Alejandro Devi Kanda who at that time was the owner, Premises Licence Holder and Designated Premises Supervisor of the Picton.

Between 05th and 19th February 2018 whilst on duty at the Information Station I saw Mr Alejandro Devi Kanda who having received the letter from Environmental Health had attended to discuss the transfer of the Premises Licence. He intimated that although he remained the owner and lived in residential accommodation above the premises he was no longer involved in the management of the licensed premises having sub-let it to another person around October 2017.

He acknowledged that there had been complaints regarding loud music from the Picton beyond the hours during which licensable activities were authorised, that he himself had witnessed such and although he was not responsible for the noise nuisance, he had warned his tenants accordingly.

Signature: W S Lewis

09th May 2018

On 19th February 2018 I was again on duty at the Information Station when I again saw Alejandro Devi Kanda who was accompanied by Ciprian-Florin Novac.

On that date I processed an application by Mr Novac so that the Premises Licence was transferred to himself and a further application where he was specified on the Premises Licence as the 'Designated premises Supervisor'.

I used the opportunity to inform Mr Novac of the recent issues and complaints of noise nuisance emanating from the Picton together with the fact that the times of the complaints suggested that unauthorised licensable activity had been occurring since his management of the premises. I reminded him of the 'licensable activities' and the times authorised by the Premises Licence and that it was now his responsibility under the provisions of the licensing act to ensure compliance.

It is evident as a consequence of further complaints to Newport City Council Environmental Health Department that the good advice and guidance given to Mr Novac on 19th February 2018 failed to have the desired impact and that the continuing complaints have demonstrated a failure by the Premises Licence Holder to promote the Licensing Objective of the Prevention of Public Nuisance.

Signature:

W S Lewis

09th May 2018

Appendix C Premises Licence

Schedule 12
Part A
(THIS PART OF THE
LICENCE MUST BE KEPT
AT THE PREMISES AT ALL
TIMES AND PRODUCED
UPON REQUEST OF AN
AUTHORISED OFFICER)
Premises Licence
City of Newport



Premises Licence Number	18/00354/LAPVPT
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code Picton Arms 13 - 14 Commercial Road Newport South Wales NP20 2PA
Telephone number

Where the licence is time limited the dates Not Applicable
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Licensable activities authorised by the licence Sale by retail of Alcohol Provision of facilities for dancing Karaoke Performance of Live Music Playing of Recorded Music

Times the licence authorises the carrying out of licensable activities Sale by retail of Alcohol Monday to Saturday inclusive 08:00 - 01:00 Sunday 08:00 - Midnight Good Friday 12:00 - 22:30 Provision of facilities for dancing Monday to Saturday inclusive 20:30 - 23:00 Sunday 20:30 - 22:30 Karaoke Monday to Saturday inclusive 20:30 - 01:00 Sunday 20:30 - Midnight Performance of Live Music Monday to Saturday inclusive 20:30 - 23:00 Sunday 20:30 - 22:30 Playing of Recorded Music Monday to Saturday inclusive 20:30 - 01:00
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Sunday 20:30 - Midnight

For the sale by retail of alcohol:

i) New Year's Eve, from the end of permitted hours to the start of permitted hours on the following day.

For the provision of regulated entertainment, limited to the provision of facilities for dancing and the performance of live music:

i) Christmas Day, as an early morning ending to a Christmas Eve function only

The opening hours of the premises

Monday 08:00 - 02:00

Tuesday 08:00 - 02:00

Wednesday 08:00 - 02:00

Thursday 08:00 - 02:00

Friday 08:00 - 02:00

Saturday 08:00 - 02:00

Sunday 08:00 - 01:00

Where non standard timings are authorised, the opening times shall be as those authorised for licensable activities with an additional 30 minutes on the terminal hour.

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

Alcohol is supplied for consumption both on and off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Ciprian-Florin Novac
33 Usk Street
Newport
South Wales
NP19 7BE
E Mail cipriannovac08@gmail.com

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

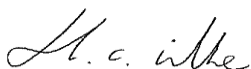
Ciprian Florin Novac
33 Usk Street
Newport
South Wales
NP19 7BE

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: 18-0235 Licensing Authority: Newport City Council

This Premises Licence is issued by Newport City Council as Licensing Authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Dated this 19th February 2018



Helen Wilkie
Public Protection Manager

Mandatory conditions

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

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

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

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

For the purposes of this section:

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

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

For the purposes of this section:

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

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

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

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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

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

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

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

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

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

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

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

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

8 The responsible person must ensure that -

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

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

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

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

New Mandatory condition for on and off sales from 28 May 2014

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

(2) In this condition:-

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

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

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

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

Conditions consistent with the Operating Schedule

1A03 This Licence shall be subject to the restrictions pursuant to Section 59, 166, 168, and 201 and the exceptions pursuant to Section 63 and 171 of the Licensing Act 1964.

1S00 The provision of regulated entertainment limited to the playing of recorded music, the performance of live music, provision of facilities for dancing and karaoke shall be provided within the bar or lounge areas of the premises but not simultaneously within both the bar or lounge areas of the premises.

1SO00 No 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, (including, but not exclusively, nudity or semi nudity), regardless of whether children are present on the premises, are permitted within the premises at any time when the premises is open to the public, save for the provision of 2 gaming machines.

1B06 The maximum number of persons who should resort to the following areas at any one time are indicated below:

Bar Area - 60 persons

Lounge Area - 60 persons

1SO08 The Premises Licence holder shall be a member of and actively support the local Pub Watch scheme.

1SO10 Announcements shall be made to request that patrons leave the premises quietly

1P01 The relevant licence or a clear copy shall be conspicuously displayed at all times in or near to the licensed area in such a position that it can clearly be seen by persons using the area.

1P02 The licence or copy shall be adequately protected against theft, vandalism or defacement.

1P03 Authorised officers of the Licensing Authority shall be admitted immediately at all reasonable times to all parts of the premises. Officers of Heddlu Gwent Police and officers of South Wales Fire & Rescue Service shall also be admitted immediately to all parts of the premises whilst the premises are being used, or about to be used, for the purpose for which the licence is granted.

2SO01 CCTV cameras shall be installed to record the internal and external areas of the premises, and shall be operational at all times during which the premises is trading. All recordings shall be retained for a minimum of 30 days and shall be made available to an authorised officer on request.

2SO10 The DPS shall report any suspicious activity to Heddlu Gwent Police.

2SO24 Employees shall be instructed not to serve anyone -

i) behaving in a drunk or disorderly manner.

ii) who has been refused service or barred from other premises by members of the local pub watch scheme.

2P01 The Designated Premises Supervisor shall ensure that all activities on the premises are conducted in a decent, sober and orderly manner.

2P02 Where the numbers of persons permitted on the premises is 100 or greater, the Designated Premises Supervisor shall be assisted by a sufficient number of attendants to assist persons entering or leaving the premises and to maintain good order. Such attendants shall wear a suitable uniform or be otherwise readily identifiable and shall be registered and properly qualified through a scheme approved by the Licensing Authority. The minimum number of attendants shall be two for each number of entrances provided for the public and, where the numbers of persons permitted on the premises exceeds 200, a minimum of one extra attendant for each 150 persons; and each premises shall keep a register of persons who are engaged in such activities and the register must be available for examination by an authorised officer at any time.

2P03 The Designated Premises Supervisor must ensure that no intoxicating liquor shall be removed from the premises other than in sealed containers; open bottles, glasses or cans shall not be allowed to be taken from the premises.

2P04 At all premises with a terminal hour of later than 11.00 pm, all drinking glasses shall be manufactured from strengthened glass.

2P05 The premises shall not be used for striptease or entertainment of a like kind to dancing which involves nudity or the sexual stimulation of patrons, other than where this occurs as part of a licensed performance of a play.

3SO18 Signs shall be on display within the premises reminding patrons to have consideration for the neighbouring properties of the premises and to request that patrons leave the premises and surrounding area quietly.

3SO19 A telephone shall be made available within the premises for use by patrons, with a direct line to a private hire / taxi office.

3P01 Persons awaiting admission to the premises shall only be allowed to congregate in that part of the premises identified for that purpose.

3P02 The Licensing Authority may, if deemed necessary, stipulate internal equivalent continuous noise levels (LeqT) at 63 Hz and 125 Hz and/or an equivalent continuous A weighted noise level (LAeqT), in any part of the licensed premises and those levels shall not be exceeded at any time.

3P03 The Designated Premises Supervisor shall ensure that no noise shall emanate from the licensed premises, or vibration be transmitted through the structure of the licensed premises, which causes occupiers of premises in the neighbourhood to be unreasonably disturbed.

3P04 The Designated Premises Supervisor shall at all times ensure that persons on, or leaving the licensed premises, conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by. The Designated Premises Supervisor shall take all reasonable steps to ensure that persons leaving the licensed premises and using adjacent car parks and highways in the immediate vicinity of the licensed premises do not conduct themselves in a manner so as to cause annoyance to the residents or persons passing by.

4P01 The Designated Premises Supervisor shall maintain a log book which shall be kept on the premises and shall be available for inspection by officers of the Licensing Authority at all times. The Designated Premises Supervisor or a nominee shall record all details in the log book required by these conditions and the Designated Premises Supervisor shall initial the log book weekly.

4P02 The Designated Premises Supervisor shall comply forthwith with any fire Prevention and safety measures that may be required by South Wales Fire & Rescue Service and shall at all times take every reasonable precaution for the safety of the public and against possible causes of fire or panic, and in particular shall comply with the provisions set out herein.

4P03 The means of escape provided for all persons on the premises shall be maintained unobstructed, immediately available and clearly identifiable and all exit doors which may need to be used by the public shall be kept unlocked at all times whilst the premises are in use. All exit signs shall be maintained in good repair and shall be properly illuminated in accordance with the recommendations of South Wales Fire & Rescue Service. Except with the consent of the Licensing Authority, bars, guards or the like shall not be fitted to windows nor shall windows be otherwise obstructed in a manner likely to make them unavailable for use in emergencies.

4P04 The Designated Premises Supervisor shall ensure that persons supervising and working in the licensed premises are properly trained in the routine to be followed in the case of fire and in the use of fire fighting equipment. Monthly fire drills shall be held and details of these shall be recorded in the log book.

4P06 Suitable and sufficient fire fighting equipment shall be provided to comply with the requirements of South Wales Fire & Rescue Service. The equipment is to be kept in good working order and be so placed as to be readily available for use and shall be tested yearly by a competent person. Portable equipment will carry a tab on which the date of inspection will be entered. Records of the testing shall be recorded in the log book.

4P07 Secondary lighting and fire alarms must be provided and maintained in good working order and shall be checked at least once each month. The results of such tests shall be recorded in the log book.

4P08 A valid certificate of fitness in respect of the electrical supply and fittings shall be kept on the premises and made available to officers of the Licensing Authority at all times. The inspection must be carried out by a competent person, and the date of the inspection shall be recorded in the log book.

4P09 Any enclosed space provided for electricity or gas meters shall be used exclusively for the purpose for which it is provided.

4P10 All gangways and exit ways and the treads of steps and stairways shall be maintained with non-slip and even surfaces. The edges of steps and stairways shall be conspicuous.

4P11 All floor coverings shall be secured and maintained so that they will not be likely to ruck or be in any way a source of danger.

4P12 All wall and ceiling linings shall be of materials retarding surface spread of flame as approved by South Wales Fire & Rescue Service.

4P13 Any outbreak of fire, however small, shall be reported immediately to South Wales Fire & Rescue Service, and the details shall be recorded in the log book.

4P14 Any gangways, corridors and staircases used by the public shall be kept clear from obstruction.

4P15 Explosives, inflammable liquids, liquid petroleum gas or flammable articles shall not be permitted on the premises without the consent of the Licensing Authority and shall be subject to any conditions which may be attached to such permission.

4P16 The Designated Premises Supervisor shall ensure that persons entering and leaving the licensed premises are counted, using counting machines approved by the Licensing Authority and that the total recorded on each counting machine shall, at all times, be available for inspection by an Authorised Officer of the Licensing Authority, the South Wales Fire & Rescue Service or Heddlu Gwent Police. Counting by means of a numbered ticket system or other similar method approved by the Licensing Authority, which at any time will indicate the number of persons admitted to and leaving the licensed premises, may be substituted in place of counting machines. This shall apply to premises where the maximum number of persons permitted is 100 or greater.

4P17 The total number of persons permitted to be accommodated in the premises shall not be exceeded at any time.

4P18 Application for the Licensing Authority's consent for the use of pyrotechnics and/or special effects must be made by the Designated Premises Supervisor, in writing, at least 7 days before the first performance of the event. Full details of the proposals and the date and time, within normal working hours, when a demonstration can be witnessed by an officer of the Licensing Authority, shall be given with the application.

4P19 Suspended light fittings (other than single lamp pendants installed in accordance with the current Regulations of the Electrical Engineers) shall be provided with adequate means of suspension, independent of the electric conductors. Heavy light fittings shall be provided with a satisfactory secondary means of suspension.

4P20 Overhead lighting gantries, rigs and other suspended equipment for special effects are to be inspected annually by a competent person and certified as being in a safe condition. A copy of such certification shall be made available for inspection by an Authorised Officer on request.

4P21 Suitable and sufficient sanitary conveniences shall be provided for each sex, free of charge to members of the public who use the premises, and shall at all times be kept in good order and repair. All such installations shall be properly and effectively cleansed, ventilated, disinfected and supplied with water and the doors leading thereto shall be suitably marked.

5S004 There shall be no admission to the premises of unaccompanied children at any time.

5S006 All accompanied children shall vacate the premises and outside seating area by 18:00.

Conditions attached after a hearing by the licensing authority

NIL.

Plans

Please see attached plans (reference number P.06/02009/LAPVPT)

Appendix D Location Map of Picton Arms

