

Report

Licensing Sub-Committee

Part 1

Date: 31st May 2023

Item No:

Subject	Licensing Application
Purpose	The consideration and decision in respect of a variation application by Tiny Rebel Ltd under Section 34 Licensing Act 2003 for the variation of a Premises Licence in respect of Tiny Rebel , Wern Industrial Estate, Newport NPIO 9 FQ.
Author	Alastair Dearling
Ward	All Wards
Summary	The Licensing Committee have statutory and delegated powers to take decisions in relation to licensing applications. The Licensing Committee will make the decision on the application pursuant to the Licensing Act 2003.
Proposal	To make a decision on the application as detailed within this report.
Contact	Licensing Officer
Action by	Head of Law and Regulation
Timetable	Statutory Consultation Period
Signed	Alastair Dearling

The Applicant has agreed to the conditions proposed by all 3 Responsible Authorities including the revised licensing hours for the event.

As such it proposed that all Entertainment (live and recorded music) will now conclude at 22:30hrs rather than 23:00hrs

Though alcohol sales will remain till 23:00hrs.

Due to the fact the applicant has now agreed with the revised times and the proposed condition all Responsible Authorities have determined to withdraw their objections to the variation.

Other Person Representations

The Licensing Authority also received three representations from other person (local residents) these can be found in Appendix 4

5. Previous History of licensed premises:

A premises licence was first granted to Tiny Rebel Ltd back on the 23.02.2017. In general the premises operates as a bar/pub, providing food, alcohol and entertainment. Though also offers brewery tours where member of public can sample beers brewed on site.. The premises also has a large outside area to the front of the premises and located to the left hand side of the existing premises is a large tarmac area, that does not feature on the current premise licence plans.

As such In 2022 Tiny Rebel Ltd applied for a Temporary Event Notice to allow a event "Rebel Fest" to take place over the 1st July 2nd July and 3rd July 2022 both within the existing premises licence plans but also to cover the tarmac area to left hand side of the premises, to permit entertainment and sale of alcohol in the area. No objections where raised by the Police or NCC Noise team as such the Licensing Authority was duty bound to issue the TEN.

The premises was visited by Licensing Authority before the event took place as clearly there where some concerns regarding potential noise effecting local residence. Management staff where informed the importance of monitoring noise over the weekend due to the proximity of local residents and importance of monitoring the noise.

The Premises was visited by Licensing Officers on the evening of the 1st July 2022 on the first night of Rebel Fest. It was very apparent that advice given by Licensing Authority pre the event was not being adhered to. The premises also went beyond the hours specified within the TEN notice by approximately 30 minutes. It was felt by the Licensing Authority there was no controls in place or lack of control to promote the Licensing Objectives of public nuisance.

IMP 3 The Council will normally grant premises licences for a time period of not earlier than 10.00 a.m. and a terminal hour of no later than 11.30 p.m. for those premises licensed to sell alcohol for consumption on the premises and which are located in primarily residential areas. However, hours beyond 11.30 p.m. may be permitted:

- a. for premises located in predominantly commercial areas, such as the City Centre and where there is a high level of accessibility to public transport services;

or

- b. the licensable activities would not be likely to cause adverse impact especially on local residents, and that, if there is a potential to cause adverse impact, appropriate measures will be put in place to prevent it;

or

- c. there will not be any increase in the cumulative adverse impact from these or similar activities, on any neighbouring residential area and the activity will not be likely to lead to a demonstrable increase in car parking demand in surrounding residential streets or on roads.

G2 The Council will attach conditions to licences, which are tailored to the individual style and characteristics of the premises. Such conditions will normally be drawn from the Council's pool of conditions. Where appropriate, additional conditions will be formulated based on an individual case following receipt of relevant representations.

7. Legal Considerations

The decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

- a. Prevention of crime and disorder
- b. Public Safety
- c. Prevention of Public Nuisance
- d. Protection of Children from Harm

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

- a. To grant the variation application as applied
- b. To grant the variation application and modify what is requested by the application in respect of activities, times and conditions, by altering, omitting or adding to them, where relevant.
- c. Reject the whole or part of the application.

All decisions taken by the Sub-Committee must

- a. be within the legal powers of the Council and its Committees;
- b. comply with any procedural requirement imposed by law;
- c. be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations;
- d. be fully and properly informed;
- e. be properly motivated;

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Making a unlawful decision	High	Low	The Committee will consult with the Legal Officer and Licensing Officer to determine if any decision is lawful and proportionate. Members training.	Chairperson. Legal Officer.
The licensing committee departing from the licensing policy.	Medium	Low	If the Committee wishes to depart from the Councils policy they must give good reason for this and obtain advice from the Legal Officer when departing from the Policies to ensure the decision is lawful. Members training.	Chairperson. Legal Officer.
The applicant does not have a fair hearing	High	Low	A Licensing Committee procedure should be followed by the committee. The Legal Officer alongside the Democratic Service Officer will advise the committee if at any stage an unfair hearing is taking place. Members training.	Democratic Service Officer. Chairperson. Legal Officer.

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

This report has been prepared in accordance with The Licensing Act 2003 and with regard to Newport City Council Statement of Licensing Policies 2015.

Options Available

- To grant the application as applied.
- To grant the application and modify what is requested by the application in respect of times and conditions, by altering, omitting or adding to them, where relevant.
- Reject the whole or part of the application.

Application to vary 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 N V e T i n y R e b e l L t d (*Insert name(s) of applicant*)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 17/00060/LAPRE
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Part 1 — Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Road A Wern Industrial Estate Newport NP10 9FQ			
Post town		Postcode	

Telephone number at premises (if any)	07870668460
Non-domestic rateable value of premises	£59500

Part 2 — Applicant details

Daytime contact telephone number		
E-mail address (optional)	gazz@tinyrebel.co.uk	
Current postal address if different from premises address	Treduston House Cwmalsie Lane, Pontllanfraith Cearphilly	
Post town		Postcode NP12 2LX

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both — please tick (please read guidance note 4)	Indoors	Cl
Day	Start	inis h F		Outdoors	III
Mon		-----5)	Please give further details here (please read guidance note	Both	ID
Tue					
Wed				State any seasonal variations for performing plays (please -read guidance note 6)	
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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)	<u>Please give further details (please read guidance note 5)</u> 					
Day Start Finis	<u>State any seasonal variations for indoor sporting events (please read guidance note 6)</u> 					
Mon	-----					
Tue	-----					
Wed	-----					
Thur	-----	<u>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 7)</u> 				
Fri	-----					
Sat	<table border="1"> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </table>					
Sun	<table border="1"> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </table>					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both — please tick (please read guidance note 4)	Indoors	ID
Day	Start	Finis h		Outdoors	
				Both	O
Mon			Please give further details here (please read guidance note 5) Music will be amplified with grounded PA Stack		
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 6) Only for 'Rebel Fest' weekend which is one weekend a year between May 1st and August 31st and only within the area identified on the attached plan as being used for the said event.		
Fri	11:00 0	23:0			
Sat	11:00 ----- 0	23:0			
Sun	11:00 ----- 0	23:0 0	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 7)		

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both — please tick (please read guidance note 4)	Indoors	U
				Outdoors	ILI
Day	Start	Finish		Both	IDI
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed					
			State any seasonal variations for the performance of dance (please read guidance note 6)		
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 7)		
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)		Will the provision of late night refreshment take place indoors or outdoors or both — please tick (please read guidance note 4)		Indoors	
				Outdoors	
				Both	
Mon		Please give further details here (please read guidance note 5)			
Tue					
Wed		State any seasonal variations for the provision of late night refreshment (please read guidance note 6)			
Thur					
Fri		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)			
Sat					
Sun					

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 10).

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence EI
- I have enclosed the relevant part of the premises licence ID

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Premise Licence Reference Number: 17/00060/LAPRE

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 - Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>[Signature]</i>
Date	<i>3/3/3</i>
Capacity	<i>if 26, C, rog. put</i>

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

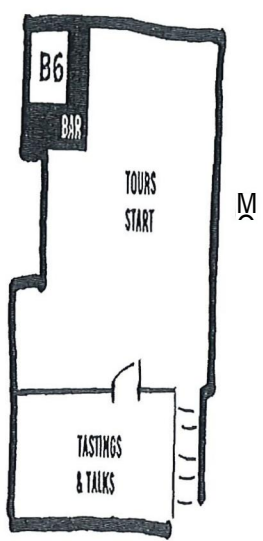
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)	
Post town	Post code

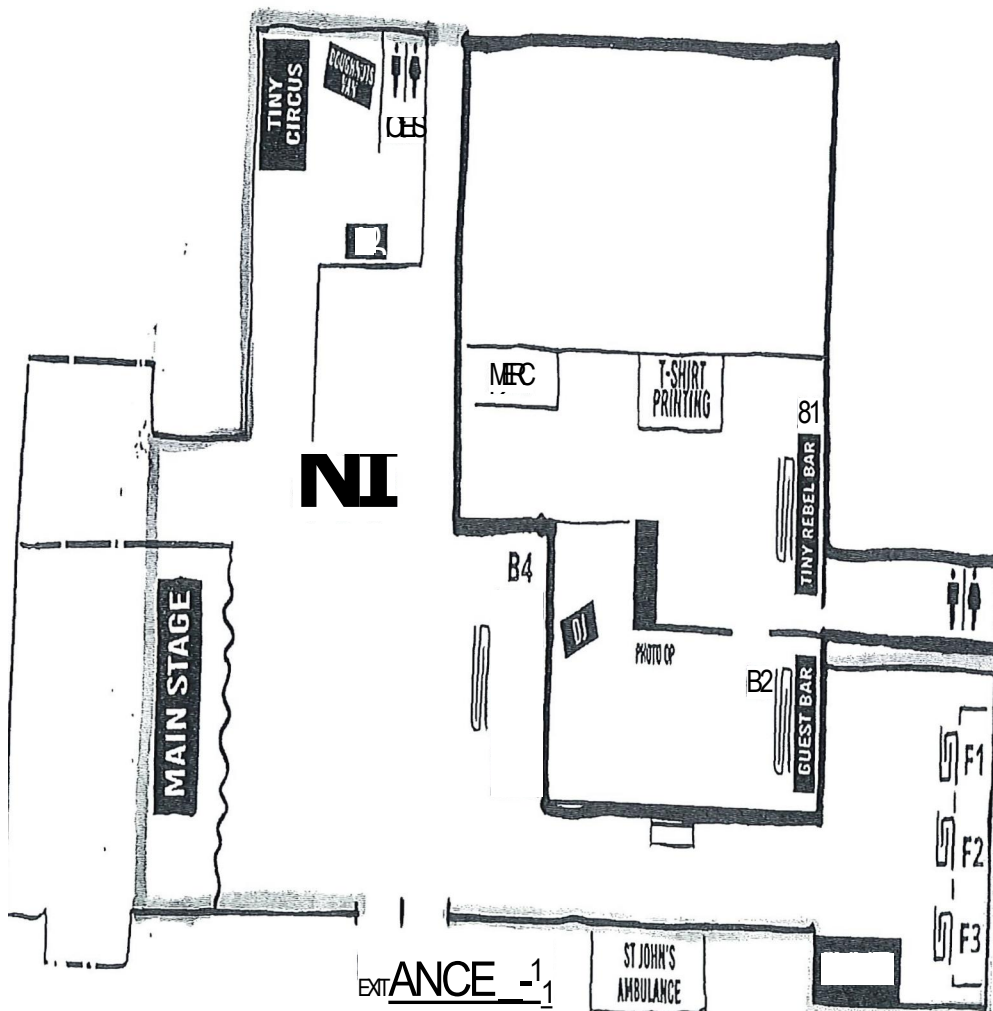
- alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment is exempt.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus

Appendix 2 Plans of the premises

- 1-1
- Existing Licensed Area
 - Additional Licensed Area For "REBEL FEST"



SITE PLAN FOR "REBEL FEST"



Appendix 3 Responsible Authority Representation

Ask James Holland
forlGofynntuch
am Our Ref/Eta JH/Neigh bourhoodTeam/Let.
Cyf Your Ref 17/00060/LAPRE
/Etch Cyf 01633 656656
TellFfon Direct 01633 414720
Dial/Rhif DX E- 99463 Newport (Gwent) 3
Mail/E-Bost James.holland@newport.gov.uk>

Law and Regulation

Y Gyfraith a Rheoleiddio

Environment & Community/
Yr Amgylchedd a'r Gymuned
Civic Centre/Canolfan
Ddinesig Newport/Casnewydd
South Wales/De Cymru NP20
4UR

Newport
CITY COUNCIL
CYNGOR DINAS
Casnewydd

MEMORANDUM

DATE: 27 April 2023

TO: Alastair Dearling (Licensing Manager)
Michelle Tett (Community Protection Manager)

FROM: Noise & Neighbourhood Team

Application to vary a Premises License under the Licencing Act 2003

PREMISES DETAILS: TINY REBEL LTD., ROAD A WERN INDUSTRIAL ESTATE, NEWPORT, NP10 9FQ

I refer to the above-mentioned application for a license variation, which was received by the Noise & Neighbourhood Team on the 5th April 2023 for comment. I wish to make representation under the "prevention of public nuisance" licensing objective.

The application sought the following variation to facilitate the 'Rebel Fest' event across the external areas of the Premises, as identified on the submitted site plan;

Sale of Alcohol 11:00am — 23:59pm

Live Music 11:00am — 23:00pm

Recorded Music 11:00am — 23:00pm

Friday to Sunday for the weekend of 'Rebel Fest' event in the outside area proposed on the amended plan.

The concern of the Noise & Neighbourhood, acting in our capacity as the Responsible Authority for Environmental Health, is that the requested hours may cause nuisance to nearby residential properties. Unfortunately a significant number of complaints were received in relation to the 2022 Rebel Fest which was held under reduced hours, and with a smaller capacity. A site meeting was held on 14th March 2023 attended by the applicant and members of the Newport City Council Licensing Authority, and Environmental Health team. A comprehensive operating schedule, and licensable activity hours which were agreed would promote the Prevention of public nuisance licensing objective, as follows;

Sale of Alcohol 12:00pm - 23:00pm

Live Music 12:00pm - 22:30pm

Recorded Music 12:00pm - 22:30pm

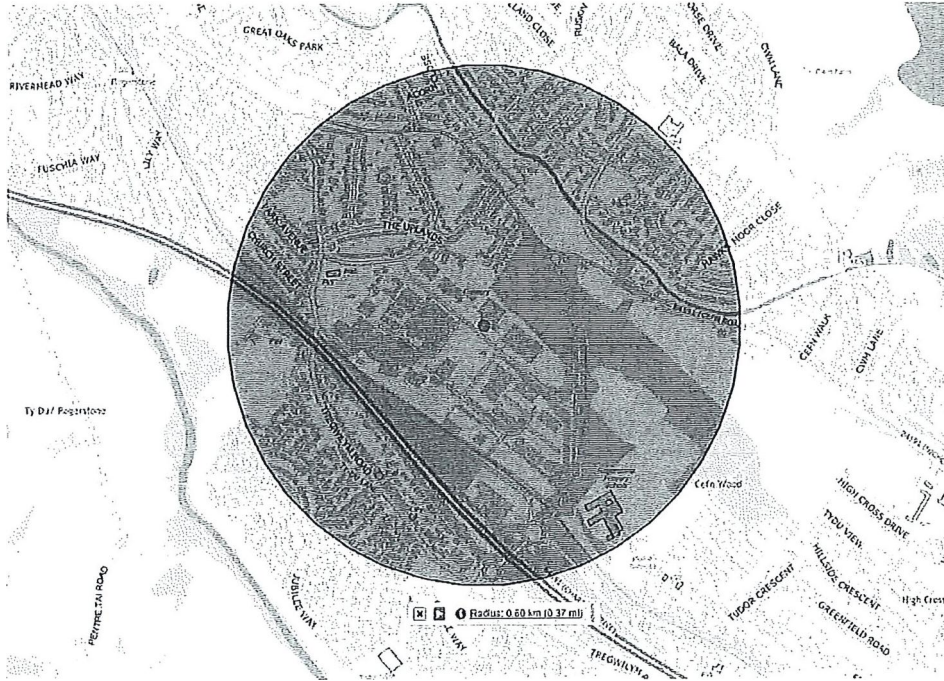
Friday to Sunday for the weekend of 'Rebel Fest' event in the outside area proposed on the amended plan.

Appendix A : Rebel Fest 2023 - Proposed event noise conditions

1. The Licensee shall appoint a suitably qualified and experienced noise consultant to the approval of the Licensing Authority, no later than 12 weeks prior to the event. The noise control consultant shall liaise between all parties including the licensee, promoter, sound system supplier, sound engineer and the Responsible Authority for Environmental Health etc on all matters relating to noise control prior to and during the event.
2. The Licensee shall appoint a suitably qualified and experienced noise consultant to produce a Noise Management Plan (NMP) and provide representatives on site during the live hours of the event. The NMP shall include details of noise monitoring procedures, the Music Noise Levels and complaint handling & resolution procedures.
3. The Licensee shall ensure a noise propagation test shall be undertaken at least 6 hours prior to the start of the event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music to the music likely to be produced during the event.
4. The Licensee shall have full control over the sound amplification equipment and the volume shall be adjusted according to the requirements of the Responsible Authority for Environmental Health.
5. The Licensee shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of the sound control limits and that any instructions from the Responsible Authority for Environmental Health regarding noise levels are complied with.
6. The Licensee shall ensure unrestricted access to the front of house position and backstage areas shall be allowed at all times to the Responsible Authority for Environmental Health for the purpose of sound level measurements, communications with the nominated noise consultant, sound engineer and monitoring license conditions.
7. The Licensee shall ensure all complaints about noise received shall be logged and shall be notified to the Responsible Authority for Environmental Health within one hour of the complaint being received.
8. The Licensee shall effect full control over traders or other organisations on site where there is amplified music being played. The Event Organiser shall arrange for the volume to be reduced or the playing to cease, or if necessary the equipment to be confiscated.
9. A logging noise level meter shall remain at the mixing desk of any external stage or sound system so that the noise consultant and sound engineers can ensure that the predetermined noise levels are not exceeded. Authorised officers of the Responsible Authority for Environmental Health shall have access to the noise monitoring levels at any time.
10. The appointed noise control person shall aim to monitor noise levels at regular intervals throughout the event at locations agreed in writing with the Responsible Authority for Environmental Health.
11. The occupiers of premises detailed below shall be informed in writing as to:
 - (a) The exact times of all performances and sound checks
 - (b) A contact name and telephone number should they wish to make a complaint of noise

Premises
Bethesda Close
Bethesda Place
Wern Terrace

Appendix B — Recommended 'letter drop' distribution area pursuant to condition 10;



RESPONSIBLE AUTHORITY RESPONSE TO LICENSING APPLICATIONS

RESPONSIBLE AUTHORITY — Gwent Police

<u>Name of Applicant</u> Tiny Rebel LTD	
Premises	TINY REBEL, WERN INDUSTRIAL ESTATE, NEWPORT, NP 10 9FQ
<u>Your Name</u>	Mark Williams
<u>Job Title</u>	Police Constable 1689
<u>email Address</u>	LicensingEast@gwent.police.uk
<u>Contact Telephone Number</u>	07870912407
<u>Date</u>	14/04/2023

Which of the four Licensing Objectives does your representation relate to?	
The Prevention of Crime and Disorder	X
Public Safety	X
The Prevention of Public Nuisance	
The Protection of Children from Harm	

<p><u>Please outline the reasons for your Representations</u></p> <p>The applicant has requested the following times:</p> <p>Sale of Alcohol- 11:00- 23:59</p> <p>Gwent Police believe that 12:00- 23:00 hours would be more sufficient, given that this is an outside area. The reduction of the hour will enable a quieter atmosphere for nearby residents, as well as reduce the likelihood of any potential public order offences taking place</p>
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operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music to the music likely to be produced during the event.

- The Licensee shall have full control over the sound amplification equipment and the volume shall be adjusted according to the requirements of the Responsible Authority for Environmental Health.
- The Licensee shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of the sound control limits and that any instructions from the Responsible Authority for Environmental Health regarding noise levels are complied with.
- The Licensee shall ensure unrestricted access to the front of house position and backstage areas shall be allowed at all times to the Responsible Authority for Environmental Health for the purpose of sound level measurements, communications with the nominated noise consultant, sound engineer and monitoring license conditions.
- The Licensee shall ensure all complaints about noise received shall be logged and shall be notified to the Responsible Authority for Environmental Health within one hour of the complaint being received.
- The Licensee shall effect full control over traders or other organisations on site where there is amplified music being played. The Event Organiser shall arrange for the volume to be reduced or the playing to cease, or if necessary the equipment to be confiscated.
- A logging noise level meter shall remain at the mixing desk of any external stage or sound system so that the noise consultant and sound engineers can ensure that the predetermined noise levels are not exceeded. Authorised officers of the Responsible Authority for Environmental Health shall have access to the noise monitoring levels at any time.
- The appointed noise control person shall aim to monitor noise levels at regular intervals throughout the event at locations agreed in writing with the Responsible Authority for Environmental Health.
- The occupiers of premises detailed below (also refer to Appendix 1) shall be informed in writing as to:
 - (a) The exact times of all performances and sound checks

N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's

- The fabric used for the tented structures shall be of inherently flame retarded fabric or durably flame retarded fabric when tested to BS 5438 test 2A and 2B or alternatively to BS7157. The Council requires a certificate for each structure stating that it meets with the above British Standard.

- The tents shall be properly assembled, structurally stable and adequately supported.

5. Electrical Installations and Lighting

- All electrical installations will comply with the requirements of the Electrical at Work Regulations 1989.

- All cables must be run and be out of reach of the audience, either overhead on catenary wires or in cable ducts buried below ground, or if conditions allow in properly designed cable matting securely spiked into the ground so as to prevent a tripping hazard. Cable Protectors across walkways.

- The Premises Licence Holder shall ensure that all risk assessments, method statements carried out for the event on his/her/their behalf, accepts that the author(s), have examined all possible incident(s), dangerous situation(s) or occurrence(s) and that satisfactory steps and actions have been implemented are in place to prevent or address them.

6. Exits and Entrances

The size, location and the type of all exits will be highlighted on the site plan. Exits from the site will be clearly visible, directly and indirectly by signage. The exits will be kept free from obstruction. Exit gates will operate efficiently and effectively. When possible, separate exits should be provided for pedestrians and vehicles and wheelchair access and exit will also need to be considered.

7. Stewards - Security and Marshals

- The Premises Licence Holder and co-coordinator shall ensure that stewards shall be employed to undertake and assist SIA registered security personnel at the entrances and exits to the site.

- There shall be a minimum of 2 SIA registered Door Supervisors for the first 200 persons in attendance, then 1 further SIA Door Supervisor for every further 200 persons in attendance from start of event until finish.

N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's

at each of these bars to demonstrate that this policy is in operation.

12. Either Plastic/Polycarbonate glasses only, should be used in all outside areas (unless approved in writing by the Licensing Authority).

13. The Designated Premises Supervisor shall be present for the duration of each day of the event or the Licensing Authority should be notified of a manager who will be present in the absence of the DPS.

14. The Premises Licence Holder shall provide adequate illumination to the festival site including any car park areas.

15. No under 18 should be in attendance at the festival unless accompanied by an adult.

16. A minimum of 4 first aid response should be present on site

17. Admission to all parts of the site shall be given to Authorised Officers at all times. (All access bands should be given to Authorised Officer at their request)

18. No entry to the event after 22:00 hrs

Are you prepared to discuss these representations with the applicant by way of mediation?

Yes. The representations made are reasonable and appropriate. If the applicant agrees to the conditions as proposed, Gwent Police will withdraw their representations.

N.B. If you make a representation you will be expected to attend the Licensing Sub-Committee and any subsequent appeal proceeding.

Please remember if you intend to make representations to copy this file to all other RA's

fish Our Steve Pontin
Ref/62'n Cyf 23/00869/LAPV
Your Ref/Eich

Tel/Flan **01633 656656**
Direct Dial/Rhil **01633 851333**
DX99463 Newport (Gwent) 3 6-
/11,221/6-BasO Steve.pontin@newport.gov.uk

Principal Licensing Officer
Licensing Authority
Newport City Council
Floor 4, Information Station
Queensway
Newport

Law and Regulation
Y Gyfraith a Rheoleiddio

Licensing Service/
Gwasanaeth Trwyddedu
PO Box 883/Bwlch Post 883
Civic Centre/Canolfan
Ddinesig Newport/Casnewydd
South Wales/De Cymru NP20
4UR



19 April 2023

Dear Sirs,

SECTION 69 LICENSING ACT 2003: NOTICE OF OBJECTION

TO AN APPLICATION UNDER SECTION 34 LICENSING ACT 2003 TO VARY A PREMISES LICENCE IN RESPECT OF 'Tiny Rebel, Road A Wern Industrial Estate, Newport, NP10 9FQ, served upon the Licensing Authority on 04 April 2023.

Newport City Council's Licensing Authority acting in their capacity as a 'Responsible Authority' by virtue of section 182 (4) Licensing Act 2003 (amended guidance) wish to object to the application to vary a premises licence as detailed above, on the grounds that the hours requested for the licensable activities of sale of alcohol and provision of live and recorded music within the area on the plan proposed for the annual 'Rebel Fest' event, may undermine promotion of the licensing objective of:

- Prevention of public nuisance

The application seeks:

Sale of Alcohol 11:00am — 23:59pm

Live Music 11:00am — 23:00pnn

Recorded Music 11:00am — 23:00pm

Friday to Sunday for the weekend of 'Rebel Fest' event in the outside area proposed on the amended plan.

The Licensing Authority, along with Environmental Health and supported by Gwent Police, have concerns that the requested hours may cause undue nuisance to nearby residents. This is based on the large number of complaints received following the same event in summer of 2022 which was held under a Temporary Event Notice, with a smaller audience and lesser hours for licensable activity. These concerns were addressed at a meeting with the applicant prior to submission of the variation application and along with a comprehensive Operating Schedule agreed between all parties to promote the licensing objectives and minimise public nuisance, licensable activity hours were also provisionally agreed of:

Sale of Alcohol 12:00pm - 23:00pm

Appendix 4 "Other Persons Representation"

Dearling, Alastair (Licensing Manager)

From: Roberts, Llyr (Licensing Officer)
Sent: 02 May 2023 11:21
To: Pontin, Steve (Licensing Officer)
Subject: FW: RE: your noise complaint reference 21/31344/ABNDM Tiny rebel Brewery

Rep mate

From: NCC - Environment Licensing <Environment.Licensing@newport.gov.uk>
Sent: 02 May 2023 11:00
To: Roberts, Llyr (Licensing Officer) <Llyr.Roberts@newport.gov.uk>
Subject: FW: RE: your noise complaint reference 21/31344/ABNDM Tiny rebel Brewery

From:
Sent: 02 May 2023 10:45
To: NCC - Environment Licensing <Environment.Licensing@newport.gov.uk>
Subject: Fwd: RE: your noise complaint reference 21/31344/ABNDM Tiny rebel Brewery

Further to the email below I would like to object to the variation of premises license described below.

The reason for this is that there is no way to mitigate love outdoor music. It is a matter of fact that the brewery **is** adjacent to a residential area. This limits what can reasonably be done at the brewery. Brewing and selling alcohol does not require outdoor entertainment.

Kind regards
Anthony Davies

-----Forwarded message -----

From: "Holland, James (Environmental Health Officer) " <James.Holland@newport.gov.uk>
Date: 2 May 2023 09:54
Subject: RE: your noise complaint reference 21/31344/ABNDM Tiny rebel Brewery
To: "Coughlan, Michael (Pollution Control Officer) " <Michael.Coughlan@newport.gov.uk>, ANTHONY DAVIES
<41*OMMOINOMM>
Cc:

Licensing Act 2003

Application to Vary Premises Licence

Tiny Rebel Brewery, Wern Industrial Estate, Newport, NP10 9FQ

Good morning Mr Davies,

Dearling, Alastair (Licensing Manager)

From: Roberts, Llyr (Licensing Officer)
Sent: 02 May 2023 13:07
To: Pontin, Steve (Licensing Officer)
Subject: FW: Variation on licence for tiny rebel

Another one

-----Original Message -----

From: Ceri Freeman eamplipmaft <Ceri.Freeman@newport.gov.uk>
Sent: 02 May 2023 11:00
To: NCC - Environment Licensing <Environment.Licensing@newport.gov.uk>
Subject: Variation on licence for tiny rebel

To who it may concern,

I've just found out that tiny rebel are hosting another festival this year. I fully object to this! Last year the noise was unbearable and I had the police and council round my house to monitor the noise level. I am dreading the lack of sleep and constant noise headaches that I will get, the same as last year.

I've a serious health condition, as do several of my neighbours. A weekend of loud noise is not healthy for us nor my children.

In summary, why haven't we local residences been contacted? I fully object and hope that the festival does not go ahead.

Kind regards,
Ceri Chapman
12 Bethesda Rise
NP10 9SY

Sent from my iPhone

Dearling, Alastair (Licensing Manager)

From: Ceri Freeman amosiksompoeilimil >
Sent: 02 May 2023 18:12
To: Pontin, Steve (Licensing Officer)
Subject: Re: Variation on licence for tiny rebel

Dear Steve,

Thank you very much for your response.

I most certainly do object to this! My house is less than 100m from the pub. Live music in the past has kept my young daughters awake far too late into the night. The walls of my house literally shake, as do my neighbours; this has been witnessed by your staff and the police. 23:00 is unacceptable, as is 3 days of constant music. Live music is extremely bad, but so is background music.

I definitely want to attend any further meetings.

The fuss I made last year, together with the noise recordings I submitted via the app, should have been included in your decision. Why has it not been please? Do you treat businesses better than residences?

Regards,
Ceri Chapman

Sent from my iPhone

> On 2 May 2023, at 16:33, Pontin, Steve (Licensing Officer) <Steve.Pontin@newport.gov.uk> wrote:
> Good afternoon Miss Chapman,
>
> Many thanks for your correspondence.
>
> I attach for your information the conditions proposed by the Licensing Authority and Environmental Health, with support of Gwent Police, which the applicant has agreed to in order for their application for this event to be granted. Please note, following further mediation since these representations were served on the applicant, some minor amendments have been agreed for licensable activity. For clarity, the currently agreed hours between all parties for licensable activity at the event are:
>
> Sale of alcohol 11:00am — 23:00pm
> Live and Recorded Music 12pm — 22:30pm *background music only may be
> played between 11:00am-12pm and 22:30pm-23:00pm subject to compliance with the noise conditions stated in the Environmental Health representation.
>
> If these conditions allay your concerns, you may wish to withdraw your representation? If not, please advise by way of response and a Licensing Hearing will be held in the near future in order to determine the application. You will be informed of the date of the hearing and may attend if you wish.
>
> Regards,
>
> Steve Pontin
> Swyddog Trwyddedu / Licensing Officer
> Y Gyfraith a Rheoleiddio / Law & Regulation Cyngor Dinas Casnewydd /
> Newport City Council
> 01633 851333
> Steve.Pontin@newport.gov.uk

Dearling, Alastair (Licensing Manager)

From: NCC - Environment Licensing
Sent: 02 May 2023 17:33
To: Pontin, Steve (Licensing Officer); Roberts, Llyr (Licensing Officer)
Subject: FW: Rebel Fest @Tiny Rebel

Fyi

Thanks
kate

-----Original Message -----

From: Main <roputisallailenftiagewmiiimmio>
Sent: 02 May 2023 16:51
To: NCC - Environment Licensing <Environment.Licensing@newport.gov.uk>
Subject: Rebel Fest @Tiny Rebel

Good afternoon

I would like to submit my objection to the planned music event at Tiny Rebel

Last year was unbelievably loud and disruptive to our living environment.

There were multiple complaints made by the residents of Bethesda Rise - yet this has been approved again without even consulting us. It really does beggar belief. A flyer telling us of the event does not equate to consultation.

Please advise.

Regards
Mrs Maria Bradley
7 Bethesda Rise
Sent from my iPhone

Appendix 5 Location of the Premises

