

# Notice of Hearing



## Licensing Sub-Committee

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Date: Wednesday, 25 November 2015

Time: 9.30 am

Venue: Committee Room 4 - Civic Centre

To: Councillors C Suller (Chair), M Cornelious, C Evans, C Ferris, E Garland, J Guy (Deputy Chair), M Rahman, H Thomas and D Harvey

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Item		Wards Affected
1	<u>Apologies for Absence</u>	
2	<u>Declarations of Interest</u>	
3	<u>Licensing Sub-Committee Code of Practice</u> (Pages 3 - 16)	
<p><b>Note to those Attending:</b> The agenda sets out the intended date and time of the hearing. The hearing May be adjourned or cancelled should circumstances change.</p> <p>Please also note Section 5 of Code of Practice for Licensing Hearings overleaf.</p> <p><b>Requirements for Applicants and Interested Parties etc.</b> Upon receipt of the notice of the meeting, the Applicant and the interested Parties must inform the Council in writing addressed to Mrs A Jenkins, Democratic Services Officer, Newport City Council, Civic Centre, Newport, South Wales, NP20 4UR:</p> <ul style="list-style-type: none"><li>▪ Whether they intend to attend or be represented at the hearing</li><li>▪ Whether they consider a hearing to be unnecessary</li><li>▪ Requests for any other people to attend the hearing eg witnesses (including their names and a brief description of the evidence that they can give and its relevance to the application)</li></ul>		
4	<u>Temporary Event Notice Objection: Rodney Parade, Rodney Road, Newport, NP19 0UU</u> (Pages 17 - 36)	Victoria
5	<u>Temporary Event Notice Objection: Rodney Parade, Rodney Road, Newport, NP19 0UU</u> (Pages 37 - 56)	Victoria

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Date of Issue: 25 November 2015



## Conduct and Procedure of Licensing Sub-committee

### 1 Membership and appointment of Chair

- 1.1 The Licensing Sub-committee comprises all members of the committee, other than those who have an interest or who is the ward member for the ward in which premises under consideration is located. The quorum is three. The Chair will be elected on the day by a simple majority vote.
- 1.2 For example, if they live in the vicinity of the licensed premises, or have a friendship or a close personal association with either the applicant or any objector this would disqualify the Member from considering the matter.
- 1.3 Members of the Licensing Sub-Committees should inform the Senior Democratic Services Officer immediately if they consider that they are disqualified from considering any application, if members of the Licensing Sub-Committee become aware of any personal interest in any application before them they should declare the interest at the beginning of the meeting and withdraw immediately.

### 2 Ward Councillors

- 2.1 Ward Councillors are no longer expressly permitted to make representation in their capacity as Ward Councillors although they are entitled to make representations as individuals falling within the category of “any other person”, if they are likely to be affected by an application (for example if they live in close proximity to the licensed premises). Councillors however must comply at all times with the Members Code of Conduct (“the Code”). Ward Councillors should avoid discussing the application with any of the Licensing Sub-Committee beforehand to avoid any suspicion of undue influence or breach of the general obligation in the Code not to improperly use their position as a Councillor to secure any advantage.
- 2.2 If a Ward Councillor has a personal interest in an application (for example, because he/she lives in close proximity to the premises), then this is also likely to be a “prejudicial” interest under the Code. Provided that the Member declares the interest and withdraws from the hearing after making representations, then he/she is entitled under paragraph 14(2) of the Code to appear at the hearing in the same way as any other member of the public having made a relevant representation within the meaning of the Act (“any other person”). This also applies whether or not the Councillor is a Member of the Licensing Committee. Because of this “personal and prejudicial” interest the Ward Councillor cannot have any other involvement with officers or members regarding the application.
- 2.3 Ward Councillors who are not members of Licensing Committee may also act as the appointed representatives for any other person at the hearing, if requested to do so, but they should avoid discussing the application with any of the Licensing Sub-Committee beforehand. If a Ward Member is representing any other person, that other person must have objected by their own accord before a Ward Member can be requested to act as their representative at the hearing.
- 2.4 Ward Councillors who are members of Licensing Committee should not appear as the appointed representatives for any other person at the hearing because of the requirements of natural justice and the need to avoid giving any impression of undue influence or breach of the general obligation in the Code not to improperly use their position as a Councillor to secure any advantage.

### **3 Lobbying**

- 3.1 Other Members must not lobby any Member of the Licensing Sub-committee, directly or indirectly, about any application before them.
- 3.2 Members of the public or any of the parties must not lobby any members of the Licensing Sub-Committee about any application before them. If any of the members of the Licensing Sub-Committee are approached by any person about a licensing matter, they should explain that they cannot discuss the matter and refer the person to the Licensing Officer. Any written representations received by individual members of the Licensing Sub-Committee must be passed to the Licensing Officer and reported at the hearing.

### **4 Chair of the Licensing Sub-Committee**

The Chair of the Licensing Sub-Committee is to be elected by Members on the day by simple majority vote.

### **5 Quorum**

- 5.1 Although the Act allows for the hearing to continue with two members present, the Council's Constitution and the Statement of Licensing Policy provides that three Councillors shall constitute a quorum for any meeting and it is good administrative practice for three members to be present.

If the meeting becomes inquorate at any time, the matter will need to be adjourned or referred to full Licensing Committee.

- 5.3 Membership may change during the course of a Sub-Committee meeting only if an individual member is disqualified from considering some but not all of the applications on the agenda. All members considering an application however must be present throughout the individual hearing. If, for any reason, a member needs to withdraw during the hearing, the proceedings should be temporarily adjourned until the member returns. The meeting will only commence if quorate. If a member arrives late and after the hearing commences, he or she will be disqualified from hearing the specific case under consideration but can hear other cases set out in the agenda.

### **6 Statutory Guidance**

- 6.1 The Licensing Act 2003 (Hearings) Regulations 2005 SI 44/2005 and the The Licensing Act 2003 (Hearings) (Amendment) Regulations 2004 SI 78/2005 ("the Regulations") made under Section 183 of the Act set out the statutory framework for the Licensing Sub-Committee hearings.
- 6.2 These Regulations make provision for hearings required to be held by the Council as Licensing Authority, under the Licensing Act 2003. In particular, the Regulations provide for the timing of the hearings and the notification requirements regarding the time and date of the hearings and information to be given to the parties. In addition, provision is made for a party to provide information to the Licensing Committee about attendance at a hearing, representations, the seeking of permission for another person to attend to assist and whether a party believes that a hearing is necessary.
- 6.3 The Regulations provide for a range of procedural issues to govern the way in which preparations are made for a hearing, the procedures to be followed, the rights of parties at the hearing, the keeping of records and the manner of giving notices. The Regulations also make provision for the timing of the Licensing Committee's determination following a hearing.

6.4 Insofar as the Regulations do not make specific provision for procedures for and at hearings, the Licensing Authority can determine its own procedures.

## **7 Notice of Hearings**

7.1 The provisions of the Local Government Act 1972 requiring at least three clear working days' notice of Council and Committee meetings do not apply to hearings conducted under the Licensing Act 2003.

7.2 Instead Regulation 6 of the Regulations prescribes the period of notice to be given for a Licensing Committee hearing, depending upon the type of application being considered.

7.2.1 At least two clear working days' notice must be given if the hearing is to consider

- the cancellation of an interim authority notice following a police objection
- counter notice following a police objection to a temporary event notice

7.2.2 at least five clear working days' notice must be given if the hearing is to consider

- review of premises licence following a closure order
- determination of application for conversion of existing licence
- determination of application for conversion of existing club certificate
- determination of application by holder of justices' licence for the grant of a personal licence

7.2.3 In all other cases, at least 10 clear working day's notice of the hearing must be given.

## **8 Timescale for arranging hearings**

8.1 Regulations 4 and 5 and Schedule 1 set out the time periods within which the Council is required to arrange hearings. Where a hearing cannot be concluded in one day and has to be held on more than one day, the Regulations require that the hearing must be arranged to take place on consecutive working days.

8.2 The time frame for arranging hearings again depends on the nature of the application and varies from 20 working days from the last date when representation may be made or notice may be received from the Police to five working days in the case of cancellation of an interim authority notice following a police objection.

## **9 Form of Notice**

9.1 Regulation 34 requires that notice of the hearing shall be in writing although it is a matter for the Council to determine how the notice should be given. The Regulations specifically provide that notice can be given electronically (eg by email or fax transmission) provided that the recipient agrees to this method of notice beforehand and a hard copy of the notice is also despatched at the same time. The notice is then deemed to have been properly served at the time of the electronic transmission. Any notice served by second class post would generally be deemed to have been served within two working days.

9.2 It is recommended that all notices and information should be sent to the parties by second class post. In the case of emergency applications that have to be dealt with at short notice or where the parties specifically request, copies will also be sent by email or fax, where these details are known.

## **10 Information to be provided**

10.1 Regulation 7 provides that the following information must be sent out with the notice of hearing

- The rights of attendance, assistance and representation
- The consequences if a party does not attend or is not represented at the hearing (which will usually be that the hearing will proceed in the party's absence)
- The procedure to be followed at the hearing
- Any particular points on which the Licensing Committee considers that it wants clarification from any party at the hearing

10.2 Regulation 7(2) also provides that, in relation to the hearings listed in column 1 of Schedule 3 of the Regulations, certain specified documents must be sent with the notice of hearing to the persons identified. For most types of application, this means that copies of the relevant representations or notices given must be sent to the applicants or licence holders.

10.3 The Regulations require that the notice of the hearing and supporting information must be sent to the appropriate parties ie the applicant and any persons making relevant representations. There is no requirement for public notice to be given of the hearing or for the supporting information to be made available to the press and public or any other members of the Council. The Council however has a discretion as to whether or not to publicise the hearing more widely.

10.4 Having regard to the principles of open government, the Constitutional requirements that decisions are taken in a transparent and accountable manner and the requirements of Regulation 14(1) that hearings are generally conducted in public, it is recommended that the Licensing Sub-committees follow the same publicity arrangements as with other Committee meetings.

## **11 Requirements for Applicants and any other persons**

11.1 Upon receipt of the notice of the meeting, the Applicant and any other person must inform the Council in writing

- Whether they intend to attend or be represented at the hearing
- Whether they consider a hearing to be unnecessary
- Requests for any other people to attend the hearing eg witnesses (including their names and a brief description of the evidence that they can give and its relevance to the application)

11.2 In the case of emergency applications, such as the cancellation of an interim authority notice following representations by the police or a counter notice following a police objection to a temporary events notice, this information must be provided not later than one working day before the hearing. In the case of the review of premises licences following closure orders, an application for conversion of existing licences or club certificates and the grant of personal licences, the information must be provided at least two working days before the hearing. In all other cases the information must be provided at least five working days before the hearing.

11.3 It is recommended that a separate letter be sent to the Applicant and any other person at the same time as the agenda for the meeting, reminding them of the need for this information and asking them for a response as soon as possible before the meeting. If the Licensing Sub-committee is informed in good time before the meeting that the parties do not wish to attend, then it may be possible to reschedule other business or applications for that meeting.

- 11.4 Regulation 9 allows the Council to dispense with the need for a hearing if the Applicant and all any other persons agree. If all the parties respond to the request for information stating that they consider a hearing to be unnecessary, the hearing can be vacated and notice given to the parties accordingly. A determination must then be made within 10 working days of the notice.
- 11.5 Regulation 10 provides that any party may withdraw their representations by giving written notice at least 24 hours before the hearing or orally at the hearing itself. There are no powers to avoid wasted costs in favour of either party in the event of an abortive hearing due to late withdrawal of representations. The parties should be encouraged to give as much notice as possible if they intend to withdraw their representations to avoid the unnecessary time and expense of arranging a hearing.
- 11.6 Where all objections are withdrawn and/or all the parties agree that a hearing may be dispensed with, the applications may be determined by officers under delegated powers.

## **12 Extensions of Time and adjournments (Regulations 11-13)**

The Licensing Sub-Committee have a general discretion to extend the time limits contained in the Regulations or adjourn hearings if this is considered to be necessary in the public interest. Proper notice would have to be given of any extension of time or adjournment. Time cannot be extended or hearings adjourned if this would result in a failure to comply with the timescales set out in the Act.

## **13 The Hearing**

### **13.1 Exclusions**

Regulation 14 provides that all hearings must be held in public. The Licensing Sub-Committee may however exclude the press and public (including the parties and their representatives) from all or part of the hearing if they consider that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

13.2 The Access to Information provisions of Schedule 12A of the Local Government Act 1972 do not apply to hearings before the Licensing Sub-Committee. The test for exclusion of the press and public is not whether there is "exempt information" (as defined in Schedule 12A) which is likely to be disclosed, but whether it is in the "public interest" that the hearing (or part of the hearing) should be in private.

13.3 It is recommended that, as a general rule, all representations from the parties should be heard in public unless there are exceptional circumstances. The overriding public interest dictates that hearings should be conducted in a fair, open and transparent manner and justice should be seen to be done. The Council's constitution is also based on democratic open government, accountability and public access to meetings. The parties should be given the opportunity at the beginning of the hearing to make an application for a private hearing, but they would have to establish a clear reason why this should override the public interest in an open hearing. The fact that personal information or information relating to financial, business or commercial interests would be disclosed would not, in itself, justify exclusion. An application for exclusion of the press and public could be made, for example, where sensitive information relating to individual children could be disclosed in relation to a policy issue involving the protection of children from harm, or where there are criminal justice implications involving representations made by the police. The final decision as to whether the press and public should be excluded for all or part of the hearing on public policy grounds is a matter for the Licensing Sub-Committee.

13.4 It is however recommended that, as a general rule, the press, public and the relevant parties are all excluded from the meeting while the Licensing-Sub-committee deliberate and come to

their decision on the grounds that this private debate is considered to be in the “public interest”. Everyone should then be asked to withdraw from the room, except for the Licensing Officer, the Democratic Services Officer and the Head of Law and Standards or his nominated representative. These three officers shall be entitled to remain, but only for the purpose of offering advice as to procedure or any particular point of law and to record decisions. They must not participate in the decision-making by the Licensing Sub-Committee. Where it is more convenient, the Licensing Sub-Committee may withdraw to a private room rather than require everyone else to withdraw from the meeting room.

- 13.5 If there are any further points of clarification required, then all of the parties and the public should be allowed back into the meeting while these points of clarification are addressed.
- 13.6 Regulation 25 permits the Licensing Sub-Committee to exclude any person from the hearing if they are behaving in a disruptive manner, either permanently or temporarily (permitting them to return only if they comply with such conditions as may be specified). If one of the parties is excluded on these grounds and not permitted to return, they are entitled to submit to the Licensing Sub-Committee in writing any information which they would have been entitled to give orally had they not been excluded from the meeting.
- 13.7 Representations  
Any person or responsible authority may make written representations about an application for a premises licence or certificate within a specified period, which is generally 28 working days of the receipt of the application. Representations or requests for review will only be relevant if they relate to the four licensing objectives. The applicant will be provided with copies of all relevant representations received at the same time as the notice of hearing. The written representations will also be referred to as background papers to the Report of the Licensing Officer, which will be circulated to Members of the Licensing Sub-Committee and made available to the press and public as soon as possible and, in any event, at least two clear working days before the hearing.
- 13.8 Advice should therefore be given that, if any person responds to any notice or advertisement, their letter of objection or support will be made available to the public, including personal data (such as names and addresses) in accordance with the Data Protection Act 1988. If any person objects to their name and address, or any other personal information, being made public, then their representations will need to be redacted or anonymised before being circulated (but this may affect the weight that the Licensing Sub-Committee attaches to their representations).
- 13.9 Where relevant representations have been made and an application is to be determined at a hearing, the applicant and those parties who have made representations have a right to attend the hearing (subject to rights of exclusion) and may be assisted or represented at the hearing by any person (whether or not that person is legally qualified) (Regulation 15).
- 13.10 Regulation 16 provides that a party shall be entitled at the hearing to
- Give further information in response to a point upon which the Licensing authority has given notice that it wants clarification
  - Question any other party, if permission is given by the Licensing Sub-Committee
  - Address the Licensing Sub-Committee
- 13.11 Regulation 17 provides that Members of the Licensing Sub-Committee may question any party or other person appearing at the hearing.
- 13.12 In considering any application, representations or notice made by a party, the Licensing Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice, either before the hearing or, with the consent of the parties, at the hearing. The Licensing Sub-Committee has discretion as to whether to admit this documentary evidence but should, generally allow this to be presented

if it is relevant and material to the application, the representations or notice submitted and the licensing objectives. This however should not be seen as an opportunity to introduce new representations outside the statutory timescale. The parties should be advised to provide any additional documentary evidence as soon as possible before the hearing and, wherever possible, this should be circulated in advance to the Members of the Licensing Sub-Committee and the other parties. The Sub-Committee will then decide at the hearing whether or not this additional documentary evidence should be admitted and considered. If admitted, the additional information will then be made available to the press and public at the meeting. If the additional documentary evidence has not been produced before the hearing, it can only be admitted with the consent of all the parties. If any other party objects to the evidence being produced at the hearing, the Licensing Sub-Committee has no discretion to admit it or take it into account.

#### **14 Failure of parties to attend the hearing**

If a party has informed the Council that he/she does not intend to attend or be represented at the hearing, then the hearing may proceed in their absence. If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Licensing Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing proceeds in the absence of a party, the Licensing Sub-Committee must still consider the written representations or notice submitted by that party and follow the same principles of decision-making.

#### **15 Procedure at the hearing**

- 15.1 Subject to the provisions of the Regulations, the Licensing Sub-Committee has the discretion to regulate their own proceedings and procedure to be followed at the hearing. The proceedings should be kept as informal as possible although a logical and ordered approach should be maintained in order to ensure a fair and impartial hearing. A suggested form of procedure is attached however the Chair should make it clear that the Licensing Sub-Committee are not totally inflexible and would be prepared to vary the order of proceedings if this would facilitate the proper consideration of an application or notice.
- 15.2 Regulation 7(c) provides that parties should be informed of the procedure to be adopted at the hearing when they are sent notice of the arrangements for the meeting. It is therefore suggested that a copy of the written procedure is sent to the parties with the notice of the hearing.
- 15.3 Regulation 22 requires the Licensing Sub-Committee to explain the procedure to the parties at the beginning of the hearing and consider any request under Regulation 8(2) for permission for another person to appear at the hearing (such permission not to be unreasonably withheld). Prior notice should have been given if parties wish to call witnesses or other persons to address the hearing. Provided that their evidence or representations are relevant and material, permission should generally be allowed.
- 15.4 Regulation 23 provides that the hearing should take the form of a "discussion led by the authority" and cross-examination should not be permitted unless the licensing committee considers that this is required to enable them to consider the matter properly. Whilst parties and their representatives should not be allowed to make the hearing too adversarial, it is suggested that both parties should be allowed an equal opportunity to put questions to the other party and their representatives/witnesses (under Regulation 16). A period of five minutes each should be allowed for questions, with the Chair having discretion to disallow any questions which are considered by the Licensing Sub-Committee to be irrelevant, hostile or repetitive. Wherever possible, large groups of objectors should be encouraged to appoint a single spokesperson to present their case, to save time and avoid unnecessary duplication.

15.5 Regulation 24 provides that the Licensing Sub-Committee must allow the parties an equal maximum period of time in which to exercise their rights to put questions and address the hearing. It is suggested that, as a general rule, a maximum time of 20 minutes should be allowed for both parties, with 10 minutes for addressing the Sub-Committee, five minutes for questioning and five minutes for summing up at the end. The Licensing Sub-Committee can however extend time for both parties if this is necessary for the proper consideration of the matter.

## **16 Site Visits**

The Sub-Committee may, at its discretion, undertake a site visit of any premises that are the subject of any application. The visit may take place either before the hearing, by arrangement with the parties, or the Sub-Committee may adjourn the hearing at any time to visit the premises. If a site visit is undertaken, it should be a fact-finding exercise only and no representations should be heard from any party. Any questions should be addressed to licensing officer(s), wherever possible, but if it is necessary to ask a question of any party, this should be done in the presence of all the other parties.

## **17 Determination of applications**

17.1 Normally, the licensing Sub-Committee must make its determination at the conclusion of the hearing. In other cases the Sub-committee shall make its determination within five working days. Where a hearing has been dispensed with, the decision must be made within 10 working days of the notice to dispense with the hearing.

17.2 The Council's Statement of Licensing policy provides that every decision of the Licensing Sub-Committee shall be accompanied with reasons for that decision. A summary of the decision shall be posted on the Council's website as soon as possible after the decision has been made, where it will form part of the statutory licensing register.

17.3 Paragraph 24 provides that comprehensive reasons should be given and, on making findings of fact in its reasons, the Licensing Sub-Committee should ensure that they address the standard of proof and the burden of proof that they have adopted. The Licensing Sub-Committee should also address the extent to which the decision has been made with regard to its Statement of Licensing Policy and the Statutory Guidance issued under Section 182 of the Act.

17.4 Regulation 28 requires the Council to notify the parties in writing of the determination of the Licensing Sub-Committee and their rights of appeal. The Council is also required to send notification of the determination to the Chief Officer of Police, where the police have not been a party to the hearing. This notification must be sent within the period specified in the Act or, if no period is prescribed, forthwith on making the determination.

## **18 Right of appeal**

Any aggrieved party will have the right of appeal to the Magistrates' Court within 21 days of being notified of the decision.

## **19 Record of proceedings**

Regulation 30 provides that the Council must keep a record of the hearing in a permanent and intelligible form for a period of six years from the date of the determination or, where any appeal is brought against the determination of the Licensing Sub-Committee, from the disposal of any appeal. A verbatim note or transcript of the proceedings is not required, but the Minute recording the decision must be sufficiently detailed so as to provide an accurate record of both the proceedings and the decision taken, together with the reasons given and any conditions imposed.

## 20 Irregularities

Regulations 31-33 provide that any irregularities or clerical errors shall not invalidate any decision or render a determination void and enables the Council to correct any error or cure any irregularity as soon as possible.

### Organisation of Cases for the Hearing

- 1 The hearings will normally take place at the Civic Centre, Newport at times to be agreed with the Sub-Committee.
- 2 The agenda for the meetings of the Licensing-Sub-committee shall be agreed by the Licensing Officer and the Senior Democratic Services officer after any necessary consultation with the relevant Chair of the Licensing Sub-Committee. The officers shall determine how many applications can be heard at each meeting and the order in which the applications should be considered, taking into account the number of parties who will be attending.
- 3 Hearings should be scheduled in accordance with the timescales prescribed by the Regulations. In general a hearing must be held within 20 working days after the time has expired for making representations.
- 4 Once the draft agenda has been agreed, the Senior Democratic Services Officer should send out notice of the agenda to the Members, press and public in the usual way. Members should immediately inform the Senior Democratic Services Officer if they consider they are disqualified from hearing or they have an interest in any specific case.
- 5 At the same time, the Licensing Officer shall send notice of the hearing to the parties, together with
  - A copy of the procedure to be followed at the hearing
  - Confirmation of the parties' rights to be assisted or represented at the hearing (whether or not that person is legally qualified)
  - Confirmation that the parties will be allowed to address the Licensing Sub-Committee and put questions to the other parties for a maximum of 20 minutes
  - Confirmation that, if a party does not attend the hearing, the hearing would generally proceed in his/her absence
  - A note of any particular point on which the Licensing Sub-committee requires further clarification.
  - Copies of all relevant representations received
- 6 The parties should also be requested to notify the Council as soon as possible (and in any event within the timescale prescribed by the Regulations) whether they intend to appear and/or be represented at the hearing or whether they consider a hearing to be unnecessary.
- 7 If they intend to proceed with a hearing, they should be requested to give advance notice of any application to adduce any further documentary evidence (which should preferably be provided as soon as possible before the hearing) or request for any other person to appear at the hearing. The request must contain details of the name of the witness and a brief description of that person's evidence.
- 8 The notice of hearing and supporting documents should be sent by second class post and, except in the case of emergency applications or where the Regulations specify a shorter period, at least 10 clear working day's notice should be given. The Licensing Officer may also send electronic copies by email or fax by agreement with the applicants or other party.

- 9 The Chair of the Licensing Sub-committee may meet with the Democratic Services Officer, the Solicitor to the Licensing Sub-Committee and the Licensing Officer(s) presenting the report in advance of the hearing to identify any issues where further clarification should be requested from the parties. These issues will be notified to the parties by the Licensing Officer to enable them to address these issues in their submissions at the hearing. During this preliminary meeting and any pre-agenda meeting, no decisions shall be made and no discussions shall be held regarding the substantive merits of the application or representations.
- 10 The hearings shall be attended by a Solicitor, a Democratic Services Officer and the Licensing Officer. The officers shall attend for the sole purpose of giving advice on law and procedure and are not parties to the decision.
- 11 The role of the Solicitor is to provide legal advice in relation to the applications and submissions.
- 12 The role of the Democratic Services Officer is to record the proceedings and the decisions of the Sub-Committee and ensure efficient administration.
- 13 The Licensing Officer shall prepare a written Report for consideration by the Licensing Sub-Committee, which should include
  - A brief summary of the application
  - A brief summary of the representations
  - The relevant licensing objectives
  - Relevant aspects of the Council's Statement of Licensing Policy and statutory Guidance
  - Other background information (such as copies of letters)
- 14 The Licensing Officer's Report should be sent out as soon as possible and, in any event, no later than 10 clear working days before the hearing, together with copies of relevant documentary evidence submitted by the parties. Wherever possible, the Licensing Officer's Report should be sent out at the same time as the notice of hearing and supporting documents, but this will not be reasonably practicable where there are a significant number of applications to be determined. If additional documentary evidence is provided later by the parties, it should be copied and sent to the other parties before the hearing, if reasonably practicable.
- 15 After hearing all the representations and prior to retiring to make its decision, the Licensing Sub-Committee may, if it wishes, seek the guidance of the Licensing Officer and/or Solicitor on possible conditions that could be attached to any licence.
- 16 The Democratic Services Officer shall keep a record of the decisions taken and the Licensing Officer shall send written confirmation of the decision to the relevant parties, together with the reasons, any conditions and their rights of appeal.

### **Principles of Decision-Making**

- 1 This note is intended to provide members of the Licensing Sub-committee with a guide to the principles of decision-making. The licensing hearings are of a quasi-judicial nature and the procedures are, therefore, markedly different to the usual arrangements for Committee meetings.
- 2 It should be noted that the proceedings are governed by adjudication procedures and the rules of natural justice will, therefore, apply. All the parties should be given a full and fair hearing, which should be conducted in an open, transparent and accountable manner.
- 3 Members must, at all times, comply with the Council's Member Code of Conduct.

- 4 All licensing applications must be considered on the basis of whether they promote the four licensing objectives set out in the Act and incorporated in the Statement of Licensing Policy, namely
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
  
- 5 In reaching their decisions under the Act, the Licensing Sub-Committee must have regard to all relevant considerations including (but not limited to)
  - The relevant statutory provisions
  - Relevant Statutory Guidance issued under Section 182 of the Act
  - The Council's Statement of Licensing Policy
  - The licensing objectives
  - The material facts based on the relevant evidence presented and representations received
  - The individual merits of each case
  - The public interest
  
- 6 The Licensing Sub-Committee must disregard any irrelevant considerations, including (but not limited to) information or evidence which is not relevant to the application or to the promotion of the licensing objectives. Members must also disregard any party political considerations or decisions taken in political group meetings.
  
- 7 Members of the Licensing Sub-Committee must act fairly, objectively and impartially throughout. They must not show any bias or predetermination and must keep an open mind on all applications until they have heard all the relevant representations and evidence. Members must not prejudge any application, express any view on the merits of any application, organise any support or opposition to any application, in advance of the hearing. Any Member with a "closed mind" on any application would be disqualified from sitting on the Licensing Sub-Committee which considers that application.

In the event of any licensing applications submitted by or on behalf of the Council or an officer of the Council, the same rules and procedures shall apply. No account shall be taken of the fact that the application is submitted by the Council or an officer and no favour or consideration shall be shown in relation to the application. Any member involved in the decision to apply for the licence shall be disqualified from sitting on the Licensing Sub-Committee which considers the application.

### **Procedure to be Followed at The Hearing**

#### **1 Preliminaries and Opening remarks**

At the commencement of the meeting, the Chair for the meeting shall be elected by simple majority of members present.

The Chair of the Sub-Committee opens the meeting and welcomes those attending.

The Chair introduces the members and the officers present.

#### **2 Apologies/declarations of interest**

The Chair deals with any apologies for absence and declarations of interest. Any substitution of members will be dealt with at this stage.

### 3 Introductions

The Chair invites the applicant, any other person and their representatives to introduce themselves and indicate who will be speaking.

The Chair explains the procedures to be followed and the time allocated to each party and asks if there are any questions. (The order of proceedings may be varied at the discretion of the Sub-Committee where the parties have any particular preference or where this is necessary for proper consideration). The proceedings will generally be conducted in public unless it is in the public interest to hear cases in private. Any applications to exclude the press and public should be dealt with at this stage.

### 4 Applications

The Chair will inform the parties whether their applications to have certain people attend the hearing under Regulation 8(2) (eg witnesses) have been granted or refused.

The Chair will summarise the papers before the Licensing Sub-Committee and will confirm that everyone has copies. Chair will ascertain whether any representations have been or are now to be withdrawn. Licensing Sub-Committee will consider any requests for additional documentary evidence or other information to be introduced by either party. (Note that advance notification must be given, otherwise the additional information or evidence can only be adduced at the hearing with the consent of all the parties and the agreement of the Sub-Committee).

Chair is to identify any specific points about which the Licensing Sub-Committee have requested clarification.

### 5 Report from Licensing Officer

The Licensing Officer presents the Report outlining

- The nature of the application
- Any relevant background information
- Relevant issues in relation to the promotion of the four licensing objectives
- Relevant representations received
- Any relevant policy issues, including the Statement of Licensing Policy and any statutory Guidance

The Licensing Officer presenting the report will not make any recommendation regarding the determination of the application, but will simply outline the relevant considerations which the Licensing Sub-Committee will need to take into account when arriving at their decision. (It should be noted if the Licensing Authority wishes to make representation regarding application as a relevant authority under the Licensing Act 2003 a further Licensing Officer will be required to attend the committee and Act as a relevant authority).

The Members will be able to ask questions of the Licensing Officer(s) presenting the report to clarify any issues arising out of the Report.

### 7 The Applicant's case

- (a) The Applicant/representative to address the Sub-Committee and to call any witnesses where permission has been granted (maximum period of 10 minutes). Parties may give their evidence by making a statement or by being questioned by their representative.
- (b) The objectors/representatives shall be allowed to put questions to the applicant/representative and any witnesses (maximum five minutes).
- (c) The members of the Licensing Sub-committee to put questions to the applicant/representative and any witnesses

8 The Objector(s) case

- (a) The Objectors/representatives to address the Sub-Committee and to call any witnesses, where permission has been granted (maximum period of 10 minutes). (The responsible authorities eg Police, Fire Authority, followed by any other person in the order in which they submitted their written representations. Where a large group have objected, they should be encouraged to appoint a single spokesperson in order to save time and avoid repetition).
- (b) The applicant/representative shall be allowed to put questions to the objectors/representatives and any witnesses, (maximum five minutes).
- (c) The members of the Licensing Sub-committee to put questions to the objectors/representatives and any witnesses.

9 Closing Statements

- (a) Objectors or their representative(s) to sum up (maximum of five minutes). (In the order in which they addressed the Sub-Committee, if more than one).
- (b) Applicant or representative to sum up (maximum of five minutes). (At this stage the applicant/representative should indicate whether, in the light of the representations made, they wish to amend their application or offer any conditions to overcome the objections and/or promote the licensing objectives).

10 Decision

If there are no further matters to be resolved, the Chair will ask all the parties if they are satisfied that they have had a fair hearing and will then close the proceedings.

The Sub-committee to consider whether it is in the public interest that they deliberate in private or whether this part of the hearing should continue to take place in public.

Pass resolution to exclude the press and public (including the parties and their representatives) pursuant to Regulation 14(2) during this part of the hearing, while the Sub-Committee discusses its decision. Everyone should then be asked withdraw from the room, except the Licensing Officer(s) presenting the report, the Democratic Services Officer and the Head of Law and Standards or his nominated representative(s). These officers shall be entitled to remain but only for the purpose of offering advice as to procedure or any particular point of law. The Sub-Committee may withdraw into a private room to do this

The Members of the Sub-Committee will deliberate and come to their decision. The reasons for the decision, the material findings of fact and any conditions will be agreed and recorded in writing by the Chair. In the event of any disagreement, any matter under consideration shall be determined by a simple majority of votes cast.

The hearing will then resume in public. The Chair will announce the decision and give the reasons for that decision, any material findings of fact, any licence conditions that are to be imposed and the licensing objectives that they relate to (unless, where permitted by the regulations, the decision is to be communicated at a later time).

11 Repeat process for each hearing

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# Report

## Licensing Sub-Committee

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### Part 1

Date: 25 November 2015

Item No: 4

**Subject** Temporary Event Notice Objection: Rodney Parade, Rodney Road, Newport, NP19 OUU

**Purpose** To consider the objection notice served on the Licensing Authority by Newport City Council Environmental Protection Team in respect of a notice of a temporary event to take place at Rodney Parade, Rodney Road, Newport NP19 0AX on the 5<sup>th</sup> December 2015 and having regard to the objection notice, to consider whether the premises user should be given a counter notice to ensure the promotion Licensing Objectives in respect of the Prevention of Public Nuisance.

**Author** Principal Licensing Officer

**Ward** As indicated in the report

**Summary** The Licensing Committee has delegated powers to take decisions in relation to licensing applications. The Licensing Committee will make the decision on whether a counter notice should be served on the premises user.

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

**Contact** Principal Licensing Officer

**Action by** Head of Law and Regulation

**Timetable** Immediate

**Signed**

## **1 Application**

On 12<sup>th</sup> November 2015 a notification under Section 100 of the Licensing Act 2003 giving notice of a temporary activity was served by a Mr Mark Jones for a proposed temporary event providing 'licensable activities' to be held in a Marquee erected on car park area adjacent to Rodney Parade Stadium.

This notification (Copy attached as Appendix 1) was served on Newport City Council via the online provisions of the Councils website and in accordance with procedure was served on the responsible authorities of Heddle Gwent Police and Newport City Council Environmental Health Department the same day giving those responsible authorities 3 working days to make representation.

## **2 Temporary Activities**

The notice details that the premises user has advised that the premises will be used for the temporary activities of the **Sale of Alcohol, Provision of Regulated Entertainment between 18:00hrs on the 5<sup>th</sup> December till 00:30hrs 6<sup>th</sup> December 2015.**

The maximum number of people as indicated within the Notice at any one time that will be allowed on the premises during the times when licensable activities take place during the event, including staff, will be 350.

## **3 Existing Authorisations**

The Premises currently holds a Premise Licence under the Licencing Act 2003, (A copy of the Premises is attached as Appendix 2 of this report) The Premises Licence holder and DPS is currently Mark Jones.

## **4 Objection Notice**

In accordance the amended Guidance under Section 182 of the Licensing Act 2003 an objection to this notice .(Copy attached Appendix 3) was served on the Licensing Authority by Newport City Council Environmental Protection Team in accordance of Section 104 Licensing Act 2003 which allows responsible authorities 72 hours to consider such notice of a Temporary Event, on the grounds that the event would undermine the Licensing Objective in respect of the Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.

This objection having met the statutory requirements was accepted and the notification has been referred to Newport City Council's Licensing Sub-Committee for determination.

## **5 Legal Considerations**

- a. The Temporary Event Notification has been served in accordance with requirements of the Licensing Act 2003, Police Reform and Social Responsibilities Act 2012.
- b. The objection to this Temporary Event Notification complies with the provisions of Section 182 of the Licensing Act 2003 which provides that the Secretary of State must issue and, from time to time, may revise guidance to licensing authorities on the discharge of their functions under the 2003 Act
- c. The police and a local authority exercising environmental health functions have a period of three working days from when they are served a copy of the notice to object to it on the basis of any of the four licensing objectives.
- d. If the licensing authority receives an objection notice from the police or local authority exercising environmental health functions that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary).

- e. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice.
- f. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. (Existing Conditions are attached at Appendix 2 of this report)
- g. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”), and provide a copy to each relevant party.
- h. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.
- i. All decisions taken by the Sub-Committee must
  - be within the legal powers of the Council and its Committees;
  - comply with any procedural requirement imposed by law;
  - be undertaken in accordance with the procedural requirements imposed by the Council;
  - be fully and properly informed;
  - be properly motivated; and
  - be reasonable and proper in all the circumstances.

## **6 Issues for Discussion**

- The objection notice from Newport City Council Public Protection team and evidence provided.
- Information provided by the applicant.
- Does the notice undermine the promotion of the ‘Licensing Objectives’
- To allow the event as notified.
- To allow the event (with the provision of attaching one or more of the existing premises licence conditions)
- To issue a counter notice if it is decided that the allowing the event to proceed would undermine the licensing objective of the prevention of Public Nuisance.

## **Appendices**

## Appendix 1 - Temporary Event Notification

A copy of the 'online' notification/application form served under section 100 of the Licensing Act 2003 by Mr Jones, giving notice of a temporary event, to be held at Rodney Parade.

### **Livia Reiffer (Licensing Administrative Officer)**

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**From:** City Contact Centre  
**Sent:** 12 November 2015 11:18  
**To:** Environment Licensing  
**Subject:** New TEN submission  
**Attachments:** jadu\_form\_420464.pdf

A new Online form - Temporary Event Licence

Reference number 420464

Question	Response
<i>Title:</i>	Mr
<i>Surname:</i>	Jones
<i>Forename:</i>	Mark
<i>Previous names (Please enter details of any previous names or maiden names, if applicable):</i>	
<i>Date of birth:</i>	12/10/1965
<i>Place of birth:</i>	Caerphilly
<i>National Insurance Number:</i>	NH 60 34 66 C
<i>payment:</i>	21
<i>Your current address :</i>	Rodney Parade, Rodney road, Newport
<i>Post code:</i>	NP19 0AX
<i>Daytime telephone:</i>	07779789789
<i>Evening telephone:</i>	07779789789
<i>Mobile telephone:</i>	07779789789
<i>Fax number:</i>	
<i>Email address:</i>	mark.Jones@rodneyparadeltd.com
<i>Please note: This is the address that we will use to correspond with you, unless you provide alternative details. Do you wish to provide an alternative address for correspondence? :</i>	No
<i>Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including Ordnance Survey references) - Please read note 2:</i>	Rodney Parade, Rodney road, Newport
<i>Does the premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate details. Premises licence number:</i>	15/00417/LAPRE
<i>Club premises certificate number (if applicable):</i>	
<i>If you intend to use only part of the premises at this address or intend to restrict the area to which this notice</i>	400 person capacity Marquee erected on the car park area adjacent to the Stadium and within the

<i>applies, please give a description and details below. (Please read note 3):</i>	grounds of Rodney Parade
<i>Please describe the nature of the premises below. (Please read note 4):</i>	400 Capacity Marquee, situated as described above
<i>Please describe the nature of the event below. (Please read note 5):</i>	Xmas function with a live band and discotheque
<i>Please state the licensable activities that you intend to carry on at the premises (please read note 6):</i>	The sale by retail of alcohol
<i>Please state the licensable activities that you intend to carry on at the premises (please read note 6):</i>	The provision of regulated entertainment
<i>Are you giving a late temporary event notice? (please read note 7):</i>	No
<i>Please state the dates on which you intend to use these premises for licensable activities. (please read note 8):</i>	5th/6th December 2015
<i>Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (please read note 9):</i>	1800 5th December 2015 until 0030hrs 6th December 2015
<i>Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (please read note 10):</i>	350
<i>If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please read note 11):</i>	On the premises only
<i>Please state if the licensable activities will include the relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12):</i>	1900 hrs 5th December 2015 to 0015hrs 6th December 2015
<i>Do you currently hold a valid personal licence?:</i>	Yes
<i>Issuing licensing authority:</i>	Newport City Council
<i>Licence number:</i>	15/00417/LAPRE 12-2433
<i>Date of issue:</i>	14.11.2012
<i>Any further relevant details:</i>	
<i>Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:</i>	No
<i>If answering yes, please state the number of temporary event notices you have given for events in that same calendar year :</i>	
<i>Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? :</i>	No
<i>Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?:</i>	No

*If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:*

*Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?:* No

*Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? :* No

*If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.:*

*Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? :* No

*I confirm that all the details I have provided are complete and correct:* I agree

*Confirmation:*

I have read the conditions and declaration above

*Name of person completing request:*

Ian Wilkinson

For completion by the licensing Authority

Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer Signing	
Position of Officer Signing	

**Appendix 2 - Copy of Premises Licence issued under Licensing Act 2003**

**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**



<b>Premises Licence Number</b>	15/00417/LAPRE
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**Part 1 – Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>
Newport Athletic Club Rodney Parade Newport South Wales NP19 0AP
<b>Telephone number</b>

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
Sale by retail of Alcohol Boxing or Wrestling Performance of Dance Exhibition of a Film Indoor Sporting Event Performance of Live Music Playing of Recorded Music Live or Recorded Music, or similar Performance of a Play Late Night Refreshment

<b>Times the licence authorises the carrying out of licensable activities</b>
Sale by retail of Alcohol Monday to Thursday inclusive 10:00 - Midnight Friday and Saturday 10:00 - 01:30 Sunday 10:00 - Midnight
Boxing or Wrestling Monday to Thursday inclusive 10:00 - Midnight Friday and Saturday 10:00 - 01:30 Sunday 10:00 - 22:00

Performance of Dance

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - 22:00

Exhibition of a Film

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - 22:00

Indoor Sporting Event

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - 22:00

Performance of Live Music

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - 22:00

Playing of Recorded Music

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - 22:00

Live or Recorded Music, or similar

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - Midnight

Performance of a Play

Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30

Sunday 10:00 - 22:00

Late Night Refreshment

Monday to Thursday inclusive 23:00 - Midnight

Friday and Saturday 23:00 - 01:30

Sunday 23:00 - 22:00

Indoors

Sunday prior to Bank Holiday Monday 1000-0130

Bank Holiday Mondays 1000 -0130

Christmas Eve 1000-0130

Boxing Day 1000-0130

New Years Eve 1000-0130

New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:

Sunday prior to Bank Holiday Monday 1000-2230

Bank Holiday Mondays 1000 -2230

Christmas Eve 1000-2230

Boxing Day 1000-2230

New Years Eve 1000-2230

New Years Day 1000-2230Indoors

Sunday prior to Bank Holiday Monday 1000-0130

Bank Holiday Mondays 1000 -0130

Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230

Plays, Films, Boxing or Wrestling entertainments, performance of dance and anything of a similar description are restricted to Indoor only and shall be held between 10:00 until 00:00 hours Monday to Thursday, 10:00 until 01:30 hours Friday to Saturday, 10:00 until 22:00 hours on a Sunday.

Indoor Regulated Entertainment (recorded music/ live music) shall only be held between 10:00 until 00:00 hours on a Monday to Thursday, 10:00 to 01:30 Friday and Saturday, 10:00 until 22:00 on a Sunday.

Outdoor Regulated Entertainment (Plays, Films, Boxing or wrestling entertainment, Live music, recorded music, performance of dance and anything of similar description) within the boundary of Newport Rugby Football Club will be restricted to a limit of no more than twelve events before 18:00 hours during a calendar year (January to December). No more than one event over the course of a weekend (Friday to Sunday).

Outdoor Regulated entertainment (Live and recorded music only) within the boundary of Newport Rugby Football Club will be restricted to two events after 18:00 hours during a calendar year (January to December). No more than one event over the course of a weekend (Friday to Sunday). Events must finish before 22:00 hours Monday to Thursday, 22:30 hours Friday and Saturday and 21:00 hours on a Sunday. On the occasion of such an Outdoor event The Premises Licence holder shall send Environmental Health a detailed plan of the site to include location of staging area including size, details regarding the amplified sound equipment, bars, toilets, exit an

Indoors

Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230  
Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230 Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Indoors

Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230 Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230 Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230

Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230

Indoors

Sunday prior to Bank Holiday Monday 2300-0130  
Bank Holiday Mondays 2300-0130  
Christmas Eve 2300-0130  
Boxing Day 2300-0130  
New Years Eve 2300-0130  
New Years Day 2300-0130

**The opening hours of the premises**

Friday and Saturday 07:00 - 02:30  
Monday to Thursday inclusive 07:00 - 00:30  
Sunday 07:00 - 00:30

**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**

Newport Rugby Football Club Limited  
Newport Athletic Club  
Rodney Road  
Newport  
NP19 0AP

E Mail Mark.jones@rodneyparadeld.com  
Telephone Number 01633 670690

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

Registered Business Number 3559359

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

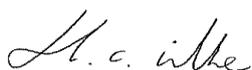
Mark Jones  
7 Cornwall Road  
Newport  
South Wales  
NP19 7SR

**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: NCC-12-2433          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**



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

1. Rodney Parade comprises of the main stadium, stands and terraces, an additional playing field. Within the grounds are Rodney Hall and clubhouse, The Bisley Suite which is incorporated in the new stand and other suites and bars within and around the main stadia and all shown on the official plans submitted with the application.
2. On event days, all communications relating to the Safety management of the Rodney Parade Stadium are controlled from the dedicated event control room which is situated on the Level 2 in the South corner of the Stadium (Bisley Stand). The event control room has been designed in accordance with the requirements of the 'Green Guide'.
3. Outdoor Events within the complex of Rodney Parade will take place on no more than 12 occasions in a calendar year and shall be organised and implemented in strict compliance of the provisions of the Rodney Parade Ltd Management Plan relating to the Statement of Safety Policy Contingency Plans.
4. For Outdoor (Licensable Activities) Events under 1000 persons, the premises license holder shall to undertake a written risk assessment of the event which must include a section highlighting how the licensing activities will not compromise the four licensing objectives. A minimum of 7 days' notice should be given to the Licensing Authority.
5. For outdoor (Licensable Activities) events between 1000 to 5000 persons in attendance, a minimum of two months notification will be given to The Licensing Authority & Newport City Council Safety Advisory Group. The Licensee shall comply with the Event Management Plan submitted to Licensing Authority alongside any appropriate condition recommended by the Licensing Authority or Responsible Authority under the Licensing Act 2003 to ensure the event promotes the four Licensing Objectives.

On the occasion of such an Outdoor event The Premises Licence holder shall send Environmental Health a detailed plan of the site to include location of staging area including size, details regarding the amplified sound equipment, bars, toilets, exit and entry points) no later than 28 days prior to the performance of any outside event.

An Officer from Environmental Health may monitor the noise levels from the event and must be given access to the site for the purpose of carrying out his/her duties.

The Proposed Management Plan as minimum will contain the following:

### Safety Policy:

This document will outline everybody's health and safety responsibilities throughout the event the document will also highlight the management responsibility for the event, who reports to whom and what areas the Key Players are responsible for.

### Site Plan:

A plan of the site showing the location of the stages, temporary structures (i.e. marquees) barriers, front of house, entry and exit points, emergency routes, toilets, etc.

### Marquees and Large Tents and Temporary Structure

The Licensee will obtain and provide copies of certification for all marquee and large tent fabrics and membranes to show they comply with the appropriate British Standards. Certification and certification that a temporary structure ie a stage is safe for purpose.

### 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.

### Stewards

Their functions include ensuring security at entrances and exits, carrying out fire patrols and controlling vehicle parking and marshaling traffic. Stewards will be located at key points, e.g barriers, pit areas, gangways, entrance and exits and mixer desks / delay towers. A full survey will take place to determine the number of stewards required

### Electrical Installations and Lighting:

The electrical installation will comply with the requirements of the Electrical at Work Regulations 1989.

### Sanitary Facilities:

The event management plan will detail the numbers and type of toilets and wash hand basins for the event.

### Noise and Vibration:

- A basic noise assessment will be provided for each event, the assessment will include the following:
- Likely sound levels in the audience area
- The arrangement for monitoring and control of sound levels during the event.
- The likely sound levels outside the venue.

As it is recognised that outdoor events will be undertaken in a sensitive residential area, any appropriate condition recommended by the Newport City Council Licensing Authority or any Responsible Authority particularly the Councils Environmental Health Noise team would be implemented.

### Firework Displays and Pyrotechnics:

The document will include full risk assessment of the use of pyrotechnics and fireworks.

### Admission Policy:

A policy will detail how admission to the event will be controlled, e.g. cash sales, ticket only sales, reserved or unreserved seat sales or advance ticket only

(It is noted that higher risk or larger events will require more complex management plans)

### The prevention of crime and disorder:

1. CCTV cameras shall be operational at all times that the premise is trading. Cameras will be positioned to cover the whole of the external licensed areas of the premises including the entrance and exit points to the stadia. Cameras will also be located inside the suites and bars where customers and spectators congregate or attend public and private functions.
2. The CCTV system shall be capable of recording and copying to a medium to allow playback and all recordings shall be kept for a minimum of 28 days.
3. Upon lawful request a copy of recordings will be provided to any Authorised Officer of a Responsible Authority in accordance with the provisions of the Data Protection Act 1998.
4. Any incident of Crime and Disorder observed or reported to the staff employed within the stadium shall be recorded in writing in a diary or log specified for that purpose and where necessary such incident or Crime will be reported to Heddlu Gwent Police.

### Public safety:

1. Notices shall be on display throughout the premises informing customers of the customer code of conduct in the premises.
2. The Designated Premises Supervisor must ensure that no intoxicating liquor shall be removed from the premises.
3. All drinking glasses shall be manufactured from strengthened glass, polycarbonate or plastic alternative.

4. No drinks in glass bottles will be provided or supplied to customers at a sporting event (unless in corporate hospitality or written permission has been provided by the Principal Licensing Officer)
5. At any boxing, wrestling or other entertainment of a similar nature, members of the public shall not occupy any seat within 2.5 metres of the ring.
6. During any event within the bars/lounge/suites of premises which is anything other than private functions such as weddings or similar the premises licence holder will provide a risk assessed requirement to provide SIA registered door staff with a minimum of two to ensure the safety of attendees at the function and control the entrance/exits.

The prevention of public nuisance:

1. Where Licensing Activities (Regulated Entertainment) is being provided within any of the designated bars and suites within Rodney Parade (other than the proposed 12 events a year).
2. The Premises Licence Holder, nominated person, or DPS will assess the impact of any noisy activities on neighbouring premises at the start of regulated entertainment and periodically throughout regulated entertainment and take action to reduce noise levels if they are found to be heard above background levels at the nearest residential property.
3. An Officer from Environmental Health may monitor the noise levels from the event and must be given access to the site for the purpose of carrying out his/her duties.
4. There shall be no movement of equipment associated with the entertainment from the premises between the hours of 24:00 and 08:00.
5. All windows and doors shall be kept closed during indoor live and recorded music and an alternative means of ventilation shall be used.
6. All external fire doors shall be kept closed, whilst entertainment is being provided

The Protection of Children from harm:

1. All points detailed within the Child Protection Policy section of Rodney Parade Ltd Management Plan and Statement of Safety Policy Contingency Plans will be implemented.
2. With specific regard to the sale of alcohol anywhere within the curtilage of the area covered by the premises licence the seller of the alcohol shall comply with the national scheme entitled 'Challenge 21' where any person believed to be under that age will be required to provide proof of age such as a photocard drivers licence, passport or PASS approved ID card before any such sale of alcohol is made.
3. Notices to indicate that the premises operate 'Challenge 21' will be prominently displayed in the bar areas where alcohol is sold.

**Conditions attached after a hearing by the licensing authority**

NIL.

**Plans**

Please see attached plans (reference number).

## Appendix 3 - Objection Notice

### Objection Notice from Rodney Parade under section 104 of the Licensing Act 2003.

Ask iac/Gofynnwrcb **Brian Miles**  
Dwr Rele/Bwr Cyf **BM/EH/Pollution/15/11222**  
Your Rele/Bwr Cyf  
Tel/Ffôn **01633 656656**  
Direet Dial/Wlif **01633 851708**  
DX **99463 Newport (Gwent) 3**  
E-Mail/E-Bost **[brian.miles@newport.gov.uk](mailto:brian.miles@newport.gov.uk)**

**Law and Regulation**

**Y Gyfraith a Rheoleiddio**

Public Protection/Diogelu'r Cyhoedd  
Environmental Health/Iechyd yr Amgylchedd  
Newport City Council/Cyngor Dinas Casnewydd  
Civic Centre/Canolfan Ddinesig  
Newport/Casnewydd  
NP20 4UR



## MEMORANDUM

**DATE:** 16<sup>th</sup> November 2015

**TO:** Environmental Licensing Team

**FROM:** Environmental Protection Team

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### Objection Notice issued under Section 104 Licensing Act 2003

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**APPLICANT:** MR MARK JONES

**ADDRESS:** Rodney Road, Newport, South Wales, NP19 0UU

**VENUE:** NEWPORT ATHLETIC CLUB

**EVENT DATE(S):** 5/6, 18/19 & 19/20 DEC 15 BETWEEN 18:00 UNTIL 00:30.

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I can confirm that the above-mentioned Temporary Event Notices were received by the Environmental Protection Team on the 12<sup>th</sup> November 2015 and allocated to the undersigned on the 16<sup>th</sup> November 2015.

I wish to object against these Temporary Events, Reference Numbers 420464 & 420506 by virtue of Section 182 Licensing Act 2003 (amended guidance).

Should the above events take place, there are concerns that residents will be effected/disturbed and that therefore the licensing objective "prevention of public nuisance" will be undermined.

It was previously agreed and therefore, it is further reiterated that; Outdoor Regulated Entertainment (Live and Recorded Music Only) within the boundary of Newport Rugby Football Club will be restricted to two events after 18:00 hours during a calendar year. No more than one event over the course of a weekend (Friday to Sunday). AND events must finish before 22:00 hours Monday to Thursday, 22:30 hours Friday and Saturday and 21:00 hours on a Sunday.

However, should the applicant wish to amend the timings within the Temporary Event Notices as detailed above, I would then withdraw my representation.

Regards

*Brian Miles*

**Brian Miles**  
**Pollution Control Officer**  
*Swyddog Rheoli Llygredd*

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# Report

## Licensing Sub-Committee

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### Part 1

Date: 25 November 2015

Item No: 5

**Subject** Temporary Event Notice Objection: Rodney Parade, Rodney Road, Newport, NP19 OUU

**Purpose** To consider the objection notice served on the Licensing Authority by Newport City Council Environmental Protection Team in respect of a notice of a temporary event to take place at Rodney Parade, Rodney Road, Newport NP19 0AX on the 5<sup>th</sup> December 2015 and having regard to the objection notice, to consider whether the premises user should be given a counter notice to ensure the promotion Licensing Objectives in respect of the Prevention of Public Nuisance.

**Author** Principal Licensing Officer

**Ward** As indicated in the report

**Summary** The Licensing Committee has delegated powers to take decisions in relation to licensing applications. The Licensing Committee will make the decision on whether a counter notice should be served on the premises user.

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

**Contact** Principal Licensing Officer

**Action by** Head of Law and Regulation

**Timetable** Immediate

**Signed**

## **1. Application**

On 12<sup>th</sup> November 2015 a notification under Section 100 of the Licensing Act 2003 giving notice of a temporary activity was served by a Mr Mark Jones for a proposed temporary event providing 'licensable activities' to be held in a Marquee erected on car park area adjacent to Rodney Parade Stadium.

This notification (Copy attached as Appendix 1) was served on Newport City Council via the online provisions of the Councils website and in accordance with procedure was served on the responsible authorities of Heddle Gwent Police and Newport City Council Environmental Health Department the same day giving those responsible authorities 3 working days to make representation.

## **2. Temporary Activities**

The notice details that the premises user has advised that the premises will be used for the temporary activities of the **Sale of Alcohol, Provision of Regulated Entertainment between 18:00hrs on the 18<sup>th</sup> & 19<sup>th</sup> December till 00:30hrs 19<sup>th</sup> & 20<sup>th</sup> December 2015.**

The maximum number of people as indicated within the Notice at any one time that will be allowed on the premises during the times when licensable activities take place during the event, including staff, will be 499.

## **3. Existing Authorisations**

The Premises currently holds a Premise Licence under the Licencing Act 2003, (A copy of the Premises is attached as Appendix 2 of this report) The Premises Licence holder and DPS is currently Mark Jones.

## **4. Objection Notice**

In accordance the amended Guidance under Section 182 of the Licensing Act 2003 an objection to this notice .(Copy attached Appendix 3) was served on the Licensing Authority by Newport City Council Environmental Protection Team in accordance of Section 104 Licensing Act 2003 which allows responsible authorities 72 hours to consider such notice of a Temporary Event, on the grounds that the event would undermine the Licensing Objective in respect of the Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.

This objection having met the statutory requirements was accepted and the notification has been referred to Newport City Council's Licensing Sub-Committee for determination.

## **5. Legal Considerations**

- a. The Temporary Event Notification has been served in accordance with requirements of the Licensing Act 2003, Police Reform and Social Responsibilities Act 2012.
- b. The objection to this Temporary Event Notification complies with the provisions of Section 182 of the Licensing Act 2003 which provides that the Secretary of State must issue and, from time to time, may revise guidance to licensing authorities on the discharge of their functions under the 2003 Act
- c. The police and a local authority exercising environmental health functions have a period of three working days from when they are served a copy of the notice to object to it on the basis of any of the four licensing objectives.
- d. If the licensing authority receives an objection notice from the police or local authority exercising environmental health functions that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary).

- e. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice.
- f. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. (Existing Conditions are attached at Appendix 2 of this report)
- g. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”), and provide a copy to each relevant party.
- h. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.
- i. All decisions taken by the Sub-Committee must
  - be within the legal powers of the Council and its Committees;
  - comply with any procedural requirement imposed by law;
  - be undertaken in accordance with the procedural requirements imposed by the Council;
  - be fully and properly informed;
  - be properly motivated; and
  - be reasonable and proper in all the circumstances.

## **6. Issues for Discussion.**

- The objection notice from Newport City Council Public Protection team and evidence provided.
- Information provided by the applicant.
- Does the notice undermine the promotion of the ‘Licensing Objectives’
- To allow the event as notified.
- To allow the event (with the provision of attaching one or more of the existing premises licence conditions)
- To issue a counter notice if it is decided that the allowing the event to proceed would undermine the licensing objective of the prevention of Public Nuisance.

## **Appendices**

## Appendix 1 - Temporary Event Notification

A copy of the 'online' notification/application form served under section 100 of the Licensing Act 2003 by Mr Jones, giving notice of a temporary event, to be held at Rodney Parade..

### **Livia Reiffer (Licensing Administrative Officer)**

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**From:** City Contact Centre  
**Sent:** 12 November 2015 11:34  
**To:** Environment Licensing  
**Subject:** New TEN submission  
**Attachments:** jadu\_form\_420506.pdf

A new Online form - Temporary Event Licence

Reference number 420506

Question	Response
<i>Title:</i>	Mr
<i>Surname:</i>	jones
<i>Forename:</i>	mark
<i>Previous names (Please enter details of any previous names or maiden names, if applicable):</i>	
<i>Date of birth:</i>	12/10/1965
<i>Place of birth:</i>	Caerphilly
<i>National Insurance Number:</i>	NH 60 34 66 C
<i>payment:</i>	21
<i>Your current address :</i>	Rodney Parade, Rodney road, Newport
<i>Post code:</i>	NP19 0AX
<i>Daytime telephone:</i>	07779789789
<i>Evening telephone:</i>	07779789789
<i>Mobile telephone:</i>	07779789789
<i>Fax number:</i>	
<i>Email address:</i>	mark.Jones@rodneyparadeltd.com
<i>Please note: This is the address that we will use to correspond with you, unless you provide alternative details. Do you wish to provide an alternative address for correspondence? :</i>	No
<i>Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including Ordnance Survey references) - Please read note 2:</i>	Rodney Parade, Rodney road, Newport
<i>Does the premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate details. Premises licence number:</i>	15/00417/LAPRE
<i>Club premises certificate number (if applicable):</i>	
<i>If you intend to use only part of the premises at this address or intend to restrict the area to which this</i>	400 capacity Marquee erected on Car Park area adjacent to Stadium and within the grounds of

notice applies, please give a description and details below. (Please read note 3):

Please describe the nature of the premises below. (Please read note 4):

Please describe the nature of the event below. (Please read note 5):

Please state the licensable activities that you intend to carry on at the premises (please read note 6):

Please state the licensable activities that you intend to carry on at the premises (please read note 6):

Are you giving a late temporary event notice? (please read note 7):

Please state the dates on which you intend to use these premises for licensable activities. (please read note 8):

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (please read note 9):

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (please read note 10):

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please read note 11):

Please state if the licensable activities will include the relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12):

Do you currently hold a valid personal licence?:

Issuing licensing authority:

Licence number:

Date of issue:

Any further relevant details:

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year :

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? :

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event

Rodney Parade

400 capacity Marquee as above

Xmas functions with live bands and discotheque

The sale by retail of alcohol

The provision of regulated entertainment

No

1800hrs on 18th December 2015 until 0030hrs on 20th December 2015

1800hrs 18th December 2015 until 0030hrs on 19th December 2015, 1800hrs on 19th December 2015 until 0030hrs on 20th December 2015

499

On the premises only

Entertainment in form of live bands and Discotheque, activities between 1900hrs and 0015hrs 18/19th and 19/20th December

Yes

Newport City Council

~~15/00417/LAPRE~~ 12-2433

14.11.2012

Yes

1

No

No

notice?:

If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? : No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? : No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.:

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? : No

I confirm that all the details I have provided are complete and correct: I agree

Confirmation: I have read the conditions and declaration above  
Name of person completing request: Ian Wilkinson

For completion by the licensing Authority

Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer Signing	
Position of Officer Signing	

**Appendix 2 - Copy of Premises Licence issued under Licensing Act 2003**

**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**



<b>Premises Licence Number</b>	15/00417/LAPRE
--------------------------------	----------------

**Part 1 – Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>
Newport Athletic Club Rodney Parade Newport South Wales NP19 0AP
<b>Telephone number</b>

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
Sale by retail of Alcohol Boxing or Wrestling Performance of Dance Exhibition of a Film Indoor Sporting Event Performance of Live Music Playing of Recorded Music Live or Recorded Music, or similar Performance of a Play Late Night Refreshment

<b>Times the licence authorises the carrying out of licensable activities</b>
Sale by retail of Alcohol Monday to Thursday inclusive 10:00 - Midnight Friday and Saturday 10:00 - 01:30 Sunday 10:00 - Midnight
Boxing or Wrestling Monday to Thursday inclusive 10:00 - Midnight

Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Performance of Dance

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Exhibition of a Film

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Indoor Sporting Event

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Performance of Live Music

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Playing of Recorded Music

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Live or Recorded Music, or similar

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - Midnight

Performance of a Play

Monday to Thursday inclusive 10:00 - Midnight  
Friday and Saturday 10:00 - 01:30  
Sunday 10:00 - 22:00

Late Night Refreshment

Monday to Thursday inclusive 23:00 - Midnight  
Friday and Saturday 23:00 - 01:30  
Sunday 23:00 - 22:00

Indoors

Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230

New Years Day 1000-2230Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230

Plays, Films, Boxing or Wrestling entertainments, performance of dance and anything of a similar description are restricted to Indoor only and shall be held between 10:00 until 00:00 hours Monday to Thursday, 10:00 until 01:30 hours Friday to Saturday, 10:00 until 22:00 hours on a Sunday.

Indoor Regulated Entertainment (recorded music/ live music) shall only be held between 10:00 until 00:00 hours on a Monday to Thursday, 10:00 to 01:30 Friday and Saturday, 10:00 until 22:00 on a Sunday.

Outdoor Regulated Entertainment (Plays, Films, Boxing or wrestling entertainment, Live music, recorded music, performance of dance and anything of similar description) within the boundary of Newport Rugby Football Club will be restricted to a limit of no more than twelve events before 18:00 hours during a calendar year (January to December). No more than one event over the course of a weekend (Friday to Sunday).

Outdoor Regulated entertainment (Live and recorded music only) within the boundary of Newport Rugby Football Club will be restricted to two events after 18:00 hours during a calendar year (January to December). No more than one event over the course of a weekend (Friday to Sunday). Events must finish before 22:00 hours Monday to Thursday, 22:30 hours Friday and Saturday and 21:00 hours on a Sunday. On the occasion of such an Outdoor event The Premises Licence holder shall send Environmental Health a detailed plan of the site to include location of staging area including size, details regarding the amplified sound equipment, bars, toilets, exit an

Indoors

Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130

New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230 Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Indoors

Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230 Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230 Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230

Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230Indoors  
Sunday prior to Bank Holiday Monday 1000-0130  
Bank Holiday Mondays 1000 -0130  
Christmas Eve 1000-0130  
Boxing Day 1000-0130  
New Years Eve 1000-0130  
New Years Day 1000-0130

Outdoor

Sunday to Saturday 1000-2200 save for:  
Sunday prior to Bank Holiday Monday 1000-2230  
Bank Holiday Mondays 1000 -2230  
Christmas Eve 1000-2230  
Boxing Day 1000-2230  
New Years Eve 1000-2230  
New Years Day 1000-2230

Indoors

Sunday prior to Bank Holiday Monday 2300-0130  
Bank Holiday Mondays 2300-0130  
Christmas Eve 2300-0130  
Boxing Day 2300-0130  
New Years Eve 2300-0130  
New Years Day 2300-0130

**The opening hours of the premises**

Friday and Saturday 07:00 - 02:30  
Monday to Thursday inclusive 07:00 - 00:30  
Sunday 07:00 - 00:30

**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**

Newport Rugby Football Club Limited  
Newport Athletic Club  
Rodney Road  
Newport  
NP19 0AP

E Mail Mark.jones@rodneyparadeld.com  
Telephone Number 01633 670690

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

Registered Business Number 3559359

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

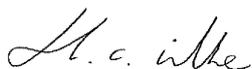
Mark Jones  
7 Cornwall Road  
Newport  
South Wales  
NP19 7SR

**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: NCC-12-2433          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**



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

1. Rodney Parade comprises of the main stadium, stands and terraces, an additional playing field. Within the grounds are Rodney Hall and clubhouse, The Bisley Suite which is incorporated in the new stand and other suites and bars within and around the main stadia and all shown on the official plans submitted with the application.
2. On event days, all communications relating to the Safety management of the Rodney Parade Stadium are controlled from the dedicated event control room which is situated on the Level 2 in the South corner of the Stadium (Bisley Stand). The event control room has been designed in accordance with the requirements of the 'Green Guide'.
3. Outdoor Events within the complex of Rodney Parade will take place on no more than 12 occasions in a calendar year and shall be organised and implemented in strict compliance of the provisions of the Rodney Parade Ltd Management Plan relating to the Statement of Safety Policy Contingency Plans.
4. For Outdoor (Licensable Activities) Events under 1000 persons, the premises license holder shall to undertake a written risk assessment of the event which must include a section highlighting how the licensing activities will not compromise the four licensing objectives. A minimum of 7 days' notice should be given to the Licensing Authority.
5. For outdoor (Licensable Activities) events between 1000 to 5000 persons in attendance, a minimum of two months notification will be given to The Licensing Authority & Newport City Council Safety Advisory Group. The Licensee shall comply with the Event Management Plan submitted to Licensing Authority alongside any appropriate condition recommended by the Licensing Authority or Responsible Authority under the Licensing Act 2003 to ensure the event promotes the four Licensing Objectives.

On the occasion of such an Outdoor event The Premises Licence holder shall send Environmental Health a detailed plan of the site to include location of staging area including size, details regarding the amplified sound equipment, bars, toilets, exit and entry points) no later than 28 days prior to the performance of any outside event.

An Officer from Environmental Health may monitor the noise levels from the event and must be given access to the site for the purpose of carrying out his/her duties.

The Proposed Management Plan as minimum will contain the following:

### Safety Policy:

This document will outline everybody's health and safety responsibilities throughout the event the document will also highlight the management responsibility for the event, who reports to whom and what areas the Key Players are responsible for.

### Site Plan:

A plan of the site showing the location of the stages, temporary structures (i.e. marquees) barriers, front of house, entry and exit points, emergency routes, toilets, etc.

### Marquees and Large Tents and Temporary Structure

The Licensee will obtain and provide copies of certification for all marquee and large tent fabrics and membranes to show they comply with the appropriate British Standards. Certification and certification that a temporary structure ie a stage is safe for purpose.

### 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.

### Stewards

Their functions include ensuring security at entrances and exits, carrying out fire patrols and controlling vehicle parking and marshaling traffic. Stewards will be located at key points, e.g barriers, pit areas, gangways, entrance and exits and mixer desks / delay towers. A full survey will take place to determine the number of stewards required

### Electrical Installations and Lighting:

The electrical installation will comply with the requirements of the Electrical at Work Regulations 1989.

### Sanitary Facilities:

The event management plan will detail the numbers and type of toilets and wash hand basins for the event.

### Noise and Vibration:

- A basic noise assessment will be provided for each event, the assessment will include the following:
- Likely sound levels in the audience area
- The arrangement for monitoring and control of sound levels during the event.
- The likely sound levels outside the venue.

As it is recognised that outdoor events will be undertaken in a sensitive residential area, any appropriate condition recommended by the Newport City Council Licensing Authority or any Responsible Authority particularly the Councils Environmental Health Noise team would be implemented.

### Firework Displays and Pyrotechnics:

The document will include full risk assessment of the use of pyrotechnics and fireworks.

### Admission Policy:

A policy will detail how admission to the event will be controlled, e.g. cash sales, ticket only sales, reserved or unreserved seat sales or advance ticket only

(It is noted that higher risk or larger events will require more complex management plans)

### The prevention of crime and disorder:

1. CCTV cameras shall be operational at all times that the premise is trading. Cameras will be positioned to cover the whole of the external licensed areas of the premises including the entrance and exit points to the stadia. Cameras will also be located inside the suites and bars where customers and spectators congregate or attend public and private functions.
2. The CCTV system shall be capable of recording and copying to a medium to allow playback and all recordings shall be kept for a minimum of 28 days.
3. Upon lawful request a copy of recordings will be provided to any Authorised Officer of a Responsible Authority in accordance with the provisions of the Data Protection Act 1998.
4. Any incident of Crime and Disorder observed or reported to the staff employed within the stadium shall be recorded in writing in a diary or log specified for that purpose and where necessary such incident or Crime will be reported to Heddlu Gwent Police.

### Public safety:

1. Notices shall be on display throughout the premises informing customers of the customer code of conduct in the premises.
2. The Designated Premises Supervisor must ensure that no intoxicating liquor shall be removed from the premises.
3. All drinking glasses shall be manufactured from strengthened glass, polycarbonate or plastic alternative.

4. No drinks in glass bottles will be provided or supplied to customers at a sporting event (unless in corporate hospitality or written permission has been provided by the Principal Licensing Officer)
5. At any boxing, wrestling or other entertainment of a similar nature, members of the public shall not occupy any seat within 2.5 metres of the ring.
6. During any event within the bars/lounge/suites of premises which is anything other than private functions such as weddings or similar the premises licence holder will provide a risk assessed requirement to provide SIA registered door staff with a minimum of two to ensure the safety of attendees at the function and control the entrance/exits.

The prevention of public nuisance:

1. Where Licensing Activities (Regulated Entertainment) is being provided within any of the designated bars and suites within Rodney Parade (other than the proposed 12 events a year).
2. The Premises Licence Holder, nominated person, or DPS will assess the impact of any noisy activities on neighbouring premises at the start of regulated entertainment and periodically throughout regulated entertainment and take action to reduce noise levels if they are found to be heard above background levels at the nearest residential property.
3. An Officer from Environmental Health may monitor the noise levels from the event and must be given access to the site for the purpose of carrying out his/her duties.
4. There shall be no movement of equipment associated with the entertainment from the premises between the hours of 24:00 and 08:00.
5. All windows and doors shall be kept closed during indoor live and recorded music and an alternative means of ventilation shall be used.
6. All external fire doors shall be kept closed, whilst entertainment is being provided

The Protection of Children from harm:

1. All points detailed within the Child Protection Policy section of Rodney Parade Ltd Management Plan and Statement of Safety Policy Contingency Plans will be implemented.
2. With specific regard to the sale of alcohol anywhere within the curtilage of the area covered by the premises licence the seller of the alcohol shall comply with the national scheme entitled 'Challenge 21' where any person believed to be under that age will be required to provide proof of age such as a photocard drivers licence, passport or PASS approved ID card before any such sale of alcohol is made.
3. Notices to indicate that the premises operate 'Challenge 21' will be prominently displayed in the bar areas where alcohol is sold.

**Conditions attached after a hearing by the licensing authority**

NIL.

**Plans**

Please see attached plans (reference number).

## Appendix 3 - Objection Notice

### Objection Notice from Rodney Parade under section 104 of the Licensing Act 2003.

Ask Ios/Gofynnwch  
Our Ref/Ein Cyf  
Your Ref/Eich Cyf  
Tel/Ffôn  
Direct Dial/Wlif  
DX  
E-Mail/E-Bost

**Brian Miles**  
BM/EH/Pollution/15/11222  
01633 656656  
**01633 851708**  
99463 Newport (Gwent) 3  
[brian.miles@newport.gov.uk](mailto:brian.miles@newport.gov.uk)

**Law and Regulation**  
**Y Gyfraith a Rheoleiddio**



Public Protection/Diogelu'r Cyhoedd  
Environmental Health/Iechyd yr Amgylchedd  
Newport City Council/Cyngor Dinas Casnewydd  
Civic Centre/Canolfan Ddinesig  
Newport/Casnewydd  
NP20 4UR

## MEMORANDUM

**DATE:** 16<sup>th</sup> November 2015

**TO:** Environmental Licensing Team

**FROM:** Environmental Protection Team

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### Objection Notice issued under Section 104 Licensing Act 2003

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**APPLICANT:** MR MARK JONES

**ADDRESS:** Rodney Road, Newport, South Wales, NP19 0UU

**VENUE:** NEWPORT ATHLETIC CLUB

**EVENT DATE(S):** 5/6, 18/19 & 19/20 DEC 15 BETWEEN 18:00 UNTIL 00:30.

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I can confirm that the above-mentioned Temporary Event Notices were received by the Environmental Protection Team on the 12<sup>th</sup> November 2015 and allocated to the undersigned on the 16<sup>th</sup> November 2015.

I wish to object against these Temporary Events, Reference Numbers 420464 & 420506 by virtue of Section 182 Licensing Act 2003 (amended guidance).

Should the above events take place, there are concerns that residents will be effected/disturbed and that therefore the licensing objective "prevention of public nuisance" will be undermined.

It was previously agreed and therefore, it is further reiterated that; Outdoor Regulated Entertainment (Live and Recorded Music Only) within the boundary of Newport Rugby Football Club will be restricted to two events after 18:00 hours during a calendar year. No more than one event over the course of a weekend (Friday to Sunday). AND events must finish before 22:00 hours Monday to Thursday, 22:30 hours Friday and Saturday and 21:00 hours on a Sunday.

However, should the applicant wish to amend the timings within the Temporary Event Notices as detailed above, I would then withdraw my representation.

Regards

*Brian Miles*

**Brian Miles**  
**Pollution Control Officer**  
*Swyddog Rheoli Llygredd*

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