

Agenda



Licensing Sub-Committee

Date: Tuesday, 2 January 2018

Time: 3.00 pm

Venue: Committee Room 5 - Civic Centre

To: Councillors A Morris, D Davies (Chair), H Thomas (Deputy Chair), M Cornelious, C Jenkins, M Rahman, G Berry, J Cleverly, T Holyoake, V Dudley and J Watkins

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)
4	<u>Licensing Application</u> (Pages 17 - 46) Variation of a Premises Licence in respect of Sam Convenience Store, 186, Upper Dock Street, Newport, NP20 1DB.

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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

Part 1

Date: 2 January 2018

Item No: 1

Subject Licensing Application

Purpose The consideration and decision in respect of an application by Mohammad Salman under Section 34 Licensing Act 2003 for the variation of a Premises Licence in respect of Sam Convenience Store, 186, Upper Dock Street, Newport.

Author Licensing Manager

Ward All Wards

Summary The Licensing Committee have statutory and delegated powers to take decisions in relation to licensing applications. The Licensing Committee will make the decision on the application made pursuant to the relevant legislation under which the application has been made.

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

Action by Head of Law and Regulation

Timetable Statutory Consultation Period

Signed

1. Application

An online application made by Mohammad Salman under section 34 of the Licensing Act 2003 for a Premises Licence to be varied in respect of 186 Upper Dock Street, Newport trading as Sam Convenience Store was served on the Licensing Authority of Newport City Council on 03rd November 2017. (A copy of the application can be found in Appendix 1 of this report)

In accordance with statutory provisions, copies of the application were served on each of the responsible authorities and details of the application were advertised on the premises and in the South Wales Argus, giving the responsible authorities and any other persons until 01st December 2017 to make written representations

The premise is located opposite the Bus Station at Upper Dock Street (street map pictures are included at Appendix 3 of this report) and has traded as a convenience store with the benefit of a Premises Licence for the retail sale of alcohol for consumption 'off' the premises since 18th August 2010. The premise falls within Newport City Council City Centre Cumulative impact Policy, a map of the City Centre Cumulative Impact area can be found in Appendix 3 of this report. Further details regarding Cumulative Impact area can be found in Part 5 of this report.

2. Licensable Activities

The Premises Licence permits the retail sale of alcohol between 08:00hrs and 22:30hrs from Monday to Saturday and between 10:00hrs and 22:30hrs on Sunday. A copy of the current licence can be found in Appendix 2 of this report, alongside the Mandatory and Operating Schedule conditions attached to the licence.

The application seeks to vary the hours during which the retail sale of alcohol "Off the Premises"

Monday, Tuesday and Thursday 08:00hrs until 00:00hrs

Wednesday 08:00hrs until 02:00hrs

Friday and Saturday 08:00hrs until 04:00hrs

Sunday 09:00hrs until 00:00hrs

3. Promotion of the Licensing Objectives

The applicant has presented information described in Section 16 of the application of how the Licensing Objectives shall be promoted.

4. Representations

Representations in respect of the application were received from the '**Responsible Authorities**' of:

- a) Heddlu Gwent Police (Copy included at Appendix 4 of this report)
- b) Newport City Council Licensing Authority (Copy included at Appendix 5 of this report)
- c) Aneurin Bevan Health Board (copy included at Appendix 6 of this report)

5. Policy Considerations

Relevant extracts of the Statement of Licensing Policy as regards this application include:

Section 34 of Newport Licensing Act 2003 Statement of Licensing Policy stipulates:

Cumulative Impact Policy

“Cumulative Impact” is defined in the statutory guidance as, the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

*The cumulative impact of the number, type and density of premises in particular areas, such as the city centre, may lead to those areas becoming saturated with premises of a certain type making them a focal point for large groups of people leading to severe or chronic problems of public nuisance and anti-social behaviour. In such circumstances, the licensing authority may consider the adoption of a **cumulative impact policy** of refusing new premises authorisations within a defined area or areas, provided it is satisfied that it is appropriate and necessary having considered the evidence to support such a decision.*

*The effect of adopting a cumulative impact policy is to create a rebuttable presumption if relevant representations are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, **unless the applicant can demonstrate that the operation of the premises involved** will not add to the cumulative impact already being experienced.*

Applicants will need to address the cumulative impact policy issues in their Operating Schedules in order to rebut such a presumption. Although it must be noted that this presumption does not relieve responsible authorities or interested parties of the need to make a relevant representation before the local authority may lawfully consider giving effect to its cumulative impact policy.

The Licensing Authority recognises that many different types of premises sell alcohol, serve food and provide entertainment. It recognises that some applications in cumulative impact areas will be unlikely to add significantly to the problems arising from saturation or indeed may diversify that area. Accordingly, where it can lawfully make decisions on applications in a cumulative impact area, it will have full regard to the effect different premises may have on that area. The Licensing Authority must grant any application in a cumulative impact policy area subject only to conditions that are consistent with the operating schedule submitted by the applicant if it receives no relevant representation.

The absence of a special saturation/cumulative impact policy does not prevent any responsible authority or interested party making evidence-based relevant representations on a new application, on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

The adoption of such policies should not be understood to be an absolute bar to new authorisations being issued or granting significant variations to existing licenses. Applicants are entitled to seek any of the permissions available to them in the Act and the Licensing Authority does not, in any cumulative impact policy, intend to prevent applicants from exercising their statutory rights. Each application will be considered on its own merits, within the constraints of the legislation and having due regard to the relevant guidance and policy.

However, applicant statements such as, for example:

- *the premises will not add people to the area;*
- *longer hours will create slower dispersal;*
- *history of good management;*
- *premises are well run;*
- *the application is small in nature*
- *alcohol is not sold;*
- *clientele “are a cut above the usual”;*

will not be considered sufficiently exceptional to rebut the presumption. The issue is crime and disorder/public nuisance in the area as a whole, rather than that associated with individual premises.

Applications will be considered favourably if they are judged to encourage a greater variety of types of entertainment than currently exists in the area. In particular, the Licensing Authority welcomes applications which can be viewed as more family friendly and which offer a wider range of entertainment than that which is currently available because it is considered that these will undermine the licensing objectives.

Existing licensees who wish to materially alter and/or extend the premises to which the authorisation relates, are required to seek a new authorisation. This is because the Act prohibits the use of a variation application to substantially alter the premises to which the authorisation relates. Where the only change is to the physical extent or material layout of the premises themselves (i.e. in the absence of additional features such as change in style of operation, capacity etc.), it is highly unlikely this would trigger the Cumulative Impact Policy. However, this policy cannot restrict the right of any Responsible Authority or interested person to make relevant representations in that regard and if such are forthcoming, they will be given due consideration. Where other changes are envisaged then the Cumulative Impact Policy presumption may arise. Applicants in such circumstances are entitled to seek a provisional statement and are encouraged to engage with the Licensing Authority.

The Licensing Authority will periodically review any cumulative impact policies to assess whether they are needed any longer or need expanding.

Newport City Centre Cumulative Impact Policy

Having had regard to the guidance referred to above, consulted upon the issue, taken into account the views of respondents and considered the evidence, the Licensing Authority, as part of its Statement of Licensing Policy, has adopted a Cumulative Impact Policy in respect of City Centre area of Newport.

Reason for the Policy Gwent Police have provided evidence to support their request that the parts of Newport City Centre should continue to be designated as a cumulative impact area. In particular this area has a significant concentration of alcohol-led late night venues, has a high number of assaults and other related crime and disorder, including public nuisance and risk to public safety. The policy will therefore continue to apply to further applications for the grant of new licences or significant variations of existing licences in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take-away outlets. The main focus of the policy is likely to be on alcohol-led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets).

6. Legal Considerations

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

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

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

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

All decisions taken by the Sub-Committee must

- a. be within the legal powers of the Council and its Committees;
- b. comply with any procedural requirement imposed by law;
- c. be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations;
- d. be fully and properly informed;
- e. be properly motivated;
- f. be taken having regard to the Council’s fiduciary duty to its taxpayers; and
- g. be reasonable and proper in all the circumstances.

7. Issues for discussion

- 7.1 The proposed increase in permitted hours for the supply of alcohol sought by the application.
- 7.2 The representations made in respect of the application.
- 7.4 Newport City Council's Statement of Licensing Policy
- 7.5 If mindful to grant the application the attachment of any conditions in order to promote the four Licensing Objectives.

Alastair Dearling
Licensing Manager

Online application for Variation of a Premises Licence.

Newport
Application to vary a premises licence
Licensing Act 2003

For help contact
environment.licensing@newport.gov.uk
 Telephone: 01633 656656

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant? <input type="radio"/> Yes <input checked="" type="radio"/> No		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	MUHAMMAD	
* Family name	SALMAN	
* E-mail	salmaniqbal9@hotmail.com	
Main telephone number	07540409149	Include country code.
Other telephone number	016332672850	
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number	09934128/REMCS01/COMP	
Business name	SAM CONVENIENCE STORE LTD	If your business is registered, use its registered name.
VAT number	- 240038451	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

6,900

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

MY STORE IS LOCATED RIGHT BY THE NEWPORT BUS STATION UPPER DOCK STREET. I HAVE TAXI OFFICE NEXT TO ME WHICH OPERATES 24/7 AND THERE ARE FEW TAKEAWAYS ALSO NEXT DOOR TO ME AND THEY OPERATE ALMOST 3 O CLOCK IN THE MORNING. PLENTY PEOPLE COMES FOR TAXI AND FOOD IN UPPER DOCK STREET EVERY DAY AND SPECIALLY ON THE WEEK END ALL THESE MY NEIGHBOR DO VERY GOOD BUSINESS. BUT THERE IS NOT A SINGAL CONVENIENCE STORE WHICH IS OPEN FOR LATE NIGHT WHICH CAN SERVE DRINKS, HOT DRINKS AND CIGRETTES etc FOR THE CONVENIECE OF CUSTOMERS. AS MY PLAN IS TO INSTALL THE HATCH FOR FOR LATE NIGHT SERVICE AND IT WILL BE A GOOD OPPORTUNITY FOR ME AND AS WELL AS FOR LOCAL CUSTOMERS. FOR THIS PURPOSE I NEED TO EXTEND THE TIMING FOR THE SALE OF ALCOHO IF MY APPLICATION IS SUCCESSFUL. IN TERMS IF SECURITY I PERSONALLY THINK IN PRESENCE OF MY NEIGHBOR BUSINESSES OPEN ALMOST ALL NIGHT AND SPECAILLY CAPITOL TAXI OFFICE OPENS ALL NIGHT EVERYDAY. REGURAL PETROL OF NEWPORT POLICE ALSO GAVE ME LOTS OF CONFIDENCE TO OPEN THE SHOP LATE.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

CHRISTMAS EVE, NEW YEAR EVER, BOXING DAYS, BANK HOLIDAY SUNDAY ADN BLACK FRIDAY SUNDAY WANT TO OPEN UNTILL 4AM FOR THE SUPPLY OF ALCOHAL.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

ANY SUSPICIOUS ACTIVITY WILL BE REPORTED TO POLICE IMMIDIETLY WHICH CAN LEAD TO CRIME OR DISORDER.

c) Public safety

PUBLIC SAFETY IS MY BIGGEST PRIORITY AND I ALWAYS MAKE SURE THAT I HAVE TO LOOK AFTER THE PEOPLE AROUND ME ADN MY COMMUNITY. MAKING SURE THE STANDARD OF HYGGIENE AND CLEANLINESS VERY HIGH. KEEP SAFE ALL THE CUSTOMER FROM ANY POSSIBLE ACCIDENT etc

d) The prevention of public nuisance

BEING IN THE HEART OF NEWPORT CITY CENTRE I THINK THIS FACTOR WILL NOT AFFECT PEOPLE IN THE AREA AS IT IS NOT A RESIDENTIAL AREA.

e) The protection of children from harm

THIS IS VERY IMPORTANT POINT TO PROVIDE SAFEGUARD ALL CHILDREN FROM STRONG LANGUAGE,SEXUAL EXPLETIVES,

Continued from previous page...

ADULT ENTERTAINMENT, VOILENCE AND DRUG-TAKING etc

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

The fee to vary a Premises Licence is determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A (No RV to £4300) the fee is £100.00

Band B (£4301 to £33000) the fee is £190.00

Band C (£33001 to £87000) the fee is £315.00

Band D (£87001 to £125000) the fee is £450.00*

Band E (£125001 and over) the fee is £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee as follows:

Band D (£87001 to £125000) the fee is £900.00

Band E (£125001 and over) the fee is £1,905.00

If you own a large premises, the application is subject to an additional fee based upon the maximum number of persons in attendance at any one time as follows:

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Continued from previous page...



Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="MUHAMMAD SALMAN"/>
* Capacity	<input type="text" value="OWNER OF BUSINESS"/>
* Date	<input type="text" value="02"/> / <input type="text" value="11"/> / <input type="text" value="2017"/>
	dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/newport/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

The current premises licence & Conditions on 186, Upper Dock Street, Newport.

Schedule 12

Part A

(THIS PART OF THE LICENCE
MUST BE KEPT AT THE
PREMISES AT ALL TIMES AND
PRODUCED UPON REQUEST OF
AN AUTHORISED OFFICER)

Premises Licence City of Newport



Premises Licence Number	14/00426/LAPVPT
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Premier Store
186 Upper Dock Street
Newport
South Wales
NP20 1DB

Telephone number Nil

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Sale by retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale by retail of Alcohol
Monday to Saturday inclusive 08:00 - 22:30
Sunday 10:00 - 22:30

The opening hours of the premises

Monday to Sunday inclusive 06:00 - 23:00

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

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

Alcohol is supplied for consumption off the Premises

Part 2

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

Mr Muhammad Salman
186 Upper Dock Street
Newport
South Wales
NP20 1DB

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

N/A

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

Mr Muhammad Salman
186 Upper Dock Street
Newport
South Wales
NP20 1DB

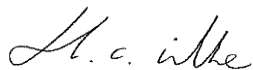
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: NCC-14-0045

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 24th February 2014



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

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

Conditions consistent with the Operating Schedule

2H04 There will be CCTV in operation in the premises, there will be a record of any crime or disorder and the police will be informed

2SO14 Fire alarms will be checked regularly and windows will be closed all the time.

Conditions attached after a hearing by the licensing authority

Plans

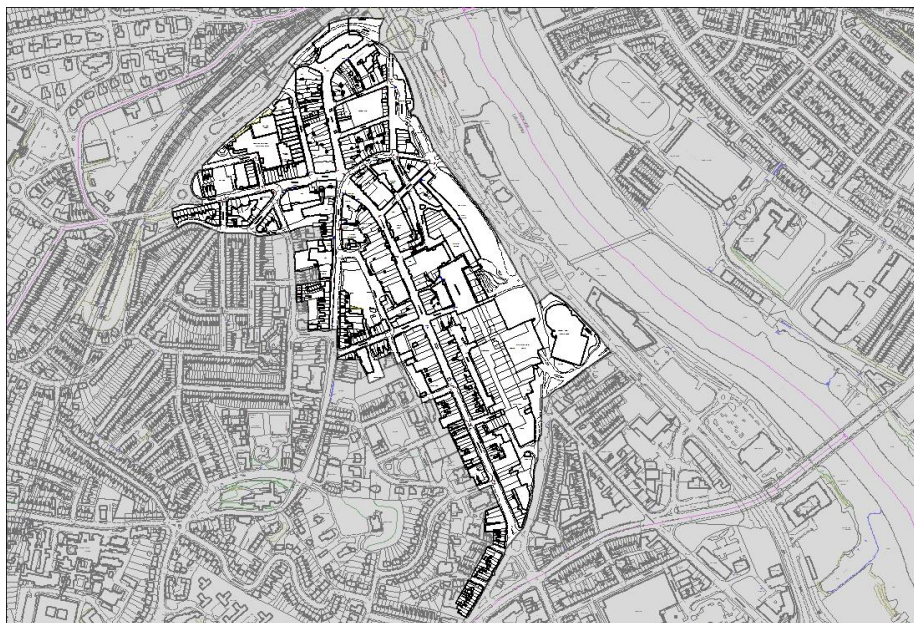
Please see attached plans (reference number 10/01533/LAPRE)

Map and Street Views of the Premises subject of the application



City Centre Cumulative Impact Policy

The Cumulative Impact area highlighted in the map below



Copy of representations served by Heddlu Gwent Police

HEDDLU GWENT POLICE
RELEVANT REPRESENTATIONS
PREMISES LICENCE /CLUB PREMISES CERTIFICATE or
VARIATION OF THE ABOVE
S.18, 41A, 72 and 86A of the LICENSING ACT 2003

Representations by the Police to be made within 28 Days of receipt of the application.

Date application received: 03/11/2017

Date representations sent to Licensing Authority: 10/11/2017

Date representations sent to applicant: 10/11/17

Name of authority: Newport County Council

Premises Name and Address: SAM convenience store LTD, 186 Upper Dock Street, Newport, NP20 1DB

Applicant Name: Muhammad SALMAN

Applicant Address: 186 Upper Dock Street, Newport, NP20 1DB

Representations made on the following grounds due to undermining of the following one or more of the Licensing Objectives:

The above named premises licence variation has been received requesting the sale of alcohol between the hours of 08.00 hours to 00.00 hours Monday through to Thursday, 08:00 hours to 04:00 hours Friday and Saturday and 09:00 hours to 00:00 hours on Sunday.

This is a significant variation from the existing hours of 08:00 hours to 22:30 hours Monday to Saturday and 10:00 hours to 22:30 hours on Sunday.

The premise is located in the cumulative impact area as defined within the Newport City Council Statement of Licensing Policy 2015. Gwent Police would oppose this application as the applicant has failed to adequately describe how they intend to promote the four licensing objectives of prevention of crime & disorder, public safety, prevention of public nuisance and the protection of children from harm. The application states under prevention of public nuisance that *'this factor will not affect people in this area as it is not a residential area'*.

1. There is a PSPO (Public Space Protection Order) in place for the area in order to control the consumption of alcohol and levels of anti-social behaviour in the vicinity. If this variation was granted this would add the number of persons causing these sorts of issues, which is contrary to why it has been put in place.
2. There would be no control over where the alcohol was consumed after purchase and in all likelihood the alcohol would be consumed on the street leading to an increase in violence, disorder and anti-social behaviour after the licensed premises already in the location have closed.
3. Further to the above, the premise is situated directly opposite a seating area for the bus station and a few metres from a taxi office. By the very nature of the area, this will attract a high number of people gathering, waiting for buses and taxi vehicles well into the early hours. If this premises were to be granted permission for the sale of alcohol until the proposed hours, there is potential for groups of individuals who had ordinarily ended their drinking, having opportunity to further consume alcohol whilst waiting around for their journey home. This would again add to disorder, further into the night owing to the later licence.
4. Newport city centre has a high proportion of street drinkers and a significant amount of anti-social behaviour on the city centre can be attributed to this. Providing more access to alcohol later into the night, coupled with a seating area opposite for this to be consumed in would again add to alcohol related issues in the area.

PC 246 Hurst – Harm Prevention Officer, East LPA, Gwent Police

Copy of representations served by Newport City Council as a 'Responsible Authority'.

LICENSING ACT 2003

NOTICE OF OBJECTION under Section 18 Licensing Act 2003

TO AN APPLICATION BY MOHAMMAD SALMAN UNDER SECTION 34 LICENSING ACT 2003 FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF 186 UPPER DOCK STREET, NEWPORT, NP20 1DB WHICH WAS SERVED ON THE LICENSING AUTHORITY ON 03RD NOVEMBER 2017.

Newport City Council's Licensing Authority acting in their capacity as a 'Responsible Authority' by virtue of Section 182 (4) Licensing Act 2003 (amended guidance) wish to object to the grant of a variation of this Premises Licence.

The premise subject of this application is located in Newport City Centre an area which is subject of a 'Cumulative Impact Policy' as defined in paragraphs 34 and 35 of Newport City Council Licensing Policy 2015 <http://www.newport.gov.uk/documents/Policies/Licensing-Act-2003-Policy-Statement-2015.pdf> Section 16 of the application for the variation of a Premises Licence has failed to address the particular requirements in relation to the 'Cumulative Impact Policy' and identify what steps and measures the applicant proposes to be applied as conditions upon a Premises Licence in order to promote the Licensing Objectives of:

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

This premise is located within the city centre and close to many late night bars and clubs. It is a matter of fact that these late night bars and clubs become busy later in the evening, well after 22:30 hours (existing closing hour of the premises) and that an off licence premises in such close proximity would attract customers looking to pre-load on significantly cheaper alcoholic drinks than provided by the bars and clubs.

The Licensing Authority contends permitting these premises to extend their hours beyond what is currently permitted would lead to higher incidents of drunkenness and alcohol related disorder as the applicant is unable to apply any controls in respect of the sale of alcohol that can be guaranteed by the premises licence holder in respect of where alcohol is consumed.

**William Stephen Lewis
Licensing Officer
Newport City Council.**

Copy of representations served by Aneurin Bevan Health Board

1

8th December 2017

Dear Newport Licensing Authority

RE: Representation regarding an application to vary a premise license: Sam Convenience Store Ltd, 186 Upper Dock Street, Newport, NP20 1DB

Aneurin Bevan University Health Board, ('the Health Board') acting in its capacity as a Responsible Authority under the provisions of the Licensing Act 2003, is making a representation in respect of an application for a variation to an alcohol licence received from the above premise. The Health Board is objecting to this application based on the grounds that it undermines the licensing objective 'public safety', for the following reasons:

(1) The premise is situated within the Cumulative Impact Policy area, recognised within Newport City Council's Statement of Licensing Policy 2015. The supposition of a Cumulative Impact Policy is that any additional availability of alcohol within this area is likely to negatively contribute to the existing cumulative impact, unless the applicant can demonstrate otherwise.

The above named premise is located in Newport city centre within the Cumulative Impact Policy area, an area designated and defined within the Newport City Council Statement of Licensing Policy 2015, due to its saturation of licensed premises. The Health Board fully supports the use of a Cumulative Impact Policy to promote the licensing objectives in this geographical area. Its use is consistent with robust international and national research which demonstrates that the more available and accessible alcohol is (i.e. the saturation of licensed premises in an area), the higher the alcohol consumption levels and the higher the alcohol consumption levels the greater the resultant harm to individuals, families and the community. The applicant has not adequately demonstrated that their application to increase availability of alcohol within this designated Cumulative Impact Policy Area would not negatively impact on public safety.

(3) The premise is applying to increase its licensing hours to include times and days of the week when public safety issues in this geographical area result in the highest levels of emergency hospital attendances.

The peak periods for 'alcohol related injury' registrations at the Health Board's Royal Gwent Hospital Emergency Department are weekends and between the times of 22:00-01:00am, which is consistent with when the applicant is looking to extend their licensing hours.

(4) By the premise extending its opening hours into the early hours it provides an opportunity for those people already vulnerable to alcohol misuse to drink more.

An off-licence premise is easier to access, and able to sell alcohol at a cheaper price than an on-licence premise. UK data shows the heaviest drinkers tend to purchase the cheapest alcohol². If the licence variation application was granted it would increase access to cheaper alcohol in the local vicinity. There are a number of supported housing schemes/hostels located within the Cumulative Impact Policy area which house vulnerable people, many of whom are dependent on alcohol.

Newport city centre also has several people who are sleeping rough on a regular basis. At the last count (see Appendix C) there were 7 rough sleepers located within the Cumulative Impact Policy area, and a further 11 nearby who accessed the Wallich, a homeless charity situated within the Cumulative Impact Policy area, for breakfast. Some of these vulnerable people have alcohol misuse problems.

(5) The premise is located within a geographical area which has increased public safety concerns evidenced by a Public Space Protection Order being in operation.

A Public Space Protection Order prohibits the consumption of alcohol in public within the designated area. The applicant's premise is located in an area of Newport where people congregate in the early hours waiting for taxi's/lifts home after a night out. Some of these people will have been drinking alcohol in nearby pubs and clubs and may already be intoxicated, and who will therefore be more vulnerable to the effects of consuming more alcohol, and from others having increased access to alcohol.

² Meier et al (2008) Independent review of the effect of alcohol pricing and promotion

(6) Robust evidence indicates that increased availability of alcohol has a negative impact on public safety.

Research demonstrates that the factors which are linked to increased alcohol consumption, and therefore increased harm, are:

- low cost alcohol
- close proximity of premises (saturation of licensed premises)
- increased accessibility and availability of alcohol (the number of licensed premises and the times they are able to sell alcohol)

Together, these factors render alcohol more affordable, more available and accessible and therefore easier to consume.

If the application is granted then there will be *increased access* to cheaper than on-licence alcohol, which is more *available* and *accessible* to purchase within a designated Cumulative Impact Policy area, due to the current saturation of licensed premises.

There is a clear scientific consensus that the most effective policies and approaches to minimise the impact of alcohol related harm in the community³, and therefore public safety, is to control the price and availability of alcohol. The Welsh Assembly Government (2008) in its substance misuse strategy "Working Together to Reduce Harm" highlights reducing availability of alcohol as an effective measure to reduce alcohol related harm.

(7) The applicant has not provided evidence that they have considered appropriate mitigating measures to prevent the increased risk to public safety from their application.

It is for the applicant to demonstrate that their application does not add to the current cumulative impact of the area. The Health Board is not satisfied that the applicant has adequately described how they intend to promote the four licensing objectives, in particular public safety. The applicant has failed to recognise the potential consequences of extending licensing hours on public safety, and instead has focussed their attentions on addressing hygiene and cleanliness.

There is no evidence from the application that the applicant understands the implications of increasing the availability of and accessibility to alcohol on public safety, and has given little consideration to any mitigating measures.

³ Gorman and Horel (2005) Drug 'hot-spots', alcohol availability and violence. Drug and Alcohol Review. 24, pp 507-513

In conclusion:

This premise is located within an area of current concern for public safety demonstrated by the implementation of a Cumulative Impact Policy area, a Public Space Protection Order and high levels of Emergency Department registrations. Robust evidence links increased alcohol availability with increased harms to the public, including greater public safety issues. These increased harms will be experienced by those already vulnerable to, and from, increased alcohol consumption. For these reasons, the Health Board strongly believes that granting this variation to this alcohol licence would result in increased risks to public safety.

The Health Board strongly advocates the limiting of off-licence sales anywhere the high density of alcohol sales and public safety concerns have already resulted in the implementation of both a Cumulative Impact Policy Area and Public Space Protection Order. In view of these concerns, the Health Board objects to this application for extended licensing hours on the basis of the evidence presented.

Yours faithfully



Dr Sarah Aitken, MBBS FFPH
Executive Director of Public Health

With thanks to:

Dr Sally Jones, Consultant in Emergency Medicine, Royal Gwent Hospital
Dr Tim Rogerson, ABUHB Clinical Director of Emergency Medicine
Lisa Thomas, Symphony System Manager, ABUHB
Jon Rowlands, Newport Enduring Alcohol Support Officer
Simon Rose, Housing Needs Manager, Newport City Council
ABUHB Finance Team
Will Beer, Consultant in Public Health
Louise Apperley, Safer Gwent Analyst

Prepared by: Jackie Williams, Senior Health Promotion Practitioner,
Aneurin Bevan Gwent Public Health Team

Appendix A

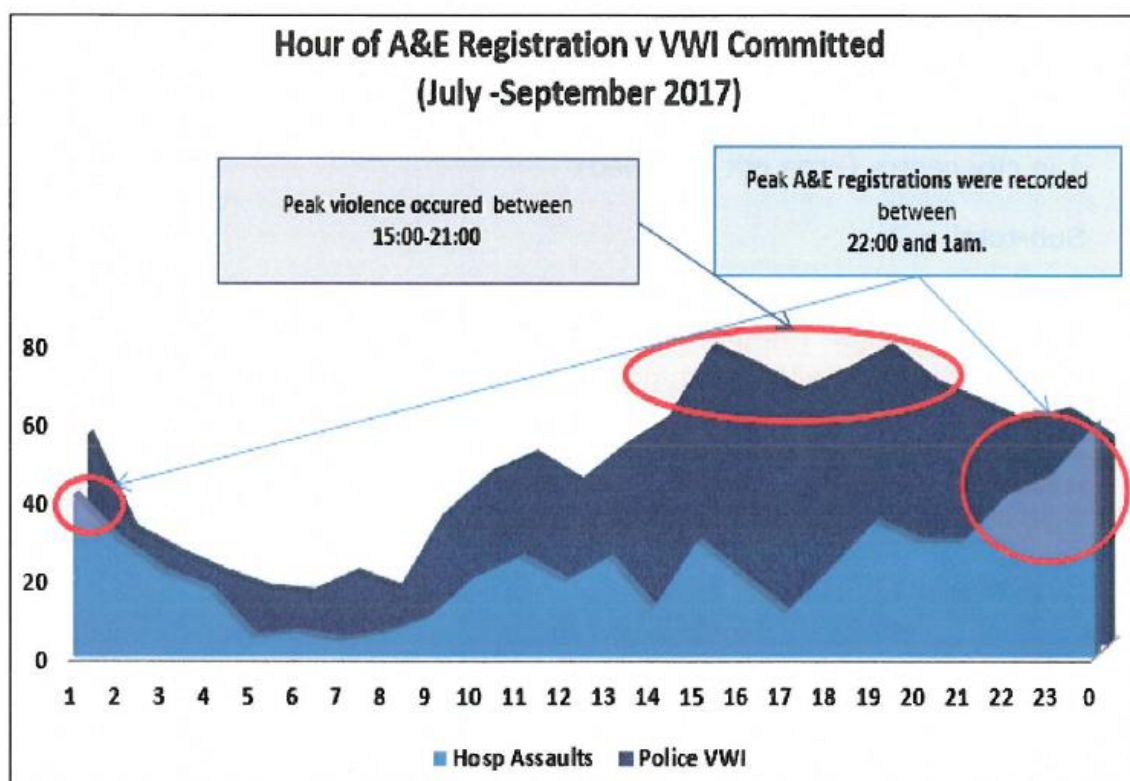
Repeat Locations: Top Locations to ABUHB Emergency Departments as a result of "assault related injuries" October 2016 – December 2017

Location	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	March-17	April-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Grand Total
Courtyard, 48 Cambrian Road, Newport	6	2	3	2	4	4	1	6	2	2	2	4	38
Newport Town Centre		4	1	1			3	2					11
Greyhound, 49 High Street, Newport	3			1	1	1	1		1	1	1		10
Wetherspoon, The Queens Hotel, 19 Bridge Street, Newport	1	2	2		1	2	1				1		10
High Street, Blackwood	2		1	1	1			1	1	1		1	9
Breeze, 6-8 Cambrian Road, Newport		2		3			1	1	1				8
High Street, Newport	1	1	2			1		1		2			8
Caerphilly Town Centre	3	1						1			2		7
Cross Keys, 9 Market Street, Newport		1				3	2		1				7
Nevill Hall Hospital, Brecon Road, Abergavenny					1		2	1	1	2			7
Newport Bus Station, Market Square, Upper Dock Street, Newport	2				1	3						1	7

Reference: Data provided by ABUHB Emergency Department, October 2017

Appendix B

ABUHB Hospital Registrations for 'Assault Related Injuries' and Heddlu Gwent Police data for 'Violence with Injury' offences July – September 2017



Reference: Taken from Heddlu Gwent Police report: 'Delivering Safer Communities. Hospital Registrations: Assaults, Police Recorded: Violence with Injury', 19th October 2017

Appendix C

Newport City Centre Rough Sleeper Count Friday 10th November 2017 – 00:00 to 03:00

Sleeping within Cumulative Impact Area

- 1 Information Centre
- 1 behind old BHS shop
- 1 Skinner Lane
- 3 Empty shops on High Street area
- 1 in city centre (area not specified)

Sub-total = 7

Sleeping outside Cumulative Impact Area, but attending Wallich for breakfast the following morning

- 2 Harlequin roundabout (Shaftesbury area)
- 8 old Sainsburys site (in empty shipping containers)
- 1 abandoned building (outside of city centre)

Sub-total = 11

Total Rough Sleepers in Newport on 10th November 2017

Information provided by Simon Rose, Housing Needs Manager, Newport City Council, 4th December 2017