

Report



Licensing Sub-Committee

Part 1

Date: 13 May 2019

Item No: 04

Subject Licensing Application

Purpose The consideration and decision in respect of an application by Hoffi Shop Ltd under Section 17 Licensing Act 2003 for the Grant of a Premises Licence in respect of Parc Pantry, 163-165 Larch Grove, Malpas, Newport, NP20 6LA.

Author Steve Pontin

Ward All Wards

Summary The Licensing Committee have statutory and delegated powers to take decisions in relation to licensing applications. The Licensing Committee will make the decision on the application pursuant to the Licensing Act 2003.

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

Contact Licensing Officer

Action by Head of Law and Regulation

Timetable Statutory Consultation Period

Signed

1. Application

An online application made by Hoffi Shop Ltd under section 17 of the Licensing Act 2003 for the grant of a Premises Licence was served on the Licensing Authority of Newport City Council on 20th March 2019. (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 midnight on 17th April 2019 to make written representations.

Parc Pantry is currently operating as a daytime coffee shop serving sandwiches, cakes and afternoon teas. It is located in a small shopping precinct at the entrance to the Larch Grove estate in Malpas. (Location and photographs can be found in Appendix 2 of the report.)

Hoffi Shop Ltd seeks the grant of a Premises Licence that would permit the provision of the licensable activities of the Sale of Alcohol for consumption 'on and off the premises' and Playing of Recorded Music. The application proposes that Anthony Cook is to be specified as the Designated Premises Supervisor and his signed consent is included within a copy of the application (Appendix 1).

2. Licensable Activities

The application seeks to be granted a Premises Licence for the authorisation of :

- Playing of Recorded Music. Monday to Wednesday between the hours of 08:30 and 16:00, Thursday to Saturday between the hours of 08:30 and 23:00, and Sunday 10:00 and 22:00.
- Sale of Alcohol. Monday to Wednesday between the hours of 08:30 and 16:00, Thursday to Saturday 08:30 and 23:00 and Sunday 10:00 and 22:00.

3. Promotion of the Licensing Objectives

The applicant has described in an Operating Schedule, the steps that will be taken to promote the four licensing objectives if the application is granted. These are contained in section 18 of the application form at Appendix 1 to this report.

4. Representations

Responsible Authority Representations

On 1st April 2019 a representation (Appendix 3) was received from Samantha Turnbull of Newport City Council Licensing Authority in her capacity of a 'responsible authority' objecting to the application with a proposal that if conditions detailed in the representation were agreed by the applicant, the objection would be withdrawn.

This representation was forwarded to Hoffi Shop Ltd on 1st April 2019, who responded on 2nd April 2019 agreeing to the proposed conditions. This response was communicated to Officer Turnbull who formally withdrew the objections of the Licensing Authority. No other representation from relevant authorities were received.

Other Person Representations

Representations were also received from 'other persons' and are detailed at Appendix 4.

1. G Banfield and D Banfield, 96 Larch Grove, Newport, NP20 6LA
2. M and D Harris, 101 Larch Grove, Newport, NP20 6LA
3. Occupiers, 102 Larch Grove, Newport, NP20 6LA
4. Mr D Riley and Mrs L Riley, 106 Larch Grove, Newport, NP20 6LA
5. Mr G Saunders and Mrs P Saunders, 110 Larch Grove, Newport, NP20 6LA
6. Occupiers, 112 Larch Grove, Newport, NP20 6LA
7. Mr G Carter and Mrs J M Carter, 116 Larch Grove, Newport, NP20 6LA
8. Mark Nicholls and Gaynor Nicholls, 141 Larch Grove, Newport, NP20 6LA
9. Mr and Mrs Cobb, 143 Larch Grove, Newport, NP20 6LA
10. Occupier, 145 Larch Grove, Newport, NP20 6LA
11. Christian Harris and Amanda Harris, Larch Grove, Newport, NP20 6LA
12. W J Powell, 14 Almond Drive, Malpas Park, Newport, NP20 6LA

5. Policy Considerations

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

IMP 1 The Council will normally grant applications for premises licences and club premises certificates subject to conditions which are consistent with the Operating Schedule and any mandatory conditions prescribed within the Act. Where relevant representations are received the Council may impose additional conditions as considered necessary in order to promote the licensing objectives which arise out of those representations.

IMP 2 The Council will strike a fair balance between the benefits of a licensed premises to a community and the risk of disturbance to local residents. Consequently, in certain areas, upon receipt of representations by any Responsible Authority or any other person, the Council may restrict the hours of operation of licensable activities.

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

- a. for premises located in predominantly commercial areas, such as the City Centre and where there is a high level of accessibility to public transport services; or
- b. the licensable activities would not be likely to cause adverse impact especially on local residents, and that, if there is a potential to cause adverse impact, appropriate measures will be put in place to prevent it;
or
- c. there will not be any increase in the cumulative adverse impact from these or similar activities, on any neighbouring residential area and the activity will not be likely to lead to a demonstrable increase in car parking demand in surrounding residential streets or on roads.

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

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

- a) The proposed licensable activities and permitted hours sought by the application.
- b) The content of the operating schedule in promoting the four licensing objectives.
- c) The representations made in respect of the application.
- d) Newport City Council's Statement of Licensing Policy 2015

8. List of Appendices

1. Online application and plan for Grant of a Premises Licence.
2. Map and Street Views of the Premises subject of the application.
3. Representations from Responsible Authorities (NCC Licensing Authority)
4. Representations from 'Other Persons'

9. Financial Summary

- The costs and financial implications: You must discuss financial implications with the Head of Finance and the report must identify from where your proposals will be funded, together with any impact on budgets or any opportunity costs.

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)					
Net Costs (Savings)					
Net Impact on Budget					

Risks

It is important to identify and manage any project or scheme's exposure to risk and have in place controls to deal with those risks.

In this section, you should consider the key risks facing the proposals in your report, particularly those which would impact on delivery or sustainability of the project or projected outcomes. You will need to include details of how risks will be managed. If your proposals rely on short or medium term grant aid or funding streams you will need to outline your exit or continuation policy here.

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

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

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

Options Available

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

Copy of Online application and floorplan for Grant of a Premises Licence at Parc Pantry, 163-165 Larch Grove, Malpas, Newport, NP20 6LA.



Newport
Application for a premises licence
Licensing Act 2003

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

* required information

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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 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?
 Yes 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

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

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

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

Currently operating as a day time coffee shop serving sandwiches, cakes and afternoon teas. Layout includes a front of house kitchen/prep area and coffee serving area

Continued from previous page...

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Give 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.

Start

End

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

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

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

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give 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...

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

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 in the column on the left, list below

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name
Family name
Date of birth / /
 dd mm yyyy

Enter the contact's address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country
Personal Licence number (if known)
Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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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

Give 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.

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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.

Please note, the business closes to the public at 16:00 daily. Unsure to list that time or the time we would potentially wish to serve alcohol for a private hire scenario.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, 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...

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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.

All Staff will be trained on the key objectives and how we adhere to them by -

Not selling of alcohol to underage people with a challenge 25 policy.

Effective management of customers alcohol intake to eliminate any drunk and disorderly behavior.

Have a sound knowledge of drug use and the signs to look for on an individual.

DPS to be in control of the premises, provide training for staff on licensable activity, to make or authorize each sale

CCTV to be installed with built in HDD

Roller metal exterior window shutter already installed to ensure that shop front is safe and secure at all times

b) The prevention of crime and disorder

In interest of prevention of crime and disorder, we will clearly display our hours of operation in a visible outside facing manner.

Any incidents will be recorded in a log book.

A CCTV system will be installed with internal and external camera along with visible CCTV signs

c) Public safety

A Log Book shall be kept on site of any routine inspections made by official persons.

Emergency lighting has been installed should the situation arise, along with highlighted exit points.

Access is provided for emergency vehicles.

The property is well maintained in the interest of public safety

d) The prevention of public nuisance

Deliveries to the business are carried out in early hours of the morning/day time to reduce any inconvenience.

Music levels are maintained at a comfortable level during opening hours.

Should the business operate during the evening, clear and legible notices shall be displayed requesting to respect the needs of nearby residents and to leave the area quietly.

e) The protection of children from harm

A Challenge 25 policy will be installed. Along with the afore mentioned steps such as CCTV and active staff management of

Continued from previous page...

younger customers attending with adults.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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 21 of 21

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.

Premises Licence Fees are 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 you 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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the Premises Licence that authorises the provision of regulated entertainment only, where the entertainment is provided by and at the school or college, and for educational purposes.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time:

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

Continued from previous page...

* 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.

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

Anthony Cook

* Capacity

Director

* Date

16 / 02 / 2019
dd mm yyyy

Add another signatory

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/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Consent of individual to being specified as premises supervisor

Anthony Cook

.....
[full name of prospective premises supervisor]

of

1 Monnow Way,
Bettws,
Newport,
NP20 7BQ

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

The Premises Licence at Hoffi Shop Ltd (t/a Parc Pantry)

.....
[type of application]

by

Anthony Cook

.....
[name of applicant]

relating to a premises licence

.....
[number of existing licence, if any]

for

Hoffi Shop Ltd (t/a Parc Pantry)
163-165 Larch Grove
Malpas
Newport
NP20 6LA

.....
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Anthony Cook

[name of applicant]

concerning the supply of alcohol at

Hoffi Shop Ltd (t/a Parc Pantry)
163-165 Larch Grove
Malpas
Newport
NP20 6LA

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

NCC-16-2264

[insert personal licence number, if any]

Personal licence issuing authority

Newport City Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



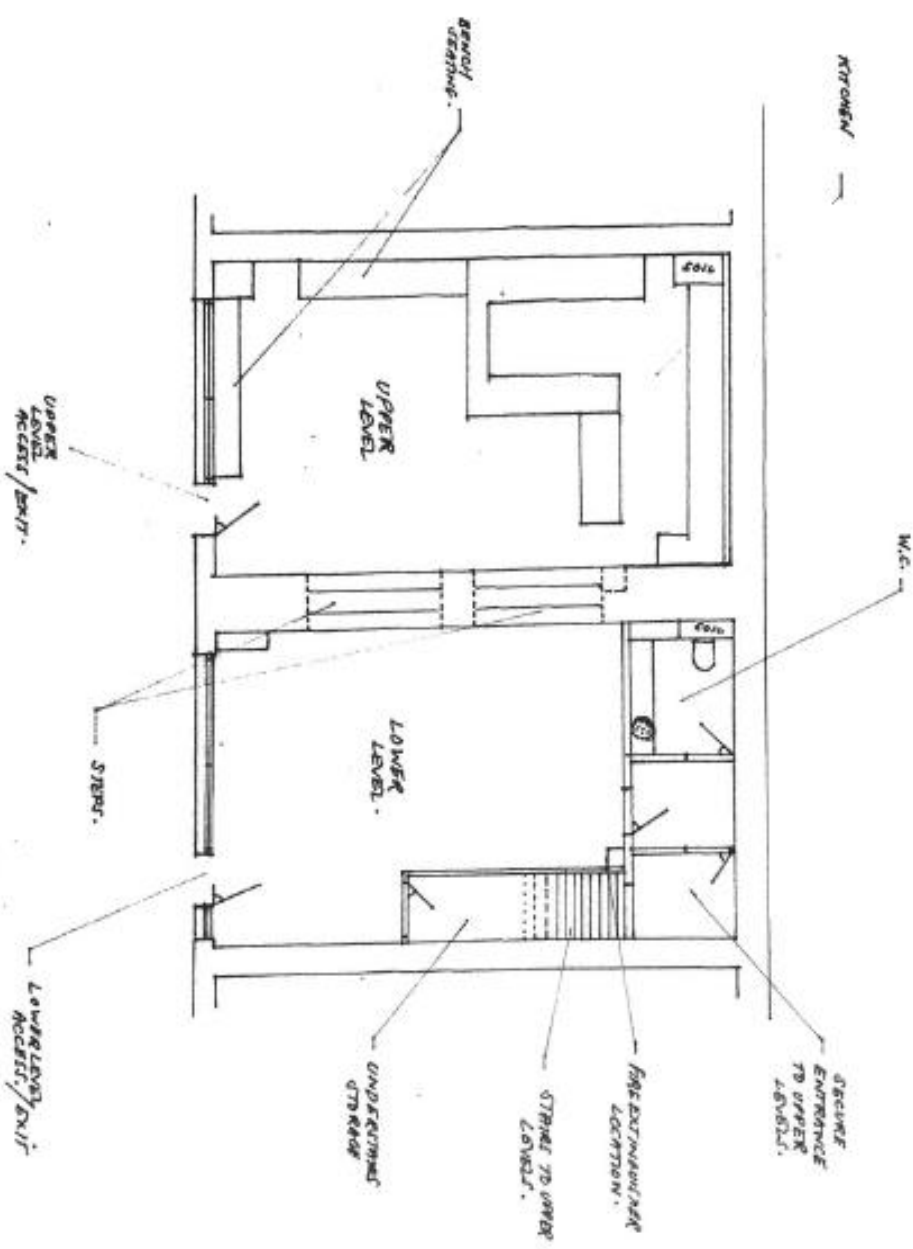
Name (please print)

A. COOK

Date

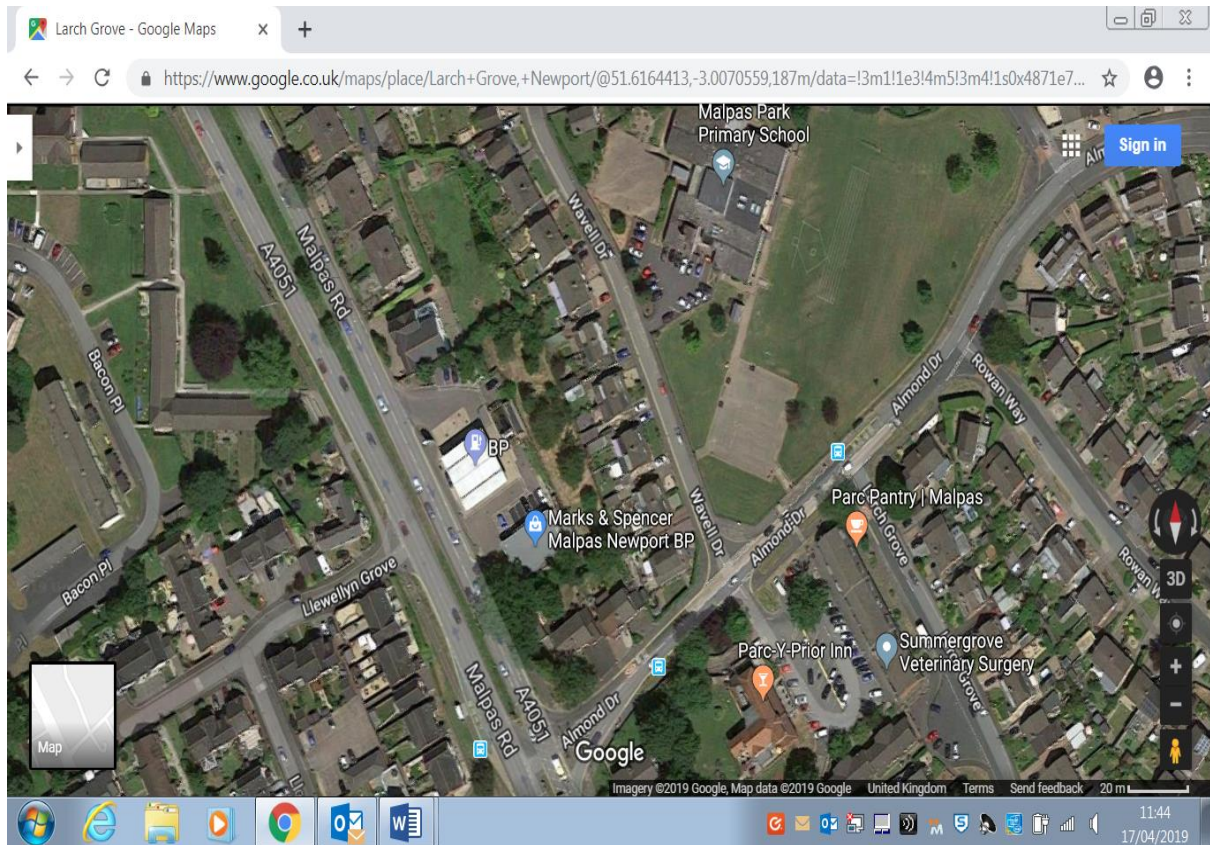
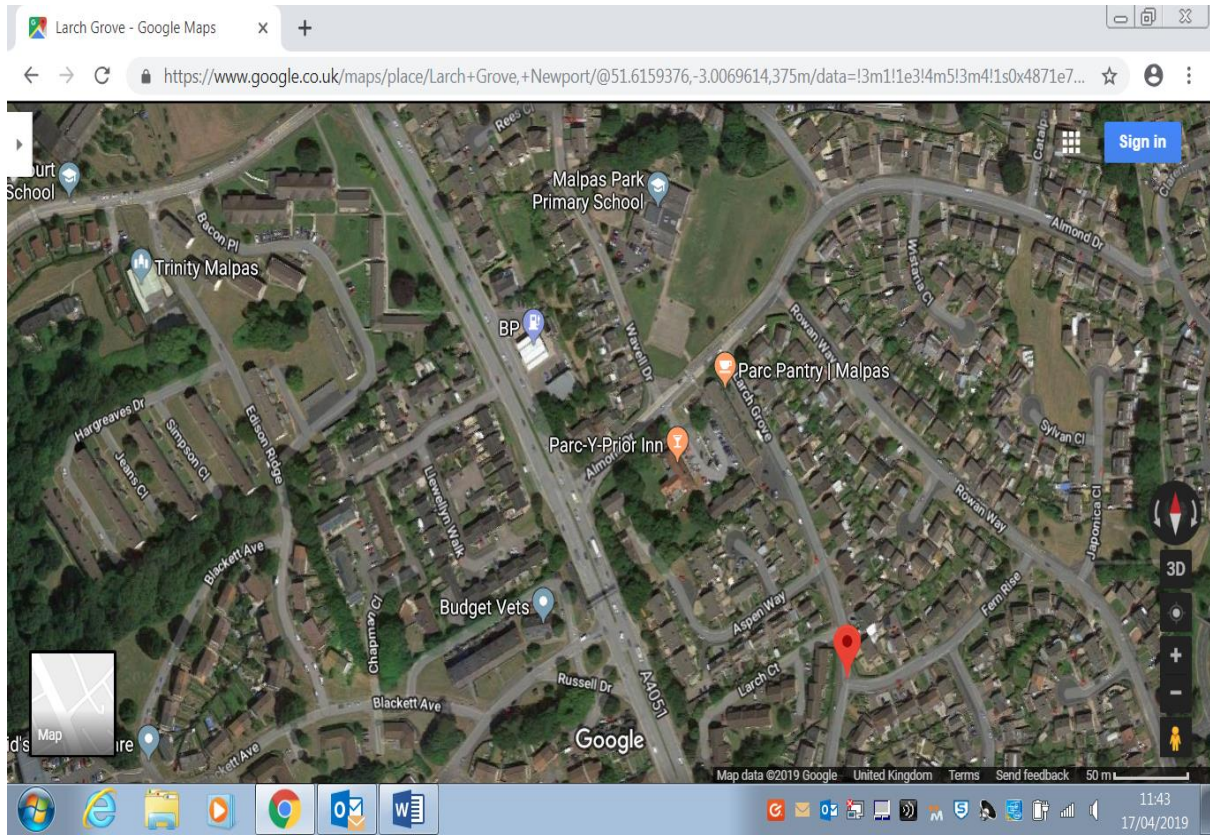
20/03/19

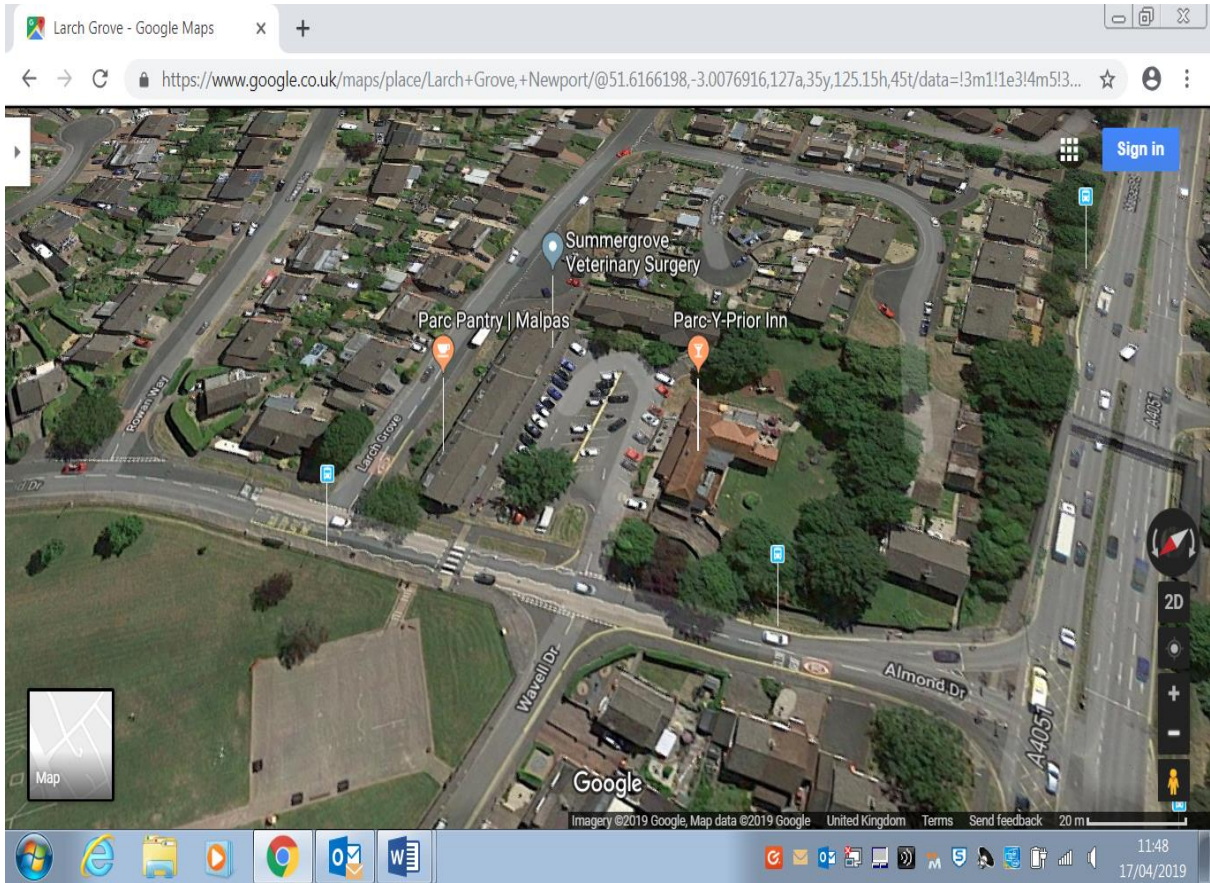
163-165 LARCH GROVE
M41P81,
NEWPORT,
NP20 6LA.



SCALE - 1:100.

Map and Street Views of the Premises subject of the application







APPENDIX 3

Representation served by Licensing Officer Samantha Turnbull as a 'Responsible Authority'

Ask for/*Gofynnwch am* Samantha Turnbull
Our Ref/*Ein Cyf* 19/00877/LAPRE
Your Ref/*Eich Cyf*
Tel/*Ffôn* **01633 656656**
Direct Dial/*Rhif Union* 01633 851330
DX 99463 Newport (Gwent) 3
E-Mail/*E-Bost* Samantha.turnbull@newport.gov.uk

**Law and Regulation
Y Gyfraith a Rheoleiddio**



Principal Licensing Officer
Licensing Authority
Newport City Council
Floor 4, Information Station
Queensway
Newport
NP20 4AX

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

01 April 2019

Dear Sirs,

SECTION 69 LICENSING ACT 2003: NOTICE OF OBJECTION

TO AN APPLICATION UNDER SECTION 17 LICENSING ACT 2003 FOR A PREMISES LICENCE IN RESPECT OF 'Parc Pantry, 163-165 Larch Grove, Newport, NP20 6LA', served upon the Licensing Authority on 20 March 2019.

Newport City Council's Licensing Authority acting in their capacity as a 'Responsible Authority' by virtue of section 182 (4) Licensing Act 2003 (amended guidance) wish to object to the application for a premises licence as detailed above on the grounds that the application does not provide clear, measurable and enforceable provisions for promotion of the four 'licensing objectives' of:

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

In this respect the Licensing Authority acting in their role as a '**responsible authority**' may withdraw their representation if the applicant volunteered the following conditions in addition to those which were proposed within the application, to be attached to the premises licence, if granted, in order to promote the 'licensing objectives':

1. CCTV will be installed inside and immediately outside the premises. The cameras will cover all internal licensed areas of the premises accessible to the public and area immediately outside the premises. The date and time settings on the system must be correct and the CCTV system must be capable of recording images to a suitable medium that allows replay. Recordings must be retained for a minimum of 28 days. Staff shall be trained in the maintenance and operation of the CCTV system with a record kept of the date and name of person trained. A trained member of staff should be on duty to operate the system whenever the premises are open. Records shall be made available for inspection by the police and other responsible authorities as requested.

2. A challenge 25 policy shall be operated at the premises at all times. All staff shall check identification of all persons who appear to be less than 25 years old. This check shall be made by examining either a passport, photographic driving licence or a PASS approved proof of age card. No other form of identification shall be accepted.

3. Publicity materials notifying customers of the operation of the Challenge 25 schemes shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at each point of sale.

4. The Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The DPS shall check the book once a month ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.

5. Fully documented staff training, to include training on the Premises Licence conditions as well as the premises' Challenge 25 Policy must be given. Training must be undertaken at regular intervals throughout the calendar year, at a minimum every 6 months. Staff must sign and date documentation at the conclusion of their training session, acknowledging that they have received and fully understood the training provided to them.

Should the applicant wish to arrange a mediation meeting to discuss my representation please do not hesitate to contact me direct on (01633) 851330.

Yours sincerely

Samantha Turnbull
Licensing Officer

Representations from 'other persons'

96 Larch Grove
Malpas Park
NEWPORT
NP20 6LA
4th April 2019

Licensing Services Information,
Station
Old Station Building
Queensway,
NEWPORT
NP20 4AX

Licensing Application
Holli Shop Ltd.Parc Pantry
163-165 LarchnGrove NEWPORT NP20 6LA

We wish to object most strongly to the licence extensions being sought by Holli Shop Ltd., Parc Pantry Larch Grove Newport.

The provision of liqueur is already well provided for by the nearby Public House and the Spar grocery shop.

Such availability at the cafe would like as not encourage a younger , rowdier clientele who would be encouraged to attend the late evening openings as a result the music.

Larch Grove is a quiet residential area which already suffers from excess car parking along the road, much of it on the pavement which makes it difficult for pedestrians to pass by.

The extensions would only serve to exacerbate these problems.

The present cafe is in the wrong place for the sought after extensions

In the past the cafe has been the cause of problems with the dumping of waste .The sought after extensions would likely make matters worse.

It should be stressed that car parking for an extended business is totally inadequate . The car park in front of the premises is used mainly by people going to the Public House opposite .As a result cars already spill out onto Larch Grove where they become a nuisance to pedestrians and traffic passing by.

As for music, the residential housing is too close and it would likely become a nuisance to what should remain a quiet area.



G Banfield



D Banfield



Licensing Source of information.

re: application for license on premises
at 163-5 Larch Grove Malpas
My husband & I live at 104 Larch Grove
and we objected to the above
application for 2 reasons;

- ① the suitability of alcohol being served at
the premises & accompanying noise
- ② and parking problems which at
present is a problem in this area.

We are sorry to oppose this but this
is a residential area.

H + D. Harris

104, Larch Grove

Malpas, Newport, South Wales, NP23 6ZU

102 Larch Grove
Malpas Park Est.
Newport
Gwent
NP20 6BA

Dear Sirs

Re: Licensing act.
Notice of Application for Premises Licence -

As residents of Larch Grove my Husband and I cannot protest strongly enough. There is inadequate parking facilities for this establishment with cars already parking on the street - This is a residential area, to issue a licence for recorded music and alcohol is ridiculous we already have two ^{venues serving alcohol in this area} on a small area, (Pace-y Pub) and the Spa, some days until 10pm and 11.0pm when there are residents living virtually yards away. This is totally unacceptable =

Mr & Mrs D Riley
106 Larch Grove
Malpas Park
Newport
NP20 6LA

Licensing Services Information
Station
Old Station Building
Queensway
NEWPORT
NP20 4AX

TO WHOM IT MAY CONCERN

7th April 2019

Comments Re: Notice of Application for a Premises Licence under the Licensing Act 2003 and recorded music for Parc Pantry 163-165 Larch Grove as published in the South Wales Argus, 26 March 2019

As residents of Larch Grove, Malpas, we strongly object to the application listed/published in the South Wales Argus.

Over recent years the Parc Pantry has increasingly relied on social media advertising to attract and increase the volume of their customers. Whilst this has been a positive impact on the Parc Pantry business, it has had a huge negative impact for the residents living opposite the cafe.

We have already had to endure a huge detrimental impact from the lorry vibrations and noise levels emanating from the commercial deliveries. We have also seen an exponential increase in people parking their cars in the surrounding residential area to visit the cafe, as a result of attracting a wider customer base.

More and more commercial lorries are having to circle the area, in an attempt to find a convenient space for delivering commercial stock to the cafe.

The very thought of adding to this chaos and public nuisance, granting a music license and alcohol license to a customer base that is travelling in vehicles is not only a nightmare for the residents, but a complete lack of regard for public safety, tempting people to stay longer encouraging customers to have "just one more drink" before leaving.

Commercial waste is already a danger with it being inadequately tied to the shop guttering/down pipe. It is also a public nuisance, that often results in the bins overflowing, stored directly opposite Larch Grove residents.

As residents of Larch Grove we have already experienced a huge amount of stress and anxiety following the change of license from a newsagent to a cafe.

The latest application to extend their license powers further, enabling Parc Pantry to stay open for longer, playing recorded music, and serving alcohol will simply exacerbate

Health and Safety issues

- Anti-social behaviour, noise and customer litter will increase with the application for extended opening hours
- The Parc Pantry already utilises two large industrial refuse bins, inappropriately stored opposite the residential properties in Larch Grove. The application for extra opening hours would undoubtedly create extra waste and further escalate existing issues

Public Safety issues


- The inevitable increase in traffic will make it a very dangerous area, especially for parents taking and picking up children from Malpas Park Primary School, situated at the top of Larch Grove

Public Nuisance for residents

- Playing recorded music and serving alcohol to a customer base that arriving in vehicles in a quiet residential area will create additional mental health issues for residents
- The designated commercial parking area at the front of the cafe is constantly overflowing and consequently, deliveries to the Parc Pantry and other commercial premises are now forcing delivery lorries to use Larch Grove to unload their stock. We are talking about very large container type lorries!

As residents of Larch Grove, we are passionate about protecting the local environment and hope that this application will be given your most careful consideration as this has so many negative implications for so many people.

We look forward to hearing from you.


Signed
Mrs L Riley


Mr D Riley.

110 Larch Grove
Malpas Park
Newport
NP20 6LA

Licensing Services Information
Station
Old Station Building
Queensway
NEWPORT
NP20 4AX

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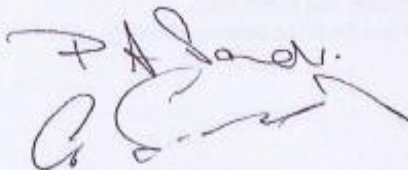
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Signed



MRS Pauline Saunders

MR GRAHAM SAUNDERS

112 Larch Grove
Malpas Park
Newport
NP20 6LA

Licensing Services Information
Station
Old Station Building
Queensway
NEWPORT
NP20 4AX

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Signed

Beverly Ferris - Mrs
MR YOUNG MBE - Mr.

11b Larch Grove
Malpas Park
Newport
NP20 6LA

Licensing Services Information
Station
Old Station Building
Queensway
NEWPORT
NP20 4AX

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Signed

J M Carter (Mrs) 116 Larch Grove
L. Carter (MR) 116 LARCH GROVE

/4/ Larch Grove
Malpas Park
Newport
NP20 6LA

Licensing Services Information
Station
Old Station Building
Queensway
NEWPORT
NP20 4AX

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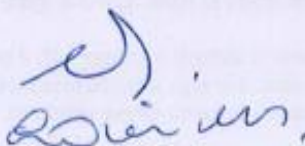
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Mark Nicholls
Gaynor Nicholls



143 Larch Grove
Malpas Park
Newport
NP20 6LA

Licensing Services Information
Station
Old Station Building
Queensway
NEWPORT
NP20 4AX

TO WHOM IT MAY CONCERN

7th April 2019

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Mrs S Cobb
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Miss N. Cobb.

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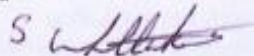
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(Amanda Harris)

(Christian Harris)

14 ALMOND DRIVE
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