

Report



Licensing Sub-Committee

Part 1

Date: 07 February 2017

Item No: 4

Subject Licensing Application

Purpose The consideration and decision in respect of an application by Wm Morrison Supermarkets PLC under Section 17 Licensing Act 2003 for the Grant of a Premises Licence in respect of Morrisons Daily Petrol Filling Station at Azalea Road, Rogerstone, Newport NP10 9SA.

Author William Stephen Lewis

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 Senior Licensing Officer

Action by Head of Law and Regulation

Timetable Statutory Consultation Period

Signed

Application

An online application made by Goschalks Solicitors on behalf of Wm Morrison Supermarkets PLC 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 16th December 2016. (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 13th January 2017 to make written representations.

The Petrol Filling Station stands on the site where a large Morrison Supermarket is located and has been trading since before the Licensing Act 2003 became law on 24th November 2005. The Petrol Filling Station current hours for trading are 05:30 until 22:30 (Location and photographs can be found in Appendix 2 of the report.)

Wm Morrison Supermarkets PLC seeks the grant of a Premises Licence that would permit the Petrol Filling Station to provide the licensable activities of the Sale of Alcohol for consumption 'off the premises' and Sale of Late Night Refreshment. The application proposes that Kelly Louise Nichols is to be specified as the Designated Premises Supervisor and her signed consent is included within a copy of the application (Appendix 1).

1. Licensable Activities

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

- Sale of Alcohol. Monday to Sunday inclusive between the hours of 00:00 and 24:00
- Provision of Late Night Refreshment. Monday to Sunday inclusive between the hours of 23:00 and 05:00

2. Mandatory Conditions of a Premises Licence for Off Sales

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 must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the

supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

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

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

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

(2) In this condition:-

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

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

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

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

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

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

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

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

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

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 03rd January 2017 a representation (Appendix 3) was received from Steve Pontin of Newport City Council Licensing Authority in his 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 Goschalks Solicitors on 04th January 2017 who responded on 09th January 2017 seeking slight amendment to the wording of the conditions 3 and 4 proposed within the representation from Mr Pontin.

This response was communicated to Mr Pontin who accepted the re-worded conditions and formally withdrew the objections of the Licensing Authority. The amendments to the wording of these conditions are detailed in Appendix 3.

Other Person Representations

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

1. Councillor Chris Evans 99, Tregwilym Road, Rogerstone, Newport NP10 9EQ
2. Councillor David Thomas Williams, Wagguners Cottage, Croescarneinion Farm, Rhiwderin, Newport, NP10 8RR
3. Colin Atyeo. Tydu Community Hall Welfare Grounds, Tregwilym Road, Rogerstone, Newport NP10 9EQ
4. Andrew Collingbourne 13 Clytha Park Rd, Newport NP20 4PB
5. P Smith 36 Daffodil Lane, Rogerstone, Newport, NP10 9JJ

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

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'

Copy of Online application and floorplan for Grant of a Premises Licence at Wm Morrison Daily Petrol Filling Station, Azalea Road, Newport.



Newport
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="MCJ/VHT/109500.8057"/>	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?	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.	
<input checked="" type="radio"/> Yes	<input type="radio"/> No	

Applicant Details

* First name	<input type="text" value="Wm Morrison Supermarkets PLC"/>	
* Family name	<input type="text" value="Wm Morrison Supermarkets PLC"/>	
* E-mail	<input type="text" value="victoria_turner@gosschalks.co.uk"/>	
Main telephone number	<input type="text" value="01482 324252"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.
<input type="radio"/> Applying as an individual	

Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="00358949"/>		
Business name	<input type="text" value="Wm Morrison Supermarkets PLC"/>		If the applicant's business is registered, use its registered name.
VAT number	<input type="text" value="GB"/>	<input type="text" value="343475355"/>	Put "none" if the applicant is not registered for VAT.
Legal status	<input type="text" value="Public Limited Company"/>		

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

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

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

Is your business registered outside the UK? Yes No

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.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

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 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- 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
- Other (for example a statutory corporation)

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 19**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

Section 5 of 19

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.

Convenience Store / Petrol Filling Station

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

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

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

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?

Continued from previous page...

Yes

No

Standard Days And Timings

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 provision of late night refreshment 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

Continued from previous page...

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 late night refreshments 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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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

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

Continued from previous page...

SUNDAY

Start 00:00

End 24:00

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

Name

First name Kelly Louise

Family name Nichols

Enter the contact's address

Building number or name 19

Street Moorclose Road

District Queensbury

City or town Bradford

County or administrative area

Postcode BD13 2EA

Country United Kingdom

Continued from previous page...

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.

None.

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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

Continued from previous page...

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 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.

Section 18 of 19

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 engaged in the sale of alcohol will be trained in accordance with the premises licence holder's training procedures.

b) The prevention of crime and disorder

All staff engaged in the sale of alcohol will receive suitable training (including refresher training) in relation to the proof of

Continued from previous page...

age "Challenge 25" scheme to be applied on the premises. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card, Military ID and any other locally or nationally approved form of identification.

CCTV shall be provided on the premises and shall be kept in good working order.

All checkout operators will operate a refusal log.

c) Public safety

The premises licence holder undertakes ongoing risk assessments in order to comply with Health & Safety Legislation.

d) The prevention of public nuisance

The premises are responsibly managed and supervised. No additional measures are believed necessary.

e) The protection of children from harm

All staff engaged in the sale of alcohol will receive suitable training (including refresher training) in relation to the proof of age "Challenge 25" scheme to be applied on the premises. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card, Military ID and any other locally or nationally approved form of identification.

Till prompts are in use at the store.

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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.

Continued from previous page...

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

* Fee amount (£)

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

* Capacity

* Date / /
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/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 ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="MCJ/VHT/109500.8057"/>
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"/>

Part A

Consent of Individual to Being Specified as Premises Supervisor

(1) Insert full name of prospective premises supervisor.

I (1)
KELLY LOUISE NICHOLS

(2) Insert home address of prospective premises supervisor.

Of (2)
19-MOORCLOSE ROAD
QUEENSBURY
BRADFORD
BD13 2EA

(3) Insert type of application.

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for (3)

(4) Insert name of applicant.

by (4)
WM MORRISON SUPERMARKETS PLC

(5) Insert number of existing licence if any.

relating to a premises licence (5)

(6) Insert name and address of premises to which the application relates.

for (6)
MORRISONS DAILY PETROL FILLING STATION
AZALEA ROAD ROGERSTONE
NEWPORT SOUTH WALES NP10 9SA

and any premises licence to be granted or varied in respect of this application made by (4)
WM MORRISON SUPERMARKETS PLC

concerning the supply of alcohol at (6)
MORRISONS DAILY PETROL FILLING STATION
AZALEA ROAD
ROGERSTONE
NEWPORT
SOUTH WALES
NP10 9SA

(7) Delete as applicable.

I also confirm that I (7)[am applying for] (7)[intend to apply for] (7)[currently hold] a personal licence, details of which I set out below.


(8) Insert personal licence number, if any.

Personal licence number (8) BD/PER/2277

(9) Insert name and address and telephone number of personal licence issuing authority, if any.

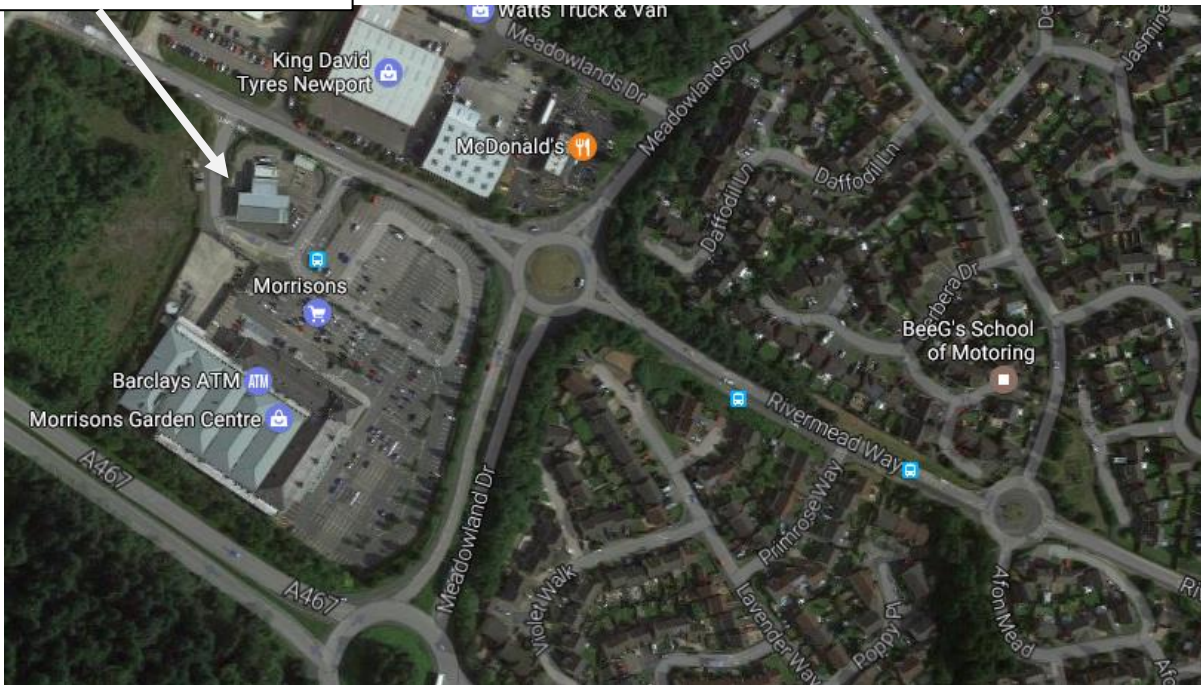
Personal licence issuing authority (9)
BRADFORD METROPOLITAN DISTRICT COUNCIL

(10) Please print.

Signed 
Name(10) KELLY LOUISE NICHOLS
Dated 14/12/16

Map and Street Views of the Premises subject of the application

Petrol Filling Station and Shop Premises subject of the application.



Petrol Filling Station Forecourt and Shop

Premises seeking to be granted a Licence



Morrisons Supermarket Access Road to Main Store and Petrol Filling Station



Supermarket Main Store



Petrol Filling Station



Representation served by Licensing Officer Steve Pontin as a 'Responsible Authority'

Ask for/Gofynnwch am Steve Pontin
Our Ref/Ein Cyf 16/02505/LAPRE
Your Ref/Eich Cyf
Tel/Ffôn **01633 656656**
Direct Dial/Rhif Union 01633 851333
DX 99463 Newport (Gwent) 3
E-Mail/E-Bost Steve.pontin@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

Monday, 23 January 2017

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 'Morrison's Petrol Filling Station, Azalea Road, Rogerstone, Newport, NP10 9SA served upon the Licensing Authority on 16 December 2016.

Newport City Council's Licensing Authority acting in its capacity as a 'Responsible Authority' by virtue of Section 182 (4) Licensing Act 2003 (amended guidance) wish to object to the grant of 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, this Authority acting in its role as a '**responsible authority**' would withdraw its representation if the applicant volunteered the following conditions alongside 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 cameras shall be in place which record all licensed areas of the premises. CCTV shall be operational at all times when the premises are trading. All recordings shall be retained for a minimum of 28 days and shall be made available to an Authorised person on request.
2. The Premises Licence holder shall ensure that everyone employed within the premises receives regular training in respect of their responsibilities under the Licensing Act 2003. Such training will be documented in a training record manual and produced upon request of police or an authorised officer of any responsible authority.

3. The nationally used 'Challenge 25 Scheme' will be operated and any person attempting to purchase alcohol who do not appear to be over the age of 25 will be required to produce proof of age in the form of a photo-card driving licence, passport or PASS approved holographic identity card. Failure to produce such identification will result in refusal of entry or sale of alcohol. Challenge 25 Notices shall be displayed at the entrance, where alcohol is displayed within the premises and at the 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 and brief description of person refused. This register shall be made available for inspection upon request of any Responsible Authority under the Licensing Act 2003. The DPS shall check the register once a week ensuring that it is complete and up to date and the DPS will sign the book each time it is checked.

Should the applicant agree to volunteer that the above conditions be included within the premises' operating schedule in place of those offered as part of the application, the Licensing Authority acting in its role as a 'responsible authority' would withdraw its representation.

Yours sincerely

Steve Pontin
Licensing Officer

Condition 3 was amended following mediation between applicant and Licensing Authority to read:

The nationally used "Challenge 25 Scheme" will be operated and any person attempting to purchase alcohol who does not appear to be over the age of 25 will be required to produce proof of age in the form of a photo-card driving licence, Military ID, passport or PASS approved holographic identity card or any other locally or nationally approved form of identification. Failure to produce such identification will result in refusal of the sale of alcohol. Challenge 25 Notices shall be displayed at the entrance, where alcohol is displayed within the premises and at the point of sale.

Condition 4 was amended following mediation between applicant and Licensing Authority to read:

The premises licence holder shall operate and maintain an up-to-date log of refusals of sale of alcohol, indicating the date, time and reason for refusal. This log shall be made available for inspection upon request of any responsible authority under the Licensing Act 2003. A Senior Manager or the DPS shall check the log at monthly intervals ensuring that it is complete and up to date and the Senior Manager or DPS will sign the log each time it is checked

Representations from 'Other Persons'

1. Councillor Chris Evans

Alastair Dearling (Licensing Manager)

From: Chris Evans (Elected Member)
Sent: 20 December 2016 09:34
To: Alastair Dearling (Licensing Manager)
Cc: William Lewis (Senior Licensing Officer)
Subject: Morrison
Attachments: IMG_9736.JPG; ATT00001.txt

hi Alastair, see attached notice, can I request that this application goes to committee please, and, could my objections be registered, for the following reasons:

- 1) alcohol, being made available 24 hours, from a petrol station does not send out the right social message.
- 2) the area where this petrol station is situated, is popular with youths, who meet at the nearby McDonalds, there is evidence already of excessive alcohol consumption from litter picks, a vender selling alcohol 24/7 could be a magnet for anti social behaviour.
- 3) there are other venders in the area selling alcohol.
- 4) there is no market need for a petrol station selling alcohol 24/7.
- 5) I note the application is for a general licence, which means 'shots' single 'cans' 'miniature bottles' can be sold, studies have showed these drinks encourage irresponsible drinking, if a license is given, will Morrison's publicly pledge to only sell wines/spirits/beers priced at market rate, without discounts and further pledge not to sell 'shots' 'miniatures' 'single cans' if not why not?

thanks.... can you also send me a link or mail address where neighbours can lodge objections please.

sorry to bother you with this before Xmas, have a good one!

CHRIS

2. Councillor David Thomas Williams

Law and Regulation
Licensing Service



REPRESENTATION FORM

ANY OTHER PERSON "INTERESTED PERSON"

Your Name/Company Name/Name of Body you represent	Cllr. David Thomas Williams Graig Ward
Postal and email address	Wagguners Cottage Croescarneinion Farm, Rhiwderin Newport. NP108RR, David.williams@newport.gov.uk
Contact telephone number	01633 892134

Name of the premises you are making a representation about	Morrisons Garage Afon Village
Address of the premises you are making a representation about	Avon Village Newport

Your representation must relate to one of the four Licensing Objectives. Please detail	Please detail the evidence supporting your representation and the reason for your representation. (Please use separate sheets if necessary)
The Prevention of Crime and Disorder	I believe that it will lead to more anti-social behaviour around the outlet during the early hours of the morning.
Ensuring Public Safety	People may purchase alcohol and be tempted to drive over the safe alcohol limit endangering other road users and pedestrians.
The Prevention of Public Nuisance	It will encourage noise of cars and people in the early hours of the morning, disturbing residents.
The Protection of Children from Harm	The outlet will encourage underage drinking

Generally, if there is to be a hearing to determine the premises licence application, the Panel will only be able to consider matters that have been previously disclosed. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. You will only be able to provide further detail in respect of those issues already raised and not to introduce entirely new evidence. (Please attach additional sheets if necessary).

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

All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence should the application go to a Hearing.

Signed : D T Williams Date: 5/1/17

Please return this form along with any additional sheets to:

**Licensing Services
PO Box 883
Newport City Council
Civic Centre
Newport
South Wales
NP20 4UR**

Or email:

environment.licensing@newport.gov.uk

THIS FORM MUST BE RETURNED WITHIN THE STATUTORY PERIOD, WHICH ENDS TWENTY-EIGHT DAYS FROM THE DATE THE NOTICE WAS DISPLAYED ON THE PREMISES OR ENDS ON THE DATE SPECIFIED IN THE PUBLIC NOTICE IN THE NEWSPAPER.

PLEASE CONTACT THE LICENSING TEAM ON 01633 656656 TO CONFIRM THIS DATE.

3. Rogerstone Community Council



ROGERSTONE COMMUNITY COUNCIL

Tydu Community Hall • Welfare Grounds • Tregwilym Road • Rogerstone • Newport • NP10 9EQ
Telephone (01633) 893350 • E-mail: rogerstonecc@gmail.com www.rogerstonecommunitycouncil.com

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

09.01.17

Dear Sir/Madam,

Licensing Application Objection

LICENSING ACT 2003 NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17

Notice is hereby given that on the 16th December 2016 Wm Morrison Supermarkets PLC applied to Newport City Council for a Premises Licence in respect of Morrison's Daily Petrol Filling Station, Azalea Road, Rogerstone, Newport NP10 9SA. The proposed licensable activities are: - 1. The supply of alcohol on Mondays to Sundays between the hours of 00.00 to 24.00. 2. To permit late night refreshment on Mondays to Sundays between the hours of 23.00 and 05.00. Any representations by a responsible authority or any other person regarding this application must be received in writing by: - Licensing Services, Information Station, Old Station Building, Queensway, Newport NP20 4AX no later than the 13th January 2017 stating the grounds for representations. The register of Newport City Council and the record of the application may be inspected at the address given above between the hours of 9am and 4pm Monday to Friday. It is an offence knowingly or recklessly to make a false statement in connection with an application. The fine for which a person is liable on summary conviction for the offence is unlimited.

After an extensive discussion on the above, Rogerstone Community Council unanimously agreed to submit an objection to the above application on the following grounds: -

Concerns for the security of staff.

Alcohol, being made available 24 hours a day from a petrol station does not send out the right social message.

Antisocial issues in a residential area - the area where this petrol station is situated, is popular with youths who meet at the adjacent Mc Donald's restaurant; there is already evidence of excessive alcohol consumption and a vendor selling alcohol 24/7 could be a magnet for anti-social behaviour.

There are sufficient vendors in the area selling alcohol.

There is no need for alcohol to be available 24 hours a day, 7 days a week.

The application is for a general licence, which means 'shots' single 'cans' 'miniature bottles' can be sold; studies have showed these drinks encourage irresponsible drinking.

Yours sincerely,

Colin Atyeo

Colin Atyeo
Clerk to the Council

4. Andrew Collingbourne

Dear Sirs,

Re. Morrison's Filling Station, Azalea Road, Newport – Licence Application
(16/02505/LAPRE)

As a resident of Rogerstone I am writing to object to the granting of a 24-hour alcohol licence in respect of the above geographical locality. I contend that the key objections are as follows:-

- There are already sufficient outlets where drink is available 24 hours a day in the geographical locality above.
- It would cause disruption to residents via noise from potential increased traffic and people in the area; litter could be increased and subsequent potential harm to the environment.
- Re above, young people already congregate around fast food restaurants (e.g. the nearby McDonald's) and the access to alcohol could be a magnet for further anti-social behaviour.
- The access to alcohol around the clock could attract people from a wider area and bring with it associated disruption to local residents.
- Potential increase in drink-drive issues and dangerous driving.
- Concerns for the security of staff at the point of sale.
- Alcohol, being made available 24 hours a day from a petrol station, does not send out the right social message.
- The application is for a general licence, which means 'shots', single 'cans', 'miniature bottles' can be sold; studies have showed that the sale of these drinks encourages irresponsible drinking.
- If alcohol is sold via a hatch, the true consumer might not be present and this could mean that alcohol is being sold to the youngest and most vulnerable members of society.

I further understand that risk assessments carried out for similar applications include, but are not limited to, the provision of CCTV, the presence of a minimum of two registered security staff (from 10.00pm to 6.00am), the implementation of the 'Challenge 25' policy and that there is a minimum of two staff on duty, one of whom must be the licence holder.

Notwithstanding the above, I believe that the same would be insufficient to properly manage a 24-hour licensed (alcohol) petrol filling station as it simply deals with security of the specific site, not the wider more complex issues highlighted above.

For these reasons, I am opposing the application for the granting of the 24-hour alcohol sale licence.

Should you wish to discuss the above matters further please do not hesitate to contact me on my mobile number which is 07879441676.

Yours faithfully

Andrew Collingbourne
COLLINGBOURNE HENNAH LAW LLP

5. P. Smith

36 Daffodil Lane
Rogerstone
Newport
NP10 9JJ

Dear Sirs,

RE: Premises License for Morrison's Daily Petrol Filling Station, Azalea Road, Rogerstone, Newport NP10 9SA

I am writing to register my objection to the application for a premises license by Morrison's Daily Petrol Filling Station, Azalea Road, Rogerstone, Newport NP10 9SA. I object to this application on the following grounds:

1. Concerns for the security of staff
2. Alcohol, being made available 24 hours a day from a petrol station does not send out the right social message and could encourage drink driving.
3. Antisocial issues in a residential area - the area where this petrol station is situated, is popular with youths who meet at the adjacent McDonalds restaurant; there is already evidence of excessive alcohol consumption and a vendor selling alcohol 24/7 could be a magnet for anti-social behaviour. There is already evidence of antisocial behaviour particularly at weekends and school holidays in various parts of Afon Village and sometimes in the vicinity of McDonalds. We already suffer with youths using their car horns after about 11pm on a regular basis around the vicinity of McDonalds and Morrison's.
4. There are sufficient vendors in the area selling alcohol.
5. There is no need for alcohol to be available 24 hours a day, 7 days a week.
6. The application is for a general licence, which means 'shots' single 'cans' 'miniature bottles' can be sold; studies have showed these drinks encourage irresponsible drinking,
7. Currently we have a real issue with the litter in the vicinity of McDonalds particularly in the woods off Afon Ebbw Road and Meadowland Drive and the banking off Meadowland Drive and Rivermead Way. Newport City Council have been approached to clean these areas up but have declined due to Health and Safety concerns for their staff. Morrison's themselves have made no effort in the last 10 years to get involved with litter picks in these areas. The last 2-3 litter picks have been carried out by the local Scout group and local residents. With the availability of alcohol 24 hours, this litter problem is going to get worse and it will be down to the local residents and community to sort it out

In view of the above, I would urge the Licensing Authority to refuse the application.

I have attached some example photos to illustrate the current problem with litter in the area.

Yours faithfully,

P. Smith

