

Agenda

Is-bwyllgor Trwyddedu

Dyddiad: Dydd Mawrth, 9 Gorffennaf 2019

Amser: 10.00 am

Lleoliad: Committee Room 1 - Canolfan Dinesig

At: Cynghorwyr: D Davies (Cadeirydd), H Thomas (Dirprwy Gadeirydd), J Cleverly, M Rahman, C Ferris, J Hughes, Y Forsey, T Suller and M Kellaway

| Eitem | | Wardiau Dan Sylw |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 1 | <u>Ymddiheuriadau dros Absenoldeb</u> | |
| 2 | <u>Datganiadau o ddiddordeb</u> | |
| 3 | <u>Is-bwyllgor Trwyddedu: Cod Ymarfer (Tudalennau 3 - 16)</u> | |
| 4 | <u>Cais am Drwydded Eiddo (Tudalennau 17 - 54)</u> The consideration and decision in respect of an application by the International Convention Centre Wales Limited under Section 17 Licensing Act 2003 for the Grant of a Premises Licence in respect of the International Convention Centre Wales, Coldra Woods, Newport, NP18 1HQ. | Ringland |

Mae'r dudalen hon yn wag yn

Conduct and Procedure of Licensing Sub-committee

1 Membership and appointment of Chair

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

2 Ward Councillors

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

3 Lobbying

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

4 Chair of the Licensing Sub-Committee

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

5 Quorum

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

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

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

6 Statutory Guidance

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

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

7 Notice of Hearings

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

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

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

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

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

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

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

8 Timescale for arranging hearings

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

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

9 Form of Notice

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

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

10 Information to be provided

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

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

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

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

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

11 Requirements for Applicants and any other persons

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

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

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

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

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

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

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

13 The Hearing

13.1 Exclusions

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

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

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

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

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

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

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

14 Failure of parties to attend the hearing

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

15 Procedure at the hearing

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

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

16 Site Visits

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

17 Determination of applications

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

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

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

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

18 Right of appeal

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

19 Record of proceedings

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

20 Irregularities

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

Organisation of Cases for the Hearing

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

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

Principles of Decision-Making

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

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

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

Procedure to be Followed at The Hearing

- 1 Preliminaries and Opening remarks

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

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

The Chair introduces the members and the officers present.
- 2 Apologies/declarations of interest

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

3 Introductions

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

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

4 Applications

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

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

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

5 Report from Licensing Officer

The Licensing Officer presents the Report outlining

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

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

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

7 The Applicant's case

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

8 The Objector(s) case

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

9 Closing Statements

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

10 Decision

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

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

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

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

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

11 Repeat process for each hearing

Mae'r dudalen hon yn wag yn

Report



Licensing Sub-Committee

Part 1

Date: 09 July 2019

Subject **Licensing Application**

Purpose The consideration and decision in respect of an application by the International Convention Centre Wales Limited under Section 17 Licensing Act 2003 for the Grant of a Premises Licence in respect of the International Convention Centre Wales, Coldra Woods, Newport, NP18 1HQ

Author Samantha Turnbull

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 application made by the International Convention Centre Wales 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 14 May 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 11 June 2019 to make written representations.

The International Convention Centre is a 5,000 capacity venue located near to the Celtic Manor Resort. The premises has a main auditorium with fixed tiered seating for 1,500 delegates with a split over two levels, has a 4,000sqm pillar free space, flexible and divisible into 6 sections, 15 flexible meeting rooms and 26,000 sqm of total floor space. The premises also includes a generous atrium entrance with 2,500 sqm outdoor plaza.

International Convention Centre Wales Limited 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', performance of plays, exhibition of films, indoor sporting events, boxing and wrestling, performance of live music, playing of recorded music, performances of dance. The application proposes that Nancy Mollett is to be specified as the Designated Premises Supervisor and her 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 :

- Performance of plays, exhibition of films, performances of dance : Monday to Sunday between the hours of 00:00 and 00:00,
- Indoor sporting events: Monday to Sunday between the hours of 07:00 and 02:00.
- Boxing and wrestling: Monday to Sunday between the hours of 09:00 and 00:30. In addition on 4 separate occasions a year boxing and wrestling will take place till 04:00hrs. On these 4 occasions at least one bout must be televised.
A minimum of 14 working days' notice should be given to the Licensing Authority and Gwent Police. The Police or a responsible authority has a right to veto the event.
- Playing of recorded music and performance of live music: Monday to Sunday between the hours of 00:00 and 00:00
Live music and Recorded music outdoors including marquee structures will take place between the hours of 07:00hrs until 03:00hrs (in line with the current Celtic Manor Premises Licence)
- Sale of alcohol: Monday to Sunday between the hours of 00:00 – 00:00.

(Please note the conditions relating corporate and non corporate events; for non-corporate events alcohol until 2:00am unless with consent from Gwent Police/Licensing Authority)

Off sales will only take place between 07:00hrs till 02:30am, unless the supply is made to guest of the Celtic Manor Hotel(s)/lodges or is a "Corporate event booking" in this case off sales will be 24 hours.

No off sales will be permitted for boxing / wrestling events.

- Late night refreshment: Monday to Sunday between the hours of 23:00 – 05:00

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 M of the application form at Appendix 1 to this report.

4. Representations

Responsible Authority Representations

On 04 June 2019 a representation (Appendix 2) was received from Mr Brian Miles of Newport City Council Noise and Neighbourhood team Responsible Authority objecting to the application with a proposal that if an additional condition detailed in the representation were agreed by the applicant the objection would be withdrawn.

This representation was forwarded to ICC Wales Ltd on 04 June 2019, who responded on 04 June 2019 agreeing to the proposed condition. This response was communicated to Officer Miles who formally withdrew the objection of the Noise and Neighbourhood team.

On 06 June 2019 a representation (Appendix 3) was received from PC 246 Hurst of Heddlu Gwent Police, responsible authority, detailing several conditions to be included in the premises licence so as to support the licensing objectives as well as a change to the hours during which alcohol will be sold at at non corporate event bookings between 2am- 06am as opposed to 02:30am – 06am as requested in the application.

On 14 June 2019 the Police representation was formally withdrawn by PC 246 Hurst following the applicant agreeing to the change of hours for non corporate bookings as well as agreeing to place all of the requested conditions onto the premises licence subject to one agreed amendment to condition 2 which now reads:

"At all Christmas parties, a ratio of 1 door staff per 100 persons must be in attendance. However the number should never drop below 2, ie a minimum of 2 SIA staff should be on duty even if only 120 in attendance.

In respect of all corporate Christmas parties a ratio of 1 door staff per 200 persons must be in attendance. However the number should never drop below 2, ie a minimum of 2 SIA staff should be on duty even if only 120 in attendance."

Other Person Representations

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

1. JG Jones, 2 The Coldra, Newport, NP18 2LP
2. Miss Julia Jones, 2 The Coldra, Newport, NP18 2LP

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. Application for Grant of a Premises Licence.
2. Representation from Responsible Authority (Noise and Neighbourhood)
3. Representation from Responsible Authority (Heddlu Gwent Police)
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 of 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.

You will need to complete the following Risk table

| 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.

APPENDIX 1

Copy of application for Grant of a Premises Licence at International Convention Centre Wales, Coldra Woods, Newport, NP18 1HQ

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We International Convention Centre Wales Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

| | | | |
|--------------------------------------------------------------------------------------|---------|-----------------|-----------------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| Coldra Woods | | | |
| Post town | Newport | Postcode | NP18 1HQ |

| | |
|-----------------------------------------|---------------------|
| Telephone number at premises (if any) | 01633 410200 |
| Non-domestic rateable value of premises | £ |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|----------------------------------------------------------------|------------------------------|----------------------------------------------------|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth | | I am 18 years old or over <input type="checkbox"/> | | Please tick yes | |
| Nationality | | | | | |
| Current residential address if different from premises address | | | | | |
| Post town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------------------------------------|------------------------------|-------------------------------|--------------------------------------------------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth | | | I am 18 years old or over <input type="checkbox"/> Please tick yes | | |
| Nationality | | | | | |
| Current postal address if different from premises address | | | | | |
| Post town | | Postcode | | | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

(B) OTHER APPLICANTS

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

| |
|-------------------------------------------------------------------------------------------------------------------------|
| Name International Convention Centre Wales Limited |
| Address Coldra Woods Newport NP18 1HQ |
| Registered number (where applicable) 08829779 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company |
| Telephone number (if any) 01633 410200 |
| E-mail address (optional) leadtheway@iccwales.com |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----------------------|----------------------|----------------------|
| DD | MM | YYYY |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| | | |
|----------------------|----------------------|----------------------|
| DD | MM | YYYY |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Please give a general description of the premises (please read guidance note 1)

The International Convention Centre Wales (ICCW) is located within the grounds of the Celtic Manor.

The key features of the Convention Centre are as follows:

- + Auditorium with tiered seating for 1,500 with an even split on both levels
- + 4,000 sqm pillar free space, flexible and divisible into 6 sections
- + 15 flexible meeting rooms
- + 26,000 sqm of total floor space
- + Up to 5,000 delegates at one time
- + Generous atrium entrance with 2,500 sqm outdoor plaza
- + Natural daylight in all meeting rooms and the main hall
- + Networking spaces on all levels
- + Dedicated facilities for clients and production teams
- + Direct loading for production and exhibition vehicles

The Venue continues to build on the Celtic Manor proven track record of hosting the 2010 Ryder Cup and the 2014 NATO summit.

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

| |
|------|
| 4999 |
|------|

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

| Plays Standard days and timings (please read guidance note 7) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|-------------------------------------------------------------------------|-------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 00:00 | 00:00 | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | 00:00 | 00:00 | | | |
| | | | | | |
| Wed | 00:00 | 00:00 | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | 00:00 | 00:00 | | | |
| | | | | | |
| Fri | 00:00 | 00:00 | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | | | |
| Sat | 00:00 | 00:00 | | | |
| | | | | | |
| Sun | 00:00 | 00:00 | | | |
| | | | | | |

B

| | | | | | |
|-------------------------------------------------------------------------|-------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| Films Standard days and timings (please read guidance note 7) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 00:00 | 00:00 | | | |
| Tue | 00:00 | 00:00 | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) | | |
| Wed | 00:00 | 00:00 | | | |
| Thur | 00:00 | 00:00 | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Fri | 00:00 | 00:00 | | | |
| Sat | 00:00 | 00:00 | | | |
| Sun | 00:00 | 00:00 | | | |

C

| | | | |
|------------------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | 07:00 | 02:00 | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) |
| Tue | 07:00 | 02:00 | |
| Wed | 07:00 | 02:00 | |
| Thur | 07:00 | 02:00 | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) |
| Fri | 07:00 | 02:00 | |
| Sat | 07:00 | 02:00 | |
| Sun | 07:00 | 02:00 | |
| | | | |

D

| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|-----------------------------------------------------------------------------------------------|-------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | 09:00 | 00:30 | Please give further details here (please read guidance note 4) | Both | <input checked="" type="checkbox"/> |
| Tue | 09:00 | 00:30 | | | |
| Wed | 09:00 | 00:30 | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | |
| Thur | 09:00 | 00:30 | | | |
| Fri | 09:00 | 00:30 | <p>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)</p> <p>On 4 separate occasions a year boxing and wrestling will take place till 04:00hrs.</p> <p>On these 4 occasions at least one bout must be televised. A minimum of 14 working days' notice should be given to the Licensing Authority and Gwent Police.</p> <p>The Police or a responsible authority has a right to veto the event. The premises licence holder shall comply with the Event</p> <p>Management Plan submitted to the Licensing Authority alongside any further appropriate condition / recommendation to the operating schedule by the Licensing Authority, Responsible Authority (under the Licensing Act 2003) and any member of Newport City Council Safety Advisory Group (SAG).</p> | | |
| Sat | 09:00 | 00:30 | | | |
| Sun | 09:00 | 00:30 | | | |
| | | | | | |

E

| | | | | | |
|------------------------------------------------------------------------------|-------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| Live music Standard days and timings (please read guidance note 7) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 00:00 | 00:00 | | | |
| Tue | 00:00 | 00:00 | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
| Wed | 00:00 | 00:00 | | | |
| Thur | 00:00 | 00:00 | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Fri | 00:00 | 00:00 | | | |
| Sat | 00:00 | 00:00 | Live music outdoors including marquee structures will take place between the hours of 07:00hrs until 03:00hrs (in line with the current Celtic Manor Premises Licence) | | |
| Sun | 00:00 | 00:00 | | | |

F

| | | | | | |
|----------------------------------------------------------------------------------|-------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 7) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 00:00 | 00:00 | | | |
| | | | | | |
| Tue | 00:00 | 00:00 | | | |
| | | | | | |
| Wed | 00:00 | 00:00 | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | 00:00 | 00:00 | | | |
| | | | | | |
| Fri | 00:00 | 00:00 | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sat | 00:00 | 00:00 | Recorded music outdoors including marquee structures will take place between the hours of 07:00hrs until 03:00hrs (in line with the current Celtic Manor Premises Licence) | | |
| | | | | | |
| Sun | 00:00 | 00:00 | | | |
| | | | | | |

G

| | | | | | |
|-----------------------------------------------------------------------------------------|-------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| Performances of dance Standard days and timings (please read guidance note 7) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | 00:00 | 00:00 | | | |
| | | | State any seasonal variations for the performance of dance (please read guidance note 5) | | |
| Tue | 00:00 | 00:00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Wed | 00:00 | 00:00 | | | |
| | | | | | |
| Thur | 00:00 | 00:00 | | | |
| | | | | | |
| Fri | 00:00 | 00:00 | | | |
| | | | | | |
| Sat | 00:00 | 00:00 | | | |
| | | | | | |
| Sun | 00:00 | 00:00 | | | |
| | | | | | |

H

| | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| Mon | 00:00 | 00:00 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Tue | 00:00 | 00:00 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Wed | 00:00 | 00:00 | | | |
| Thur | 00:00 | 00:00 | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) | | |
| Fri | 00:00 | 00:00 | | | |
| Sat | 00:00 | 00:00 | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sun | 00:00 | 00:00 | Anything of a similar description outside including marquee structures will take place between the hours of 07:00hrs and 03:00 hrs (In line with current Celtic Manor Premises Licence). | | |

| | | | | | |
|------------------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 23:00 | 05:00 | | | |
| | | | | | |
| Tue | 23:00 | 05:00 | | | |
| | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | |
| Wed | 23:00 | 05:00 | | | |
| | | | | | |
| Thur | 23:00 | 05:00 | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Fri | 23:00 | 05:00 | | | |
| | | | | | |
| Sat | 23:00 | 05:00 | | | |
| | | | | | |
| Sun | 23:00 | 05:00 | | | |
| | | | | | |

J

| | | | | | |
|-------------------------------------------------------------------------------------|--------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | <u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) | | |
| Mon | 00:00 | 00:00 | | | |
| Tue | 00:00 | 00:00 | | | |
| Wed | 00:00 | 00:00 | | | |
| Thur | 00:00 | 00:00 | | | |
| Fri | 00:00 | 00:00 | | | |
| Sat | 00:00 | 00:00 | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | Off sales will take place between 07:00hrs till 02:30am, unless the supply is made to guest of the Celtic Manor Hotel(s)/lodges or is a “Corporate event booking” in this case off sales will be 24 hours. | | |
| | | | No off sales will be permitted for boxing / wrestling events. | | |
| Sun | 00:00 | 00:00 | | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|------------------------------------------------------------------------|--|
| Name Nancy Ruth Mollett | |
| Date of birth | |
| Address | |
| Postcode | |
| Personal licence number (if known) PLH515 | |
| Issuing licensing authority (if known) Monmouthshire County Council | |

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

| | | | |
|---------------------------------------------------------------------------------------------------------|-------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | 00:00 | 00:00 | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) |
| | | | |
| Tue | 00:00 | 00:00 | |
| | | | |
| Wed | 00:00 | 00:00 | |
| | | | |
| Thur | 00:00 | 00:00 | |
| | | | |
| Fri | 00:00 | 00:00 | |
| | | | |
| Sat | 00:00 | 00:00 | |
| | | | |
| Sun | 00:00 | 00:00 | |
| | | | |

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please see attached operating schedule conditions offered as part of the application for a premises licence.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

The International Convention Centre Wales Limited wish to offer the following operating schedule conditions as part of our application for a premises licence:

The total number of persons permitted on the premises at any one time shall not exceed 4999 persons.

- **CCTV System:**

CCTV cameras shall be installed throughout the premises, including any outside areas covered by the premises licence. The cameras will cover all licensed areas of the premises accessible to the public. 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.

Designated 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.

- **Challenge 21:**

With specific regard to the sale of alcohol anywhere within the curtilage of the area covered by the premises licence, the seller of the alcohol must comply with the national challenge 21 scheme. The Challenge 21 scheme requires that where any person is believed to be under 21 years of age they will be required to provide photographic proof of age such as a photo card drivers licence, passport or PASS approved ID card before any such sale of alcohol is made.

A fully documented staff training programme shall be put in place in relation to the challenge 21 scheme and implemented in relation to all staff responsible for the sale of alcohol on the premises. 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.

- **Marquees and Large Tents and Temporary Structure:**

The Premises Licence Holder will obtain and provide copies of certification for all marquee and large tent fabrics and membranes to show they comply with the appropriate British Standards Certification. Certification shall also be required to show that any temporary structure (i.e. a stage) is safe and fit for purpose.

Structures that are erected over 28 days will not be deemed as temporary structures and will require a variation to the premises licence plan.

- **Corporate and Non Corporate Event Bookings:**

The classification of pre-booked events to be held on the premises shall be as follows: A '**Corporate event booking**' for the purposes of this premises licence is determined to be any event made direct to the premises licence holder by an organisation, institution or registered body whereby all those persons attending the event shall be in attendance following the issue of express invitation or ticket issued (whether or not for payment). All persons attending such events shall be clearly identifiable as belonging to particular group or class relating to the organisation, institution or registered body that secured the 'Corporate event booking'.

The provisions of this premises licence defines that a '**Non Corporate Event Booking**' is one where there are no restrictions in respect of attendees at the event insofar that

attendees need not belong to or be associated with a specific group or class. This includes any event where a promoter or event management team or any other person has secured the use of the premises from the holder of the Premises Licence for the purpose of staging an event which shall be open to any person to attend whether by payment or otherwise

AND

Any event staged or promoted by the holder of the Premises Licence which shall be open to any person to attend whether by payment or otherwise.

- **02:30 – 06am sale by retail of alcohol for ‘Non Corporate Event’ Booking’:**

Should the premises licence holder determine that as part of a public event booking, the sale by retail of alcohol for consumption on the premises shall be provided between the hours of 02:30 – 06am, the premises licence holder must send formal written notification to the Licensing Authority and Heddlu Gwent Police a minimum of 10 working days before the date of the event. Heddlu Gwent Police reserve the right to veto the sale by retail of alcohol at such events between the hours of 02:30am – 6am within 3 days of receipt of the formal written notification.

Whereby a public event booking is authorised to provide the sale by retail of alcohol between the hours of 02:30 – 6am, the Designated Premises Supervisor or appointed member of the management team, who is the holder of a valid personal licence, must on site at all times.

‘Non Corporate Event’, specifically music concert, boxing events, live sporting events and all non corporate Christmas parties:

Controls shall be in place to prevent glass wear or glass bottles being removed from the premises. This restriction does not apply to a designated smoking area, that is monitored by staff.

No member of the public shall re-admitted to the premises after midnight.

The premises licence holder will implement an appropriate drugs policy. The policy is required to be approved at the written request of Heddlu Gwent Police.

‘Non Corporate Event’, specifically music concerts, boxing events and live sporting events:

In respect of all music concerts and sporting events held at the premises the Premises Licence Holder must undertake a written risk assessment specifically in relation to the event scheduled to take place which details the total amount of stewards and event security personnel that shall be deployed on the premises in relation to the event specified in the risk assessment.

All risk assessments in relation to staffing levels for stewards and event security personnel, must be made available on request to the Licensing Authority and Heddlu Gwent Police. The Premises Licence Holder must ensure that stewards and event security personnel fully understand and adhere to their duties, including:

- understanding their general responsibilities towards the health and safety of all categories of audience (including those with additional needs and children), other stewards, event security personnel and themselves;
- carrying out pre-event safety checks;
- being familiar with the layout of the premises and able to assist members of the public by giving information about the available facilities including first aid, toilets, water, welfare and facilities for people with additional needs etc;
- the staffing entrances, exits and other strategic points;

- controlling or directing the audience who are entering or leaving the event, to help achieve an even flow of people into and from the various parts of the site;
- recognising crowd conditions to ensure the safe dispersal of audience and the prevention of overcrowding;
- assisting in the safe operation of the event by keeping gangways and exists clear at all times and preventing standing on seats and furniture;
- investigating any disturbances or incidents
- responding to emergencies (such as the early stages of a fire), raising the alarm and taking the necessary immediate action;
- being familiar with the arrangements for evacuating the audience, including coded messages and undertaking specific duties in an emergency;
- Communication with the incident control staff in the event of an emergency.

The Premises Licence Holder must ensure that all stewards and event security personnel are effectively trained so that they can carry out their duties. The level of training will depend on the duty to be performed.

The Premises Licence Holder shall ensure that all stewards and event security personnel are to be trained in fire safety procedures; emergency evacuation and dealing with incidents such as bomb threats.

The Premises Licence Holder shall ensure that stewards and event security working in the pit area, must be trained and capable so that they are able to lift distressed people out of the audience safely and without risk to themselves.

'Non Corporate Event', specifically music concerts, boxing events and live sporting events of a capacity of over 2500 people a "taxi rank" must be provided on site and should be controlled by appropriate marshals. Or an appropriate dispersal plan should be implemented by the Premises Licence Holder. Any recommendations from Heddlu Gwent Police or the Licensing Authority should be implemented within the traffic management plan.

The plan shall contain details of how persons attending and leaving the event shall be achieved without having adverse impact on local area and ensuring patrons leave the site quickly and safely.

Any recommendations from Heddlu Gwent Police or the Licensing Authority must be fully implemented with the premises' designated Traffic Management Plan.

At the request of Heddlu Gwent Police and/or the Licensing Authority, drinks shall only be served in polycarbonate or plastic glasses.

In respect of all boxing and wrestling events polycarbonate or plastic glasses should only be used. All drinks in glass bottles must be decanted into polycarbonate or plastic glasses. Should the premises wish to designate a number of "VIP" only areas as part of these events, an exemption to the restriction of the use of glass wear will be lifted only in respect of these designated "VIP" areas.

Appropriate management systems shall be set in place to control occupant capacity and crowd density between the rooms of the premises, including appropriate queuing systems for entering the venue.

Non Corporate Event', specifically all non corporate Christmas Parties:

In relation to a Christmas party event the ratio of event security personnel should be a minimum of 1 SIA registered individual per 250 persons.

Checklist:

Please tick to indicate agreement

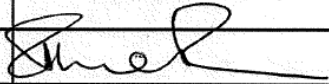
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Declaration | <ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature |  |
| Date | 7 th May 2019 |
| Capacity | Convention Centre Director |

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend

Consent of individual to being specified as premises supervisor

Nancy Mollett

I
[full name of prospective premises supervisor]

of

.....
.....
.....
.....

.....
[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

Premises Licence Application

.....
[type of application]

by

International Convention Centre Wales Limited

.....
[name of applicant]

relating to a premises licence
[number of existing licence, if any]

for

International Convention Centre Wales

.....
[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

~~International~~ Convention Centre Wales Limited

concerning the supply of alcohol at

International Convention Centre Wales
Coldra Woods
Newport
NP18 1HQ

[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

PLH515

[insert personal licence number, if any]

Personal licence issuing authority

Monmouthshire County Council

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

Signed



Name (please print)

Nancy Mollett

Date

10 MAY
February 2019

APPENDIX 2

Representation served by Pollution Control Officer Mr Brian Miles, Noise and Neighbourhood Responsible Authority

Law and Regulation
Y Gyfraith a Rheoleiddio

Environmental Health/
Iechyd yr Amgylchedd

Civic Centre/Canolfan Ddinesig



MEMORANDUM

DATE: 29th May 2019

TO: Environmental Licensing

FROM: Noise & Neighbourhood team

Application for a premises licence to be granted under the Licensing Act 2003

PREMISE DETAILS: THE CELTIC MANOR RESORT, COLDRA WOODS, THE USK VALLEY, CAERLEON, NEWPORT, NP18 1HQ

I refer to the above-mentioned application for a premises licence, which was received by the Noise & Neighbourhood team on the 27th May 2019 for comment. I wish to make representation under the “prevention of public nuisance” licensing objective, as I am concerned that the application to licence for the provision of regulated entertainment and associated activities could have an adverse impact on the Local Community.

However, should the applicant wish to amend the application to include the following suggested condition relating to ‘Firework Displays and Pyrotechnics’ shall apply; I would then withdraw my representation:

The present condition denotes the following; The document will include full risk assessment of the use of pyrotechnics and fireworks.

To be further enhanced the above condition and to ensure that the four licensing objectives, including the “prevention of public nuisance” objective, are promoted when carrying out such activities.

The following additional condition should be included;

“Prior to such events where ‘fireworks or pyrotechnics are to be used in external areas, the following; Media Sites i.e. ‘Open Caerleon and the local Community

Website' shall be informed. Such actions will to enable the Local Community i.e. 'local residents (the elderly and pet owners) and businesses (riding establishments and boarding kennels) to be aware of the event (unwanted noise) and to prepare in advance for such activities/events.'

Should the applicant wish to discuss my objection or comment on the issue raised further they may contact the Licensing Authority.

Regards

Brian Miles

Brian Miles

Pollution Control Officer

Swyddog Rheoli Llygredd

APPENDIX 3

Representation served by PC 246 Hurst, Police Licensing Officer, Heddlu Gwent Police Responsible Authority

HEDDLU GWENT POLICE

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

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

Date application received: 14/05/2019

Date representations sent to Licensing Authority: 21/05/2019

Date representations sent to applicant:

Name of authority: Newport City Council

Premises Name and Address: International Convention Centre Wales Limited, Coldra Woods, Newport, NP18 1HQ

Applicant Name: International Convention Centre Wales Limited

Applicant Address: Coldra Woods, Newport, NP18 1HQ

Representation made to add the following conditions to the licence to support the licensing objectives:

1. All security personnel should be SIA registered.
2. At all Christmas parties, a ratio of 1 door staff per 100 persons must be in attendance. However the number should never drop below 2, ie a minimum of 2 SIA staff should be on duty even if only 120 in attendance.
3. A list of events is to be provided to the police every 6 months showing clearly all bookings for the proceeding 6 months.
4. A risk assessment should be done for each event clearly explaining the rationale for security staff and stewarding numbers at the event. This should be made available to the police and licensing authority upon request no later than 14 days prior to the event.
5. At the request of the Police and/or licensing authority additional conditions can be imposed and extra security staff can be requested. These requests should be reasonable and must be complied with in order for the event to go ahead.
6. Timing on last but one page to be changed to:
02:00-06:00 sale by retail of alcohol for all non-corporate event bookings
Should the PLH determine that as part of the public event booking, the sale by retail of alcohol for consumption on the premises shall be provided between the hours of 02:00 and 06:00, the PLH must send formal written notification to the Licensing Authority and Heddlu Gwent a minimum of 10 working days before the event. Heddlu Gwent reserve the right to veto the sale of alcohol at such events between the hours of 02:00 and 06:00 within 3 days of receipt of the formal written notification.

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

APPENDIX 4

Representations from 'other persons'

2 THE COLDRA

NPI8 2LP

9th June 2019

OBJECTION to premises licence for
ICC Wales Ltd Coldra Woods NPI8 1HQ.

Dear Sir/madam,

I would like to

make my objection to:

- Performance of play, films, dance 24/7 all week
- Indoor sporting events 7 days 7am - 2am
- Boxing/Wrestling 7 days 9am - 00:30
and until 04:00.
- Live/recorded music (inside 24/7)
outside 07:00 → 03:00
- alcohol sale 24/7
- off premises alcohol sale 07:00 - 02:30 24/7
- Late night refreshment - All days 23:00 - 05:00

The reasons why I am objecting are:

- loss of my privacy to a quiet night's rest
- I should not have to endure LOUD
music from outdoor events close by
until 3am at any time

likelihood of extra noise, traffic, fumes generated by guests attending these all night events.

Additional traffic on this road and Junction 24 will add to the unbearable traffic congestion currently suffered when the M4 is blocked regularly.

Will their access arrangements and parking cause additional disruption for Coldra residents

It is also likely to cause more anti-social behaviour in the local area and increased public nuisance to residents of this street. With 24/7 access to alcohol will this increase drunken bad behaviour and possibly more accidents on the road from drunken drivers and passengers.

In order to prevent a public nuisance to Coldra residents and ensure the safety and well being of residents please REJECT this application

yours sincerely J B Jones

2 The Coldra

NP18 2LP

9th June 2019.

Dear Licensing Manager,

STRONG

OBJECTION to ICC Wales - Coldra Woods
NP18 144 premises licenses applications.

I would like you to note my objection to All of the 7 extra applications by ICC Wales and wonder why they were not required to advertise in the local paper and inform local residents individually of these applications. 1 A4 page on a few lamp-posts is not letting the affected residents know what is going on.

These are NOT minor changes - this will make our road and peaceful neighbourhood intolerable - if they are selling alcohol 24/7 all day every day this will encourage
① TRAFFIC ② antisocial drunken behaviour ③ public nuisance ④ possible

antisocial drunken driving after these planned events @ 3am !! and probably causing more motor accidents and disturbances for local residents.

I OBJECT especially to any OUTSIDE loud music/events taking place in the middle of the night and causing disturbance to local residents who lived here long before the ICC Celtic Manor was built.

I OBJECT to all points because it will cause increased traffic on an already very congested junction. Access and parking for these events will adversely affect the residents of the Goldera more than they already do.

I OBJECT to selling alcohol all night as this will encourage anti social behaviour and drink driving on our local roads and

make the traffic worse than it already is and make the roads unsafe and cause more public nuisance with possible crime and disorder locally which surely would harm children and elderly residents in the Coltra.

No events after midnight are necessary!
I Object to sparring/wrestling taking place upto 2am and 4am
This is very unnecessary.

I especially object to live/recorded music OUTDOORS from 7am to 3am - nearly 24/7 - How will residents be able to rest peacefully in their houses? Surely this would constitute a PUBLIC NUISANCE?

Recently residents of the Coltra have had to put up with much traffic delay due to ICE Wales building

WORKS - delaying our journeys
to work - causing extra traffic
congestion on both A48 and
M4 for months on end all
the lanes lined off with NO workers
evident for days - inconveniencing
motorists and disturbing our peace.

Also they have turned up our water
main pressure causing many
residents to get burst water pipes
as they have put too much
pressure on old systems - No 2
the Colera has had DWR-water
out twice already No 4 had a
major leak half-way up their
drive caused by this interference.
They should NOT be allowed to
continue to cause residents
this continual TORTURE.

Please don't allow any of these
applications

yours sincerely Julia Jones (Miss)