

Report

Licensing Sub-Committee

Part 1

Date: 2 January 2018

Item No: 1

Subject Licensing Application

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

Author Licensing Manager

Ward All Wards

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

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

Action by Head of Law and Regulation

Timetable Statutory Consultation Period

Signed

1. Application

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

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

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

2. Licensable Activities

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

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

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

Wednesday 08:00hrs until 02:00hrs

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

Sunday 09:00hrs until 00:00hrs

3. Promotion of the Licensing Objectives

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

4. Representations

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

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

5. Policy Considerations

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

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

Cumulative Impact Policy

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

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

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

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

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

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

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

However, applicant statements such as, for example:

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

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

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

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

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

Newport City Centre Cumulative Impact Policy

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

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

6. Legal Considerations

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

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

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

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

All decisions taken by the Sub-Committee must

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

7. Issues for discussion

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

Alastair Dearling
Licensing Manager

Online application for Variation of a Premises Licence.
Newport
Application to vary a premises licence
Licensing Act 2003

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

* required information

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

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

Applicant Details

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

Are you:

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

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

Applicant Business

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

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

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

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

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

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

* Premises Licence Number

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

6,900

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VARIATION

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

Yes

No

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

Yes

No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes

No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Continued from previous page...

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

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

Yes No

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

[See guidance on regulated entertainment](#)

Continued from previous page...

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

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

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

Yes No

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SUPPLY OF ALCOHOL

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

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

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

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

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ADULT ENTERTAINMENT

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

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

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

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

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

Continued from previous page...

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

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

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

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LICENSING OBJECTIVES

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

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

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

b) The prevention of crime and disorder

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

c) Public safety

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

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Continued from previous page...

ADULT ENTERTAINMENT, VOILENCE AND DRUG-TAKING etc

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NOTES ON REGULATED ENTERTAINMENT

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

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

Continued from previous page...

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

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PAYMENT DETAILS

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

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

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

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

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

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

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

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

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

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

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

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

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

* Fee amount (£)

190.00

DECLARATION

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

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

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

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

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

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

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

OFFICE USE ONLY

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

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

Schedule 12

Part A

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

Premises Licence City of Newport



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

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Premier Store 186 Upper Dock Street Newport South Wales NP20 1DB	
Telephone number	Nil

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Sale by retail of Alcohol

Times the licence authorises the carrying out of licensable activities
Sale by retail of Alcohol Monday to Saturday inclusive 08:00 - 22:30 Sunday 10:00 - 22:30

The opening hours of the premises
Monday to Sunday inclusive 06:00 - 23:00
Where non standard timings are authorised, the opening times shall be as those authorised for licensable activities with an additional 30 minutes on the terminal hour.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
Mr Muhammad Salman 186 Upper Dock Street Newport South Wales NP20 1DB

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

N/A

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

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

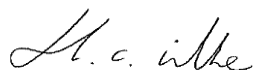
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: NCC-14-0045

Licensing Authority: Newport City Council

This Premises Licence is issued by Newport City Council as Licensing Authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Dated this 24th February 2014



Helen Wilkie
Public Protection Manager

Mandatory conditions

1 No supply of alcohol may be made under the premises licence:

- i) at a time when there is no designated premises supervisor in respect of the premises licence; or
- ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 Where at specified times one or more individuals may be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority.

For the purposes of this section:

- i) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies; and
- ii) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

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

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

Conditions consistent with the Operating Schedule

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

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

Conditions attached after a hearing by the licensing authority

Plans

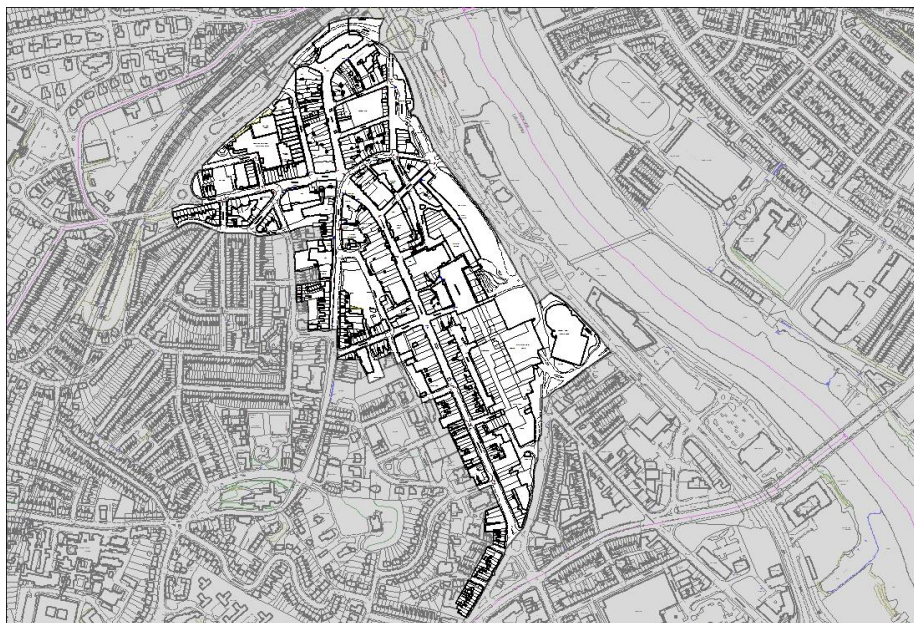
Please see attached plans (reference number 10/01533/LAPRE)

Map and Street Views of the Premises subject of the application



City Centre Cumulative Impact Policy

The Cumulative Impact area highlighted in the map below



Copy of representations served by Heddlu Gwent Police

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

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

Date application received: 03/11/2017

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

Date representations sent to applicant: 10/11/17

Name of authority: Newport County Council

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

Applicant Name: Muhammad SALMAN

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

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

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

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

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

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

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

OBJ 2.1

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

LICENSING ACT 2003

NOTICE OF OBJECTION under Section 18 Licensing Act 2003

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

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

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

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

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

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

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

Copy of representations served by Aneurin Bevan Health Board

1

8th December 2017

Dear Newport Licensing Authority

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In conclusion:

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

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

Yours faithfully



Dr Sarah Aitken, MBBS FFPH
Executive Director of Public Health

With thanks to:

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

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

Appendix A

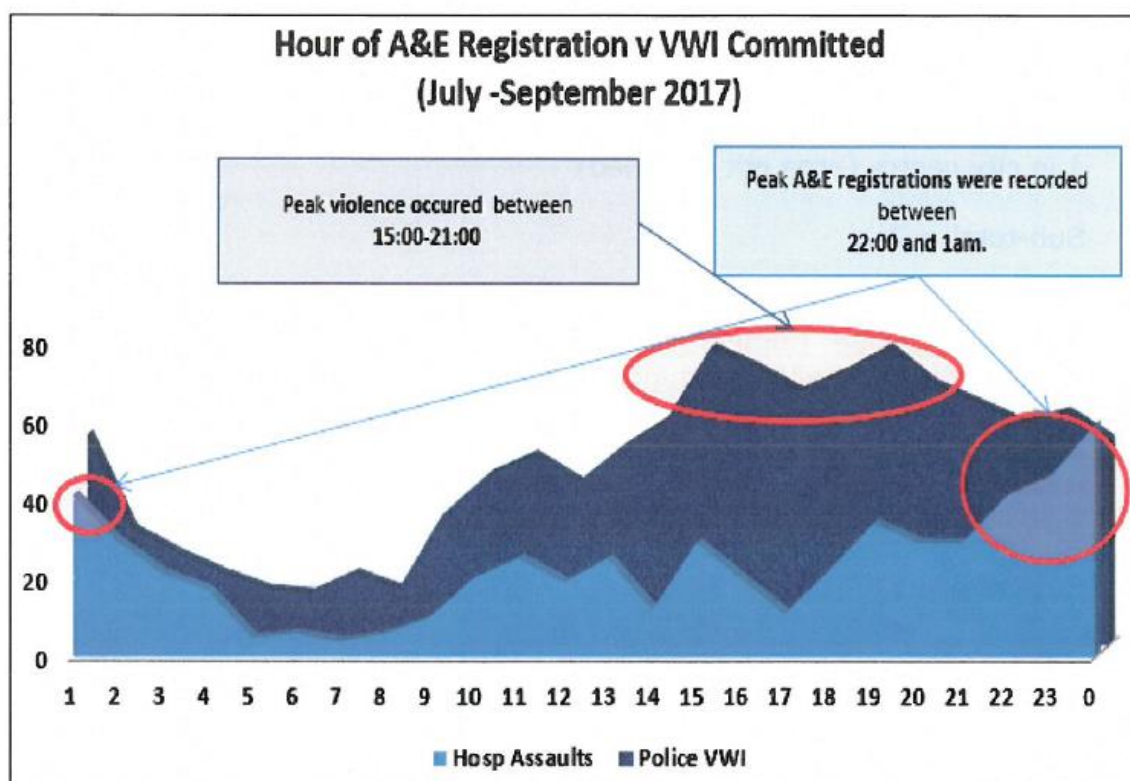
Repeat Locations: Top Locations to ABUHB Emergency Departments as a result of "assault related injuries" October 2016 – December 2017

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

Reference: Data provided by ABUHB Emergency Department, October 2017

Appendix B

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



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

Appendix C

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

Sleeping within Cumulative Impact Area

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

Sub-total = 7

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

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

Sub-total = 11

Total Rough Sleepers in Newport on 10th November 2017

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