



## LICENSING AND GAMBLING SUB COMMITTEE - 16<sup>TH</sup> DECEMBER 2024

**SUBJECT: VARIATION OF A PREMISES LICENCE APPLICATION**

**REPORT BY: LEE MORGAN – LICENSING MANAGER**

### 1. Application Details –

<u>Applicant</u>	<u>Premises</u>	<u>Application Type</u>
Avkiran Company LTD	Shock 1 Bartlett Street Caerphilly CF83 1JS	Variation of a premises licence

#### 1.1 Application to Vary a Premises Licence

On 29 October 2024, an application for the variation of an existing premises licence issued under the Licensing Act 2003 was made in respect of the above-mentioned premise. The proposed application for consideration is set out in 1.3 of this report.

##### Brief History / Background

The premise licence at 1 Bartlett Street, Caerphilly was approved on 24 June 2023. The applicant initially applied to sell alcohol between the hours of 08:00 – 23:00, this was revised by the applicant during the application consultation period to sell alcohol between 09:00 – 23:00 (Mon-Sun) following representations received from Gwent Police.

Prior to obtaining a licence at the above location, the applicant did from the 16<sup>th</sup> February 2021 until 13<sup>th</sup> April 2024 hold a premises licence at 18 Clive Street, Caerphilly until the premises licence was surrendered. (This was linked to a compulsory purchase order on the premises) The permitted retail sale of alcohol hours at this location were 11:00 till 23:00.

## **1.2 Current Trading Times and Licensable Activity**

### **Supply of Alcohol (Off Sales only)**

Monday to Sunday inclusive 09:00 – 23:00

A copy of the current Premise Licence (PRM666) which contains the licensable area Plan is reproduced as **Appendix 1**.

## **1.3 Proposed variation to Trading Times and Licensable Activity**

The application for the variation of a Premises Licence seeks to permit the following Licensable Activities: -

- **Supply of Alcohol (Off Sales only)**

Monday to Sunday inclusive, 08:00 – 01:00

The application seeks to increase the sale of alcohol permitted times, this is an additional 1 hour in the morning and an extra 2 hours at night.

## **1.4 Site Plan/Photographs**

The plan of the licensed area is reproduced as **Appendix 1**.

A location plan is reproduced as **Appendix 2**.

Images of the premise are reproduced for Members information as **Appendix 3**.

## **1.5 Other Licensed Premises in the Vicinity/Trading Times**

A list of licensed premises in proximity to Shock Off Licence authorised to sell alcohol is reproduced as **Appendix 4**.

## **1.6 Operating Schedule**

The applicant has outlined their current premises licence conditions in support of their application. These are reproduced below -

*All staff/members who serve alcohol will be trained in the prevention of underage sales. All such training will be updated as necessary, for instance when legislation changes, how to deal with difficult customers. The training will be clearly documented signed and dated by both the trainer and the member of staff receiving it. The documentation will be available for*

*inspection on request by an authorised officer of the Licensing Authority or a constable.*

*An approved proof of age scheme will be adopted, implemented and advertised within the premise such as 'Challenge 25' whereby an accepted form of photographic identification will be requested before any alcohol is sold to any person who appears to be under 25 years of age. Identification would include PASS approved proof of age card, photo-card driving licence and passport.*

*Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale. All staff with responsibility for supplying or selling alcohol will be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur.*

*CCTV will be installed. The CCTV system is maintained and continually recorded and all staff will be fully trained. There will be clear signage indicating CCTV equipment is in use and recording. An approved proof of age scheme will be adopted, implemented and advertised within the premise, for example, 'Challenge 25' whereby an accepted form of photographic identification will be requested before any alcohol is sold to any person who appears to be under 25 years of age.*

*There will be no consumption of alcoholic beverages purchased from the premises in open containers outside at the front of the premises. Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour they will be told to move away from the vicinity. An incident report logbook will be held at the premises and will be provided to authorities upon request. All refusals will be kept in a refusals book fully detailed and will be provided to authorities when requested.*

*All staff will be fully trained with respect to underage sales and will be updated as necessary when legislation changes and will include training in how to refuse sales to difficult customers. Training will be clearly documented, signed and dated by both the trainer and the member of staff receiving it. This documentation will be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.*

*Rowdy and/or disorderly customers will be asked to leave the premises. Clear notices displayed at entry/exit points where customers leave the premises must instruct them to respect the needs of local residents and leave the premises and the area quietly.*

*Licensable area will be well illuminated, entrance and exit clearly visible, no trip hazards, fire equipment and fire blanket in use on-premise*

## 1.7 RELEVANT CONSIDERATIONS

Caerphilly County Borough Council Licensing Policy **Appendix 5**

National Guidance **Appendix 6**

## 1.8 RELEVANT REPRESENTATIONS RECEIVED DURING APPLICATION PROCESS

Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.

Relevant representations have been received in respect of this application and so it must be determined by a Licensing Sub Committee.

### 1.8.1 Responsible Authorities:

#### **Police**

Document	Date Received	Appendix Reference
<b>Objection</b>	<b>22/11/2024</b>	<b>Appendix 7</b>
<b>Supplementary comments</b>	<b>26/11/2024</b>	<b>Appendix 7a</b>

#### **Environmental Health (Pollution Team)**

Document	Date Received	Appendix Reference
<b>Objection</b>	<b>19/11/2024</b>	<b>Appendix 8</b>
<b>Supplementary comments</b>	<b>26/11/2024</b>	<b>Appendix 8a</b>

#### **Licensing Authority (In its role as Responsible Authority)**

Document	Date Received	Appendix Reference
<b>Objection</b>	<b>27/11/2024</b>	<b>Appendix 9</b>
<b>Supplementary comments</b>	<b>03/12/2024</b>	<b>Appendix 9a</b>

#### **Environmental Health (Health and Safety)**

Document	Date Received	Appendix Reference
<b>Objection</b>	<b>26/11/2024</b>	<b>Appendix 10</b>

Children's Services as a responsible authority have indicated that they have no representations in respect of the application. There were no resident representations received in respect of the application.

## **1.9 SUMMARY OF REPRESENTATIONS**

### **Heddlu Gwent Police**

Heddlu Gwent Police have raised an objection to the application and revised hours proposed by the applicant in view of existing crime and disorder and anti-social behaviour issues within the immediate area.

Gwent Police has indicated that they do not object to the revised Monday - Sunday 08:00 – 23:00 alcohol hours but they do object to the increased alcohol supply times, between 23:00 to 01:00.

The Police detailed that the premise is located at the end of a residential street in close proximity to Caerphilly train station and taxi rank near several public houses. The police have outlined that a total of 499 incidents varying in nature have been reported in the October 2021 to October 2024 period relating to crime and disorder and anti-social behaviour in Bartlett Street and nearby Station Terrace. Police noted that in the data provided there was a significant decrease over recent years since 2021.

As the area has a low incident report ratio to police post 22:00 the Police have raised significant concerns that granting a later alcohol licence will increase crime and disorder and antisocial behaviour calls to the police within this area and while the data provided in **Appendix 7** demonstrates a significant decrease over recent years since 2021 the applicant is seeking additional hours that will extend into the early hours in an area which has proven problematic in the past, there is apprehension from Police that should the late licence be granted until 01:00 that this has the potential to increase the likelihood of attracting intoxicated persons post 23:00 which could result in refusal and confrontation with staff which unlike a public house benefit from approved door staff to mitigate risk and confrontation at point of sale.

Gwent Police have spoken with the applicant who has stated the application has been submitted to target an increase in revenue to offset business costs at the new location on Bartlett Street. The police reference that the applicant has failed to provide an explanation in their application for the need to increase permitted in alcohol sales hours 7 days a week to 01:00 and that no additional measures have been offered to promote the licensing objectives.

Further to the response from the applicant to all representations received on 26 November 2024, the Police commented that their position had not changed and would recommend all existing licence conditions remain, and the supply of alcohol shall be restricted between the hours 08:00 and 23:00 on any day.

### **Licensing Authority (In its role as a Responsible Authority)**

The Licensing Authority recorded an objection to extend the current hours for the sale of alcohol for consumption off the premises.

The Licensing Authority in its role as a responsible authority detailed that the applicant has not demonstrated in the application that they have taken into consideration the local area and have not put forward any additional measures to promote the licensing objectives. This is supported by the local authority's Statement of Licensing Policy, in particular paragraphs 5.4 and 5.5 and 5.7 which states that the applicants and licence holders are expected to trade alcohol hours which are appropriate to their particular environment and applications which have not demonstrated that appropriate alcohol trading hours have been properly considered will likely lead to representations from the relevant responsible authorities.

The Licensing Authority would not support the extension of licensable hours for the off sale of alcohol until 01:00. Similar to the other responsible authorities, Licensing Authority officer would have no representations regarding permitting the sale of alcohol from 08:00 and the terminal hour remaining at 23:00.

Supplementary comments received detail a recent compliance visit undertaken and failure by the applicant to meet the requirement of an existing condition of licence in respect of staff training, despite this being referenced in the operating schedule submitted.

### **Environmental Health - Noise Pollution**

Environmental Health Pollution Officer raised significant concerns regarding the wider impact of the additional hours for the supply of alcohol may have upon nearby residents and the local area. The officer does not see that the applicant has sufficiently explained the reasoning as to why they have applied for supply of alcohol beyond the existing provision which is currently 23:00.

The Environmental Health Officer detailed awareness of the close proximity to residential accommodation, stating that much disorder and public nuisance is associated with public consumption of alcohol and is therefore concerned that the applicant has furthermore failed to provide any details in their submission as to any mitigation that has been considered or measures to be put in place to minimise the potential impact the proposed extended hours for alcohol sales may have upon the prevention of public nuisance to nearby residents and the local community.

The officer was concerned that as the premises is located within close proximity to several public houses which benefit from a late licence for the supply of alcohol. The officer states that public houses are best placed to manage a regulate the supply and consumption of alcohol by patrons opposed to an Off Licence with limited staff, where large quantities of alcohol can be readily purchased at one time.

The Environmental Health Officer detailed their objection in relation to the prevention of public nuisance licensing objective concluding that the proposed extension to the

supply of alcohol times at the premises after 23:00 in particular could undermine the prevention of public nuisance licensing objective. The Environmental Health Pollution officer does not object to the extension of the supply of alcohol by 1 hour to 08:00am.

### **Environmental Health – Health and Safety**

The Environmental Health Officer raised concerns in relation to the Public Safety licensing objective and objects to the application to increase the alcohol sales to 01:00, recommending the supply of alcohol to be restricted between the hours of 08:00 and 23:00 on any day.

The officer noted that the premises is located at the end of a residential street within the immediate vicinity of two public houses with additional public houses close by, the main bus and train station and taxi rank are located in the vicinity. The officer concludes that the increase in the requested hours from 23:00 - 01:00 has the potential to attract intoxicated persons into the area, which in turn has the potential for violence and impacting on the safety of both the company's employees and members of the public.

### **1.10 APPLICANT RESPONSE**

The applicant responded to representations made by the Police, Environmental Health Pollution and Licensing Authority in role as a responsible authority. The response in full is shown in **Appendix 11**.

The applicant detailed that he understands the position of the Responsible Authorities and asks the Police and Environmental Health Pollution Team to reconsider their decision stating that they are happy to answer any questions or meet with the responsible authorities to discuss any concerns.

The applicant outlined their reason for requesting to extend the opening hours of the premise is to increase revenue as their existing customer base was disrupted due to a compulsory purchase order from Caerphilly County Borough Council of their previous premise significantly impacting income. The applicant detailed that he believed that this has been further impacted by the opening of several new off-licences in close proximity to the premise has increased competition further.

The applicant detailed that the current premise has not had any issues with any customers or neighbours and have not made any police calls with regard to public nuisance. The applicant additionally outlined their current licence conditions.

The applicant further responded on the 26 November 2024 detailing that he did not agree with the decision of the responsible authorities to continue to object to the additional hours sought until 01:00 and therefore would like to attend a hearing. The response in full is shown in **Appendix 11a**.

## **1.11 LICENSING ASSESSMENT**

THE LICENSING ASSESSMENT IS A PROVISIONAL SUMMARY, BASED ON REPRESENTATIONS RECEIVED PRIOR TO THE HEARING. THE HEAD OF PUBLIC PROTECTION, COMMUNITY AND LEISURE SERVICES RESERVES THE RIGHT TO AMEND OR VARY THE PROVISIONS CONTAINED IN THE SUMMARY AND RECOMMENDATION, SUBJECT TO ANY CHANGE IN THE MATERIAL FACTS THAT BECOME KNOWN AT THE HEARING. THE SUB-COMMITTEE IS OBLIGED TO DETERMINE THIS APPLICATION WITH A VIEW TO PROMOTING THE LICENSING OBJECTIVES WHICH ARE:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm

In making its decision, the Sub Committee is obliged to have regard to:-

- Licensing Act 2003
- Statutory Guidance issued under S182 of the Licensing Act
- The Council's own licensing policy, and
- All representations made and evidence presented

NOTE: THE SUB-COMMITTEE MAY NOT MODIFY THE CONDITIONS OR REJECT THE WHOLE OR PART OF THE APPLICATION MERELY BECAUSE IT CONSIDERS IT DESIRABLE TO DO SO. ANY SUCH ACTIONS MUST BE NECESSARY IN ORDER TO PROMOTE THE LICENSING OBJECTIVES.

Statutory Power - Licensing Act 2003. This is a Council function which is delegated to this committee to decide.

In addition to the above, in accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority 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 all parties, at the hearing.

Furthermore, the Sub Committee may accept hearsay evidence, and it will be a matter for the members to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard but has heard or read about.

## **1.12 OBSERVATIONS**

This variation application seeks to increase the permitted sale of alcohol provision making alcohol available from 08.00 to 01.00 Monday to Sunday, whereas the current permitted hours allow the sale of alcohol between 09.00 to 23.00. Essentially, this is an extra 1 hour in the morning and an extra 2 hours at night.



During the 28-day consultation on the variation application, four objections were received from the Environmental Health - Pollution Team, Gwent Police, Environmental Health - Health and Safety and the Licensing Authority in its role as a responsible authority following consideration of the Public Safety, the Prevention of Public Nuisance and the Prevention of Crime and Disorder Licensing Objectives.

Paragraph 9.12 of the Section 182 Home Office National Guidance states - *Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.*

Gwent Police objected to the application in relation to the increased hours, identifying that the area has a low incident report ratio to police post 22:00, the Police have significant concerns that granting a later alcohol licence will increase crime and disorder and antisocial behaviour calls to the police within this area and while the data provided in **Appendix 7** demonstrates a significant decrease over recent years since 2021. The Police comment that the applicant is seeking additional hours that will extend into the early hours in an area which has proven problematic in the past, there is apprehension from Police that should the late licence be granted until 01:00 that this has the potential to increase the likelihood of attracting intoxicated persons post 23:00.

Paragraph 2.1 of the Section 182 Home Office National Guidance advocates that *'Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).'*

The Police believe the existing conditions and closure time of 23:00 to be adequate, and an additional 2 hours post 23:00 could have a negative impact on the area which has proven problematic in the past. Gwent Police expressed concerns that the applicant offered no additional measures to promote the licensing objectives.

The Police and Licensing Authority (in its role as a responsible authority) allude to the application to increase alcohol hours appearing to show a lack of regard towards the local area. Paragraph 5.7 of the Councils policy states *'Applicants and existing licensees should be mindful of local areas where there may be a concentration of problematic drinkers or where it is known that groups of people congregated and*

*have caused anti-social behaviour. Applicants should very carefully consider the appropriateness of selling alcohol during early morning or late evening hours’.*

The Licensing Authority supported the objection to extend the sale of alcohol to 01:00 made by other Responsible Authorities and like Gwent Police would have no objection to permitting the sale of alcohol from 08:00 as opposed to 09:00.

Police, Licensing Authority (in its role as a responsible Authority) and Environmental Health (Pollution Control) detailed that the applicant has not offered any additional steps within the application to promote the licensing objectives. Paragraph 26.2 of the council’s statement of licensing policy states *‘In completing an operating schedule, applicants are expected to have regard to this statement of licensing policy and to demonstrate suitable knowledge of their local area when describing the steps that they propose to take in order to promote the Licensing Objectives.’*

Paragraph 8.42 of the Section 182 Home Office National Guidance echoes the above requirements by licensees and states - *‘Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- any risk posed to the local area by the applicants’ proposed licensable activities; and*
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.’*

In addition, the applicant has failed to contact the appropriate Responsible Authorities to discuss his proposals prior to submitting his application. Paragraph 10.3 of the council’s licensing policy states *‘Applicants are recommended to seek advice from the Licensing Authority’s licensing officers and the police, as well as taking into account, as appropriate, local planning and transport policies, tourism, cultural and crime prevention strategies, when preparing their plans and operating schedules’.*

Paragraph 5.4 of the council’s statement of licensing policy offers advice in relation to permitted hours for the sale of alcohol and consideration of the local environment and states *‘The Licensing Authority notes that the Government’s Section 182 Guidance states that “Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours”. However, because of the problems experienced in some local communities in the county borough arising from the availability of alcohol for sale at local shops for consumption off the premises this Licensing Authority has decided that it will not adopt this general position but instead will expect applicants and licence-holders to trade alcohol at hours which are appropriate to their particular local environment. Therefore applicants should very carefully consider the hours they seek when devising their operating schedule and it*

*is recommended to discuss such application with the appropriate Responsible Authorities.'*

Paragraph 5.5 of the council's statement of licensing policy highlights the effect on applications where alcohol hours have not been properly considered and states *'In the event that applications are submitted which have not demonstrated that appropriate alcohol trading hours have been properly considered, it is likely that representations will be made by the relevant responsible authorities and the public. This will delay the determination of the application and result in it being referred to a Licensing Sub-Committee for determination.'*

Paragraph 7.4 of the council's statement of licensing policy states *'The intent of the Licensing Act 2003 is to regulate the supply of alcohol. Licensing is therefore the key mechanism by which the availability of alcohol can be regulated, through regulating the times and days of the week alcohol can be sold, premises which can supply alcohol and the conditions of sale.'*

A review of alcohol licensed premises in the immediate local area undertaken **(Appendix 4)** has demonstrated that the applicant's permitted sale of alcohol permissions are in line with the majority of other off licence premises in the area. Whilst the authority has not introduced fixed closing times and zoning within its area, the Police through their representations advocate against increased alcohol provision given the local concerns regarding Crime and Disorder and Anti-Social behaviour.

Paragraph 10.15 of the Section 182 Home Office National Guidance provides advice to Members *'Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.'* In this instance, Gwent Police and other Responsible Authorities have articulated their concerns in respect of the hours proposed by the applicant.

Paragraph 10.4 of the council's statement of licensing policy advocates that applicants demonstrate knowledge of customers/locations, the failure to do so may lead to representations and states *'The Licensee/applicant should also use their own experience and knowledge of their customers and locations when drafting their operating schedule, which subsequently becomes the basis of conditions on the licence. Failure to do this may lead to a representation from the Authority, a responsible authority or other person. Applicants may wish to consider the following and are advised to refer to the Authority's 'Model Pool of Conditions' when considering an application.'*

- *Is there CCTV, and, if so what are the areas covered, does it have the ability to see clear full face recording of patrons entering, does it record the patron search area at the entrance. What is the retention period of recordings, how easy it to access, produce copies or download images if requested by Police and Licensing.*
- *Are Security Industry Authority (SIA) door staff employed and what checks are made to the validity of the SIA licence? What records are kept of SIA*

- checks, search policy, entrance policy, restriction of patrons using outside areas, such as smoking areas, employment times of SIA and their training?*
- *Is there ID scanning on entry to the premises? Will there be 'No ID No Entry' policy in place?*
  - *Is there a clear drug and weapon policy? Is there a regular documented training of this policy carried out with staff when drugs/weapons are seized or stored. Are areas or surfaces designed to prevent the likelihood of drug use at the premises?*
  - *Has the use of plastic or toughened glass for serving of alcohol been considered, will glass bottles be handed over the bar? Are there restrictions of drinks being taken outside?*
  - *Is there a proof of age scheme, do the premises have a challenge 25 policy? Are staff trained regularly on this policy and is it documented?*

Paragraph 1.17 of the Section 182 Home Office National Guidance states – *Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.*

The Responsible Authorities have considered the merits of the application to vary the permitted hours at Shock Off licence and have concluded that the licensing objectives would be undermined by granting increased hours until 01:00.

The Licensing Authority (in its role as a responsible authority) expressed concern that a recent compliance check of the premise identified non-compliance with an existing condition of licence relating to staff training. The applicant has suggested that he currently meets this condition, however a recent compliance visit conducted demonstrated the absence of staff training records.

Paragraph 19.7 of the councils licensing policy states *'It is an expectation that the premises licence holder and designated premises supervisor will be aware of their permitted licensable activity types, permitted hours and conditions of licence. Failure to demonstrate or have a lack of regard could result in a lack of confidence in management by a Responsible Authority.'*

The current permissions for the sale of alcohol for Shock Off licence mirror that held by other Off licence premises in the Caerphilly town centre area.

The Responsible Authorities appear to have considered the individual merits of the application based on their local knowledge and their position appears to be is that the applicant has failed to adequately consider the same. The concerns of the responsible authorities reference the proximity of the Public Houses located in the

immediate vicinity and presence of both train station and taxi rank as aggravating factors in their consideration of this application.

The lead responsible authorities for the prevention of crime and disorder and prevention of public nuisance licensing objectives oppose the granting of 2 additional hours that would result in a terminal hour for the sale of alcohol of 01:00. This position is supported by the Licensing Authority and Environmental Health (Health and Safety Officer)

It is highlighted by the responsible authorities that the applicant has failed to identify any additional measures which would form part of the operating schedule for the later hours sought. Reference is also made to outcome of a recent compliance visit showing a failure to comply with an existing condition in respect of staff training.

However, it is noted that none of the Responsible Authorities oppose the earlier start time for the retail sale of alcohol of 08:00.

Members of the Sub Licensing Committee will be required to determine the application in relation to the promotion of the four licensing objectives i.e. prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

### **1.13 RECOMMENDATION**

Having had regard to the objections received from Gwent Police, Environmental Health (Pollution), Environmental Health (Health and Safety) and Licensing Authority, **it is recommended to approve an increase in permitted hours to enable the sale of alcohol from 08:00 as opposed to 09:00, 7 days a week but to refuse the later hours requested i.e 11:00 to 01:00.**

Background Papers: [Link to Revised Guidance issued under section 182 of the Licensing Act 2003](#)

[Link to Statement of Licensing Policy \(2021\)](#)

Date of this report: 3<sup>rd</sup> December 2024

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Appendices:

Appendix 1 – PRM666 Premises Licence

Appendix 2 – Aerial View

Appendix 3 – Premise Photographs

Appendix 4 – Comparison Table

Appendix 5 – Extract of Licensing Policy  
Appendix 6 – National Guidance Extract  
Appendix 7 - Gwent Police Representations  
Appendix 7a – Gwent Police Supplementary Comments  
Appendix 8 – Environmental Health (Pollution) Representations  
Appendix 8a – Environmental Health (Pollution) Supplementary Comments  
Appendix 9 - Licensing Authority Representations  
Appendix 9a – Licensing Authority Supplementary Comments  
Appendix 10 – Environmental Health (Health and Safety) Representations  
Appendix 11 – Applicant Response  
Appendix 11a – Applicants Further Response