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Neuadd y Sir
Y Rhadyr
Brynbuga
NP15 1GA

Dydd Mercher, 25 Rhagfyr 2024

Hysbysiad o gyfarfod

Is-bwyllgor Trwyddedu a Rheoli
Neuadd y Sir Y Rhadyr Brynbuga NP15 1GA
Dydd Iau, 2ail Ionawr, 2025, 10.00 am

AGENDA

Eitem ddim	Eitem	Tudalennau
1.	Ymddiheuriadau	
2.	Datganiadau o Fuddiant	
3.	Cais i amrywio Trwydded Safle –Welsh Street Stores.	1 - 62
4.	Cais i amrywio Trwydded Safle – Chepstow Store.	63 - 120

Paul Matthews
Prif Weithredwr

CYNGOR SIR FYNWY

MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

Tudor Thomas
Dale Rooke
Jackie Strong

Gwybodaeth Gyhoeddus

Mynediad i gopïau papur o agendâu ac adroddiadau

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democraidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

Edrych ar y cyfarfod ar-lein

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i www.monmouthshire.gov.uk neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

Y Gymraeg

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

Nodau a Gwerthoedd Cyngor Sir Fynwy

i ddod yn sir ddi-garbon, gan gefnogi lles, iechyd ac urddas i bawb ar bob cam o'u bywydau.

Amcanion rydym yn gweithio tuag atynt

- Lle teg i fyw lle mae effeithiau anghydraddoldeb a thlodi wedi'u lleihau;
- Lle gwyrdd i fyw a gweithio gyda llai o allyriadau carbon a gwneud cyfraniad cadarnhaol at fynd i'r afael â'r argyfwng yn yr hinsawdd a natur;
- Lle ffyniannus ac uchelgeisiol, lle mae canol trefi bywiog a lle gall busnesau dyfu a datblygu;
- Lle diogel i fyw lle mae gan bobl gartref maen nhw'n teimlo'n ddiogel ynddo;
- Lle cysylltiedig lle mae pobl yn teimlo'n rhan o gymuned ac yn cael eu gwerthfawrogi;
- Lle dysgu lle mae pawb yn cael cyfle i gyrraedd eu potensial.

Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.
- **Caredigrwydd** – Byddwn yn dangos caredigrwydd i bawb yr ydym yn gweithio gyda nhw, gan roi pwysigrwydd perthnasoedd a'r cysylltiadau sydd gennym â'n gilydd wrth wraidd pob rhyngweithio.

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MONMOUTHSHIRE COUNTY COUNCIL REPORT

SUBJECT:	Application to vary a Premises Licence – Welsh Street Stores
DIRECTORATE:	Social Care, Safeguarding and Health
MEETING:	Licensing & Regulatory Sub-Committee
COMMITTEE DATE:	2nd January 2025
WARDS AFFECTED:	Chepstow Castle & Larkfield

1. PURPOSE:

To consider an application to vary the premises licence under the Licensing Act 2003 for Welsh Street Stores, 21 Welsh Street, Chepstow. A copy of the application and plan is attached as Appendix A and a copy of the current premises licence is attached as Appendix A (ii).

2. RECOMMENDATION:

It is recommended that members consider and determine the application referred to in 3.1 below, based on the information provided.

3. KEY ISSUES

3.1 An application to vary the premises licence under the Licensing Act 2003 was received from Mr Alpeshkumar Patel & Mrs Sangitaben Patel for Welsh Street Stores, 21 Welsh Street, Chepstow for the following:

- Supply of Alcohol (Off sales): Monday to Sunday 06:00hrs – 03:00hrs
- Open Hours (Standard timings): Monday to Sunday 06:00hrs – 03:00hrs

3.2 A map of where the premises is located within Chepstow Town Centre and the surrounding area can viewed as Appendix B and is indicated as the red dot.

3.3 The applicant has stated the following when asked in the application to describe the steps they intend to take to promote the licensing objectives:

General

- We are very mindful of our neighbours both home and business owners, many of which have become valued friends and customers, we aim to keep noise, anti-social behaviour, public nuisance to a acceptable level concerning our premises and customers. we are lucky to have a very good relationship with other businesses in our community and especially venues with late licences in place who are on hand to advise if needed.

The Prevention of Crime and Disorder

- Monitor and assess
- Implement any necessary measures ie: extra staff
- Refuse sale to anyone already overly intoxicated
- We already have signage around the shop to encourage respectful and quiet behaviour but are happy to add more if required. We will also ask customers not to loiter outside the shop when making any sales.

Public Safety

- Monitor and access
- Implement any necessary measures

Prevention of Public Nuisance

- We have clear and multiple signs throughout the premises asking customers to respect neighbours.
- Sale would be refused to anyone overly intoxicated, being aggressive or a general nuisance.
- Customers will be asked not to loiter or congregate outside of premises

Protection of Children from Harm

- We already operate a very vigilant look under 25 policy and check id as required, any sales refused are logged. We also refuse any sale we believe are being made on behalf of anyone underage and will continue to do so.

3.4 If granted the licence would also be subject to Mandatory Conditions, which are attached to this report as Appendix C.

3.5 The applicant has a statutory duty to send copies of their application to the 'Responsible Authorities' namely Gwent Police, South Wales Fire Service, The Local Health Board, Home Office (Immigration) and departments of Monmouthshire County Council being the Environmental Health Section, Social Services, Planning, Licensing and Trading Standards Department, which was carried out by the applicant. A notice also must be circulated in a newspaper within the area of the premises as well as a notice displayed at the premises to enable businesses and residents to make a representation; again, the applicant duly carried this out. The application is also advertised via the Council's website, which gives details on how a person can make a representation and this was carried out by the Licensing Authority.

3.6 Representations were received by Gwent Police (attached as Appendix D), who objected to the application against 3 of the licensing objectives, namely prevention of crime & disorder, prevention of public nuisance and public safety. A summary of the representations received by Gwent Police were:

- The additional staff are not deemed suitable to sufficiently promote the licensing objectives
- The premises is near late night pubs and clubs, where persons may be intoxicated when leaving these premises and then looking for alcohol at off-licences
- The premises is near a location which houses vulnerable persons
- It is believed that alcohol sold during these hours may increase anti-social behaviour for residents in the area

3.7 Representations were also received during the consultation period by 1 other person. A summary of the other persons objection is detailed below. The objection in full can be viewed as Appendix E.

- The only people looking to purchase alcohol will be people who are already intoxicated
- Issues currently exist when people leave pubs where no where else to go and so having the provision of off-sales will increase anti-social behavior
- Increase of risk of road traffic accidents due to speeding cars around the corner of where the premises is located
- There is little sound insulation on neighboring properties due to the area being in a conservation zone
- Concerned vulnerable persons held nearby may consume alcohol more frequently and cause issues in the town

- 3.8 Following the representations made by Gwent Police a meeting was held with Gwent Police and the applicant on 27th November 2024 to discuss the application and the concerns Gwent Police have raised. During the meeting the applicant advised on further measures they would take to promote the licensing objectives, which were:
- Amending the closing times to around 02:00 for the premises
 - 1 SIA door supervisor in attendance
 - Encouraging customers to consume alcohol at home by providing woven bags sealed with zip ties
 - Refusal to serve any person underage or intoxicated
- 3.9 Following the meeting, the applicant advised they wish to amend the application to the below, with the full list of amendments attached as Appendix F.
- Bring forward the closing time to 02:30
 - 2 members of staff at the premises, with 1 SIA trained
 - Supplying cable tied woven bags
 - Encouraging alcohol to be consumed at home
 - ID verification and no sales to person who may be intoxicated
- 3.10 Following the amendments to the application the Licensing Authority sent them to Gwent Police and the other person who made a representation and requested whether their representations remain. Gwent Police and the other person confirmed they wish for their representations to remain regardless of the changes made by the applicant.
- 3.11 Representations made under the Licensing Act 2003 must be made under the four key licensing objectives, namely:-
- The prevention of crime and disorder;
 - Public Safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

However, Section 9.9 of the Guidance issued by the Home Office states:

It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

- 3.12 When considering their decision members are asked to consider the licensing objectives guidance issued under the revised guidance under section 182 of the Licensing Act 2003 (attached as Appendix G)
- 3.13 In accordance with 9.2 of the Home Office Guidance issued under Section 182 of the Licensing Act 2003. A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn..... Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed. As such, no agreement was reached with the other persons who made a representation, and a hearing is required.

4. REASONS:

- 4.1 The determination of an application is to be considered in accordance with Section 182 of the Licensing Act 2003.
- 4.2 In section 9.4 of the Guidance issued under section 182 of the Licensing Act 2003, the Secretary of State recommends that, a representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 4.3 In section 13.10 of the Guidance issued under Section 182. It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority’s statement of policy and this Guidance.
- 4.4 Monmouthshire County Council’s Policy on Prevention of crime and disorder are set out in Section 10 and read as follows:

Prevent of crime and disorder

The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. Details of the factors that will need to be considered as part of the operating schedules are given in the Licensing Policies and matters for consideration when deciding applications, which are attached in the annex to this policy and in the Guidance notes for applicants.

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.
- Is there ID scanning on entry to the premises? Will there be ‘No ID No Entry’ policy in place?
- 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?

- 4.5 Monmouthshire County Council’s Policy on Prevention of Nuisance are set out in Section 11 and read as follows:

Prevention of public nuisance

Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.

Subject to case law the Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.

Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.

The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area; or
- extended opening hours are proposed.

The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.

When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered

- 4.6 Monmouthshire County Council's Policy on Public Safety are set out in Section 12 and read as follows:

Public safety

The Licensing Authority will expect operating schedules to satisfactorily address issues concerning public safety, and applicants are advised to seek advice from various organisations, such as the health and safety enforcement officers, South Wales Fire and Rescue Service etc., before preparing their plans and schedules, particularly where regulated entertainment is to be provided.

The Licensing Authority will encourage applicants to conduct a risk assessment of the premises and/or activity. The authority recommends that specialists, e.g. a qualified safety officer, should be consulted to assist with the assessment.

5. RESOURCE IMPLICATIONS:

Nil

6. CONSULTEES:

Heddlu Gwent Police, South Wales Fire Service and the following departments from Monmouthshire County Council, namely, Environmental Health, Social Services, Planning, Trading Standards, Licensing and the Local Health Board

7. BACKGROUND PAPERS:

Licensing Act 2003 - [Licensing Act 2003 \(legislation.gov.uk\)](http://legislation.gov.uk)

Guidance issued under Section 182 of the Licensing Act 2003 dated December 2023 - [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](#)

Monmouthshire County Council's Statement of Licensing Policy dated 1st July 2020 - [Licensing Act Policy - Monmouthshire](#)

8. AUTHOR:

Mr Taylor Watts
Licensing Officer

CONTACT DETAILS:

Tel: 01633 644835

Email: TaylorWatts@monmouthshire.gov.uk



**Monmouthshire Licensing Section, County Hall, The Rhadyr, Usk,
Monmouthshire, NP15 1GA**

Application to vary a premises licence 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 Mr A Patel Mrs S Patel

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PRM553

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Welsh Street Stores
21, Welsh Street
Chepstow

Post town

Chepstow

Postcode

NP16 5LL

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£6,900

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

Yes

If not, from what date do you want the variation to take effect?

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Y Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We would like our licence to sell alcohol to be extended on a Friday and Saturday night .
It is currently 24.00hrs and we would like it to be extended to 03.00hrs.

This would help the business to stay financially viable with the rising costs of not only rent increases but also utilities, staff wages, merchandise etc.

We are currently losing a great deal of potential customers due to our licensing terms and conditions as they stand. There is a considerable amount of passing trade due to our location and close proximity to local venues.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

ye
s

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

ye
s

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----			
			<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon	-----	-----	State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue	-----	-----	
Wed	-----	-----	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 (please read guidance note 7)
Thur	-----	-----	
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	<u>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</u> (please read guidance note 7)		
Sat	-----	-----			
Sun	-----	-----			

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----			
			<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	-----	-----		Both	<input type="checkbox"/>
Tue	-----	-----		<u>Please give further details here</u> (please read guidance note 5)	
Wed	-----	-----	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	-----	-----	<u>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</u> (please read guidance note 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
	-----	-----		Both	<input type="checkbox"/>
Tue	-----	-----	<u>Please give further details here</u> (please read guidance note 5)		
Wed	-----	-----			
Thur	-----	-----	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----	<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 7)		
Sun	-----	-----			

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	<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 7)		
Sat	-----	-----			
Sun	-----	-----			

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	6.00	24.00	

Tue	6.00	24.00	

Wed	6.00	24.00	

Thur	6.00	24.0	

Fri	6.00		

Sat		3.00	
	6.00		
Sun		3.00	
	6.00	24.00	

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 7)

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

We are currently only permitted to sell alcohol until 24.00hrs and would like this to be extended on Friday and Saturday nights until 03.00hrs.

If our application is successful we are very mindful of our neighbours and local community, we have signage throughout our shop asking customers to be respectful and to respect neighbours in regards to noise and behaviour. We are happy to receive any feedback, suggestions and solutions to keep noise, any anti-social behaviour or loitering to an absolute minimum and will implement necessary policies if needed ie: extra staff during certain hours.

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

We are very mindful of our neighbours both home and business owners , many of which have become valued friends and customers, we aim to keep noise, anti-social behaviour, public nuisance to a acceptable level concerning our premises and customers. we are lucky to have a very good relationship with other businesses in our community and especially venues with late licences in place who are on hand to advise if needed .

b) The prevention of crime and disorder

Monitor and assess
Implement any necessary measures ie: extra staff
Refuse sale to anyone already overly intoxicated
We already have signage around the shop to encourage respectful and quiet behaviour but are happy to add more if required. We will also ask customers not to loiter outside the shop when making any sales.

c) Public safety

Monitor and access
Implement any necessary measures

d) The prevention of public nuisance

We have clear and multiple signs throughout the premises asking customers to respect neighbours.
Sale would be refused to anyone overly intoxicated, being aggressive or a general nuisance.
Customers will be asked not to loiter or congregate outside of premises

e) The protection of children from harm

We already operate a very vigilant look under 25 policy and check id as required, any sales refused are logged. We also refuse any sale we believe are being made on behalf of anyone underage and will continue to do so .

Checklist:

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	██████████
Date	29/10/2024
Capacity	Business owner

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	██████████
Date	29/10/2024
Capacity	Co Business owner

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

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.

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
- 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.



ADRAN TRWYDDEDU SIR FYNWY,
CANOLFAN DDRAMA, PEN-Y-POUND,
Y FENNI, NP7 5UD.

MONMOUTHSHIRE LICENSING SECTION,
THE DRAMA CENTRE, PEN-Y-POUND,
ABERGAVENTNY, NP7 5UD.

Rhan A/ Part A
Fformat trwydded mangre/ Format of premises licence

Rhif trwydded mangre
Premises licence number

PRM553

Rhan A1 – Manylion y Fangre/ Part A1 – Premises Details

Cyfeiriad post y fangre neu, os nad oes, gyfeirnod map arolwg ordnans neu ddisgrifiad
Postal address of premises or, if none, ordnance survey map reference or description

Welsh Street Stores
21 Welsh Street
Chepstow

Tref bost/ Post town	Monmouthshire	Cod post/ Post code	NP16 5LL
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**Rhif ffôn/
Telephone number**

Lle mae cyfyngiad amser ar y drwydded, y dyddiadau
Where the licence is time limited the dates

Dyddiad Cyhoeddi/ Issue Date: 26/04/2017

Gweithgareddau y mae angen trwydded ar eu cyfer a awdurdodir gan y drwydded
Licensable activities authorised by the licence

Supply of Alcohol, fel y nodir gydag ymyl goch ar y cynllun a atodir gyda'r drwydded/ as indicated in red on the plan attached to this licence.

Yr amserau y mae'r drwydded hon yn awdurdodi cynnal gweithgareddau y mae angen trwydded ar eu cyfer
The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

1. The licence is limited to the sale of alcohol for consumption off the premises during the hours

Monday: 06.00 - 24.00

Tuesday: 06.00 - 24.00

Wednesday: 06.00 - 24.00

Thursday: 06.00 - 24.00

Friday: 06.00 - 24.00

Saturday: 06.00 - 24.00

Sunday: 06.00 - 24.00

Oriau agor y fangre
The opening hours of the premises

Opening Hours
Monday:06.00 - 24.00
Tuesday:06.00 - 24.00
Wednesday:06.00 - 24.00
Thursday:06.00 - 24.00
Friday:06.00 - 24.00
Saturday:06.00 - 24.00
Sunday:06.00 - 24.00

Lle mae'r drwydded yn awdurdodi cyflenwadau alcohol, a yw'r rhain yn gyflenwadau yn y fangre a/neu i ffwrdd o'r fangre
Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol-Off the premises

Rhan 2/ Part 2

Enw, cyfeiriad (cofrestredig), rhif ffôn ac e-bost (lle'n berthnasol) deiliad trwydded mangre
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Alpesh Patel & Mrs Sangitaben Patel
16 Merrifield Close
Lower Earley
Reading
RG6 4BN

Rhif cofrestredig y deiliad, er enghraifft rif cwmni, rhif elusen (lle'n berthnasol)
Registered number of holder, for example company number, charity number (where applicable)

Enw goruchwyliwr mangre ddynodedig lle mae trwydded y fangre yn awdurdodi cyflenwi alcohol / Name of designated premises supervisor where the premises licence authorises for the supply of alcohol: Mr Alpesh Patel

Atodiad 1 - Amodau gorfodol

Annex 1 – Mandatory conditions

Mandatory Conditions – Supply of Alcohol

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.

Mandatory Conditions – Security Activity

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.

Mandatory Conditions – Exhibition of a Film

4 The admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or in the absence of a recommendation from the BBFC, the Licensing Authority. For the purposes of this section:

- i) "children" means persons aged under 18 years of age.

Mandatory Conditions – Supply of Alcohol for Consumption On The Premises

5 The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);.

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

(a) a holographic mark, or

(b) an ultraviolet feature.

8. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;.

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory conditions - The ban of the sale of alcohol below the cost of duty plus VAT

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

(2) In this condition:-

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

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

Atodiad 2 – Amodau sy'n cydymffurfio gyda'r Atodlen Weithredu Annex 2 – Conditions consistent with the Operating Schedule

General - All Objectives

1. A documented training scheme shall be introduced for all staff on the sale of alcohol. The scheme shall be made available for inspection at the request of any Responsible Authority under the Licensing Act 2003.
2. Employees shall be instructed not to serve anyone behaving in a drunk or disorderly manner.

Prevention of Crime and Disorder

3. CCTV cameras shall be installed both inside and outside the premises and these cameras shall be operational at all times the premises is trading. All recordings shall be retained for a minimum of 28 days and shall be made available for inspection by an Authorised Officer on request.

Public Safety

4. CCTV as above.

Prevention of Public Nuisance

5. The premises operates under the Good Retail Alcohol Selling Practice to prevent Nuisance.

Protection of Children

6. A Challenge 21 policy shall be operated at the premises at all times. If operating a Challenge 21 policy all staff shall check the identification of all persons who appear to be less than 21 years old. This check shall be made by examining either a passport, photographic driving licence. No other form of identification shall be accepted.
7. Publicity materials notifying customers of the operation of the Challenge 21 schemes shall be displayed at the premises
8. The Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The Designated Premises Supervisor (DPS) shall check the book once a week ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.

**Atodiad 3 – Amodau a osodir ar ôl gwrandawriad gan yr awdurdod
trwyddedu**
Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Rhan B/ Part B
Crynodeb trwydded mangre/ Premises licence summary

Rhif trwydded mangre
Premises licence number

PRM553

Rhan A1 – Manylion y Fangre/ Part A1 – Premises Details

Cyfeiriad post y fangre neu, os nad oes, cyfeirnod map arolwg ordnans neu ddisgrifiad
Postal address of premises or, if none, ordnance survey map reference or description
Welsh Street Stores
21 Welsh Street
Chepstow

Tref bost/ Post town Monmouthshire

Cod post/ Post code NP16 5LL

Rhif ffôn/ Telephone number

Lle mae cyfyngiad amser ar y drwydded, y dyddiadau / Where the licence is time limited the dates: Dyddiad Cyhoeddi/ Issue Date: 26/04/2017

Gweithgareddau y mae angen trwydded ar eu cyfer a awdurdodir gan y drwydded / Licensable activities authorised by the licence

Supply of Alcohol, fel y nodir gydag ymyl goch ar y cynllun a atodir gyda'r drwydded/ as indicated edged red on the plan attached to this licence.

Yr amserau y mae'r drwydded yn awdurdodi cynnal gweithgareddau y mae angen trwydded ar eu cyfer / The times the licence authorises the carrying out of licensable activities
Supply of Alcohol

1. The licence is limited to the sale of alcohol for consumption off the premises during the hours

Monday-Sunday: 06.00 - 24.00

Oriau agor y fangre/ The opening hours of the premises

Monday-Sunday:06.00 - 24.00

Lle mae'r drwydded yn awdurdodi cyflenwadau alcohol, a yw'r rhain yn gyflenwadau yn y fangre a/neu i ffwrdd o'r fangre / Where the licence authorises supplies of alcohol whether these are on and/or off supplies: Alcohol-Off the premises

Enw, cyfeiriad (cofrestrdig) deiliad trwydded mangre / Name, (registered) address of holder of premises licence : Mr Alpesh Patel & Mrs Sangitaben Patel, , 16 Merrifield Close, Lower Earley, Reading, RG6 4BN

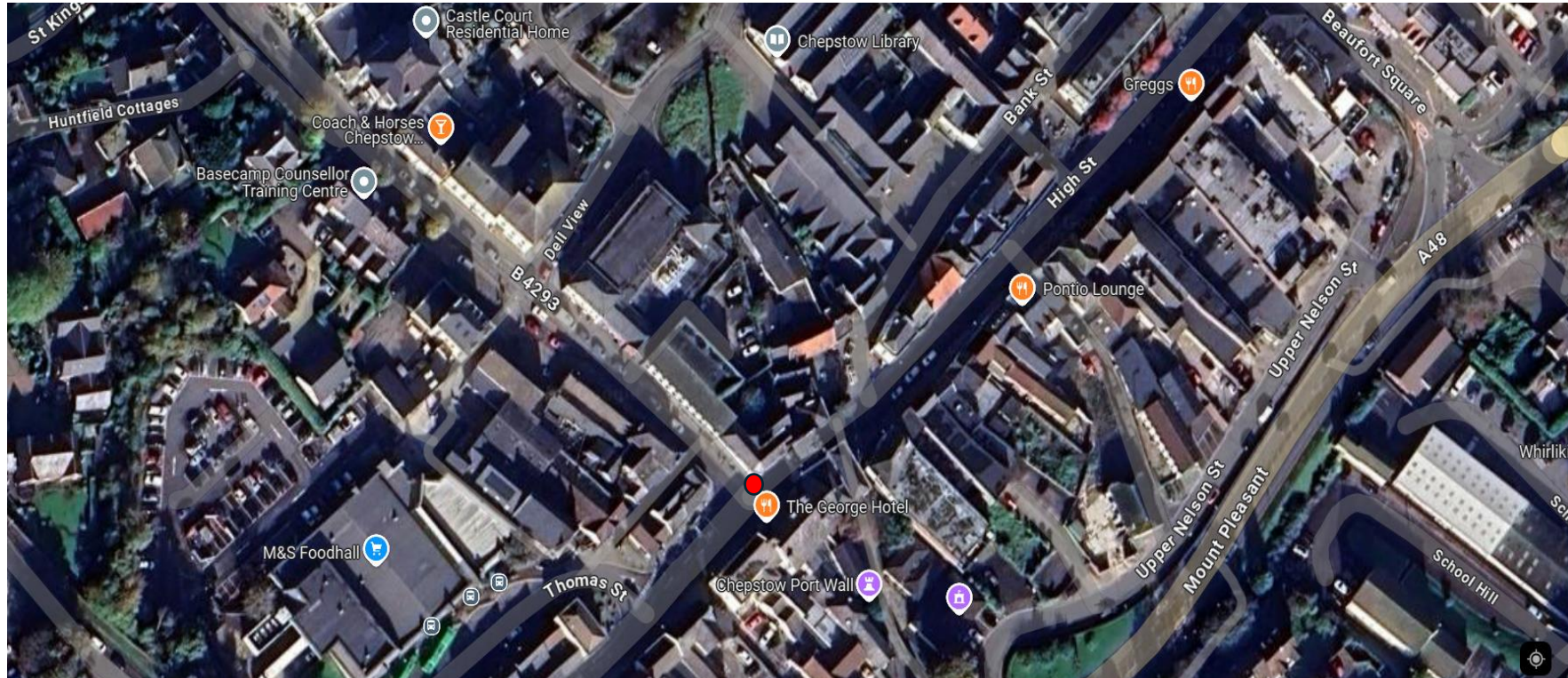
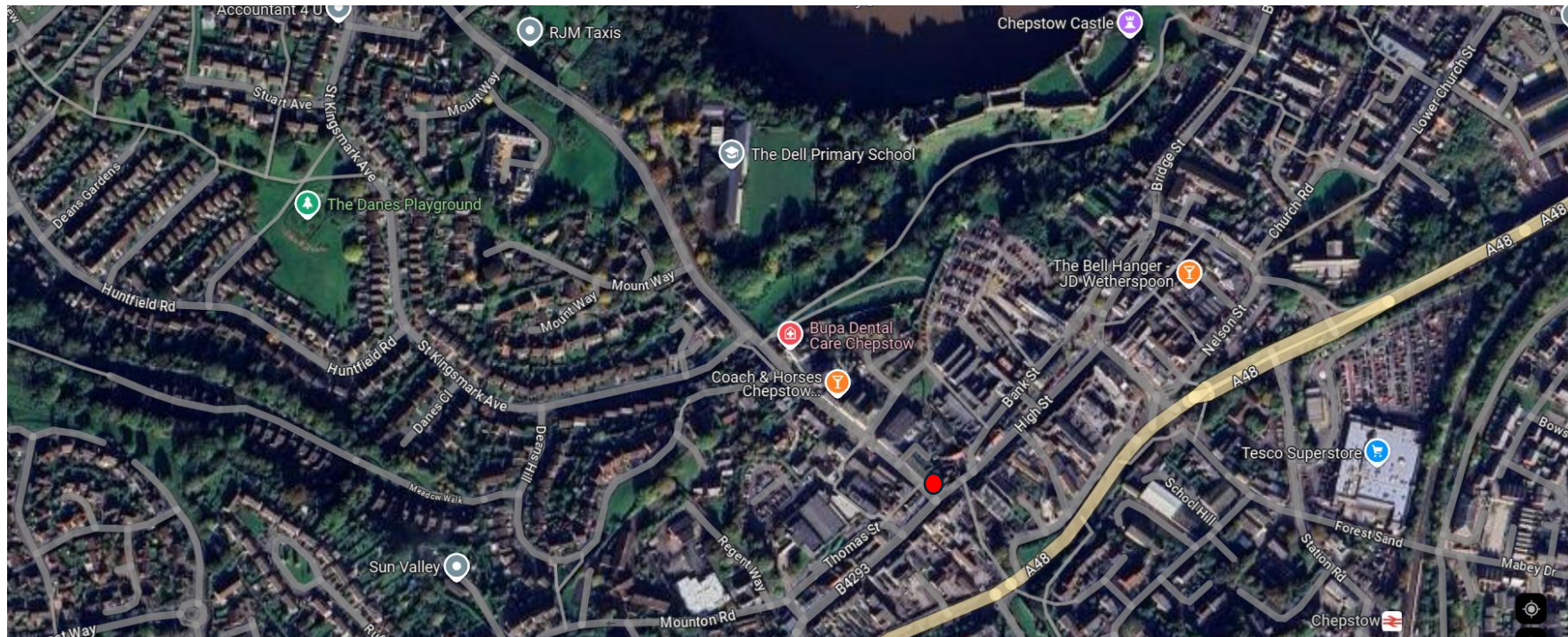
Rhif cofrestredig y deiliad, er enghraifft rif cwmni, rhif elusen (lle'n berthnasol)

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

Enw goruchwyliwr mangre ddynodedig lle mae trwydded y fangre yn awdurdodi cyflenwi alcohol / Name of designated premises supervisor where the premises licence authorises for the supply of alcohol: Mr Alpesh Patel

Nodwch os yw mynediad plant i'r fangre wedi ei gyfyngu neu ei wahardd / State whether access to the premises by children is restricted or prohibited: Not Applicable

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Atodiad 1 - Amodau gorfodol
Annex 1 – Mandatory conditions

Mandatory Conditions – Supply of Alcohol

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.

Mandatory Conditions – Security Activity

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.

Mandatory Conditions – Exhibition of a Film

4 The admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or in the absence of a recommendation from the BBFC, the Licensing Authority. For the purposes of this section:

- i) "children" means persons aged under 18 years of age.

Mandatory Conditions – Supply of Alcohol for Consumption On The Premises

5 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);.

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

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

8. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory conditions - The ban of the sale of alcohol below the cost of duty plus VAT

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

(2) In this condition:-

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

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

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

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

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

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

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

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

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



HEDDLU GWENT POLICE

RELEVANT REPRESENTATIONS
PREMISES LICENCE / CLUB PREMISES CERTIFICATE
UNDER S. 17 OF THE LICENSING ACT 2003

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

Date application received: **04/11/2024**

Date representations sent to Licensing Authority:

Name of authority: **Monmouthshire Council**

Premises Name and address: Welsh Street Stores, 21 Welsh Street, Chepstow, NP16 5LL

Applicant's Name: Mr A Patel/ Mrs S Patel

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

The Prevention of Crime and Disorder, The Prevention of Public Nuisance, Public Safety and The Protection of Children from Harm

This application for a variation to the Premises Licence has been considered by Gwent Police.

Gwent police object to the proposed increase in alcohol hours for the following reasons:

The applicant has suggested potentially supplying more staff, which would not support sufficiently the licensing objectives of prevention of crime and disorder,

public safety or public nuisance at the time of night suggested, where crime and disorder and drunkenness is a significant problem.

The premises is in close proximity to the late-night pubs and clubs' which is an issue of concern and will support concerns from Gwent police of the premises contributing to drunkenness of members of the public and also drinking of alcohol in the public space, leading to anti-social behaviour, an increase in crime and disorder and public nuisance to local residents in the vicinity.

This is due to the customer base who would want to attend between the hours of 00:00 to 03:00am on a weekend. The public at this time of night is predominantly persons who are attending pubs or bars in the town and majority who are already intoxicated. This would undermine the licensing objectives of prevention of crime and disorder, public safety and also public nuisance. Gwent Police would have first-hand experience in who attends the town on weekend evenings due to the nature of our role and due to dealing with a number of crimes that take place in the late night and early hours of weekends.

Chepstow is a small built-up town, with a high number of residents living in the vicinity, The majority of the population in the area are of 55 years and over. This is based on ONS statistics for the area breaking down age range from survey results. The extension of alcohol sales hours could lead to issues of public nuisance to the elderly residents who reside in the area.

The off license is directly opposite a premises which houses vulnerable persons, who are vulnerable for a number of reasons. Access to off sales of alcohol at the times applied for, could contribute to an increase in crimes taking place at or outside the premises that houses the vulnerable persons and could lead to increasing the vulnerability to the persons and thus becoming more susceptible to being a victim or offender of crime.

The premises is also directly opposite a pub that is open until 2am. ASB is an issue in this vicinity already and has led to noise complaints previously, licensing officers have also attended for a violent attack in the last few months in 2024 in the area in the street at 02:00am in the morning. Statistics also show that Welsh Street, Chepstow has the majority of calls of crimes, violent and non-violent and Anti-social behaviour, including drunk and disorderly.

Another concern is the customers the premises is looking to target in the extra hours- 00:00 hours onwards, drunk persons or persons already under the influence of alcohol will be in the vicinity on a weekend utilising pubs, bars and clubs. There would be a concern of increased risk of selling alcohol to already intoxicated persons.

The premises is an off license only, certain conditions which would be heavily expected on bars or clubs to open on their license passed 00:00am, such as door staff for public safety and prevent crime and disorder taking place at the

premises, this would also have to be applied to another premises looking to operate within those hours.

St Marys Ward had 446 crimes in the last year. A nearby late-night premises has more than double reported crimes than the nearest premises. The crimes are not all related to the premises itself, but rather in the street where the applicant's premises is based. This shows a significant problem in the vicinity of the applicant premises with crime and disorder and public safety. Although not directly attributed to the applicants premises, with later closing hours on the busiest period for the night time premises, Gwent Police are concerned that the extension of hours to supply alcohol will contribute to even more crimes taking place in the area, as the potential customers at that time of night would be the persons making use of the night time premises and those persons involved in the crimes taking place.

In the last year, Gwent Police statistics of crime reported for the area confirm that the highest calls received were of violence without injury 104 ,public order 55 ,violence with injury 50 ,criminal damage 39 drug offences 10. Considering alcohol raises violent crimes by at least 49%, this demonstrates the concern by gwent police of the extension of trading hours to supply alcohol.

As stated by Justice Jay within the East Lindsey District Council V Abu Hanif appeal: "the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence." The Licensing Objectives are therefore prospective and preventative, and as such we submit that in order to ensure that the licensing objectives are upheld with specific regard to the prevention of crime and disorder that this application only be granted with the above conditions attached.

Authorised Officer: PC 1689 WILLIAMS

Date: 16/11/2024

OBJ 2.1

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**Monmouthshire Licensing Authority
Licensing Act 2003**

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an Other Person

Your name/organisation name/name of body you represent (see note 3)	[REDACTED]
Organisation name/name of body you represent (if appropriate) (see note 3)	[REDACTED]
Postal and email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Welsh Street Stores – Mr A Patel and Mrs S Patel.
Address of the premises you are making a representation about	21 Welsh Street, Chepstow, NP16 5LL

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Y	<p>The only people seeking to purchase alcohol until 3am are people who are already drunk.</p> <p>The quality of alcohol sold at the shop is not high.</p> <p>The outcome is therefore to sell low quality alcohol to drunks until 3am.</p> <p>Being drunk in public and serving alcohol to drunk people are offences (albeit ones scantily enforced).</p> <p>There's no good reason for this to take place, there is already an issue with disorderly drunks in the area at weekends until venue kicking out times, extending this to 3am with no venues to go to is going to worsen the situation. There is literally no good that can come of this – what possible arguments are there in favour of having drunk people continue drinking in public at 3am? How can anything except disorder result from it?</p> <p>I have already had angry words with a drunk man on my doorstep, and had to politely remind a young lady that our doorstep isn't a public convenience. Serving drunks until 3am raises significantly the prospect of disorder and</p>

		violence.
Public safety	Y	Part of the public nuisance in the area is people driving cars late night at high speed around the exact corner the shop is on. Having drunk people wandering around dramatically increases the risk of accident. The pavement is narrow.
To prevent public nuisance	Y	<p>There is already an issue with public nuisance until the small hours at the weekend. Allowing the provision of yet more cheap alcohol until 3am is insanity.</p> <p>The George pub across the road from the premises occasionally houses (in lodgings over the pub) homeless people who have been drunk in public in the area, and subject to police raids. I have almost come to blows with a drunk on my doorstep in a very unkempt state.</p> <p>Combine this with the recent planning permission (see application DM/2024/00549) given to a 'wet' homeless accommodation (to include those with drug and alcohol problems) a 3 minute walk from the premises and you're asking for trouble. It's insanely irresponsible to allow either of these things in our pretty Welsh market town – to allow both would look almost like deliberate destruction.</p>
To protect children from harm	Y	The area is a conservation zone, where single pane sash windows are required. There is little sound insulation. We have two children, ages 3 and 7, who are subject to hearing the drunken, expletive filled, disorder outside our house at weekend evenings. Extending this to 3am is a vile idea.

Please suggest any conditions that could be added to license to remedy your representation or other suggestions you would like the Licensing Sub committee to take into account. **	Simple – do not allow the premises to sell alcohol so late. There's no need to allow the sale past 10pm at the latest. We don't object to the sale of alcohol there – we only object to the hours of sale proposed. It is a very reasonable objection.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Signed:



Date: 18/11/24

NOTES

1. If you do make a representation you will be expected to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given to the public notice in a local newspaper or other local publication.
3. These can only relate to the four licensing objectives.
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing committee, which will be publicly available. Names will only be withheld from the Committee report at your request.
5. Please return this form when completed to:

Monmouthshire Licensing Section
County Hall
Usk
Monmouthshire
NP15 1GA

Or:

Licensing@monmouthshire.gov.uk

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Watts, Taylor J.

From: Mohamed Ismail [REDACTED]
Sent: 28 November 2024 22:31
To: Watts, Taylor J.
Subject: Re: Meeting Notes

Hi Taylor,

Further to our meeting yesterday with yourself and gwent police we have considered the objections raised in regards to the license applications for booze corner and Welsh road stores. We have taken on board all the concerns raised and reevaluated. Unfortunately due to today's economy we are financially struggling as a small independent business. Rent increases, utility costs, wage increases and the rising cost of merchandise all contribute to this along with footfall on the high street becoming less. We honestly believe that if our licensing application is successful it would mean the difference between keeping the businesses afloat and viable or very possibly closure. This is not based purely on alcohol sales as a large percentage of customers would also purchase other items while in the store, we are losing a lot of this trade as customers would rather go somewhere they can buy everything they want in one transaction. The only reason we are asking for a variation of hours is to save the businesses. Many businesses have closed in chepstow town including The Lion and Mythos, factory shop, even newly opened businesses planning closures or for sale due to poor turnover including LT16, Chicken hub, salkaara, Within 2 minutes walking distance Tesco have a 24hr licence but have not operated since the start of covid, and now close their store at 12am, Welsh road stores already opens Friday and Saturday evenings until 2.30-3am, the only difference being that we are not permitted to sell alcohol after 12am. Gwent police have expressed concern about potential customers becoming confrontational if refused sale after new licensing times if approved, but we are already refusing alcohol sales after 12am without this being an issue. Anti social behaviour is obviously another concern, but we hope with amendments being proposed this would combat the issue. After discussions today we really want to go forward with the mindset of not only helping our struggling businesses but to work harmoniously with local authorities, neighbours and the local community and to be flexible in our original request.

The new proposal would be as follows

- Bringing closure time at booze corner forward to 2am not 3am
- Bringing forward closure time at Welsh road stores from 3am to 2.30am
This would avoid relieving the tail end of customers from local venues and prolonging any noise, ASB and loitering.
- Have 2 members of staff on or 1 trained SIA member of staff
- We would encourage customers buying alcohol to consume once they are at home.
Supplying cable tied woven bags with alcohol purchases that would require scissors to open.
- Alcohol sales will be refused to anyone who appears under age and who cannot produce acceptable ID. Also any customer who is overly intoxicated would be refused the sale of alcohol. These are standard procedure for business.

We hope with the above
Amendments to the original licensing requests we can come to an agreement that is suitable for all
parties .

Thank you
Moh

2. The licensing objectives

Crime and disorder

- 2.1 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).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.
- 2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:
- Putting alcohol into someone's drink without their knowledge or permission
 - Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission
 - Injecting another person with prescription or illegal drugs without their knowledge or permission
 - Putting prescription or illegal drugs into another person's food without their knowledge or permission
 - Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

Public safety

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.9 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);

- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

2.11 Counter terrorism and public safety

2.12 Licensing committees may wish to give due consideration to appropriate counter-terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff.

2.13 It is particularly relevant to consider conditions around health care provision in this regard. Any additional licensing conditions should be appropriate and proportionate to the venue as noted in para 1.16. We recommend that all licensing authorities pay particular attention to terrorist threats when making specific licence conditions in relation to security or health care provision at appropriate premises and events applying for a licence.

2.14 As noted in para 2.8 licensing authorities can recommend conditions where appropriate to do so, such as ensuring appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4); and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

2.15 However, in some instances, licensing authorities may wish to tailor their approach, depending on the particular nature of the application, and go further when addressing concerns around possible terrorist or other such risks. We have provided an Annex to help inform and support licensing authorities in their decision making with regards to additional licence conditions for premises and events, that may benefit from further security planning and health care provision in the aftermath of a particular type of incident.

Ensuring safe departure of those using the premises

2.16 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Maintenance and repair

2.17 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

2.18 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.19 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.20 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling

¹ S 177 of the 2003 Act now only applies to performances of dance.

entertainment.

Public nuisance

- 2.21 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.22 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.23 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.24 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.25 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise

emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.26 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.27 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

- 2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.29 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.30 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism,

or entertainment involving strong and offensive language.

- 2.31 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.34 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.36 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the

licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.37 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.38 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act

Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

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MONMOUTHSHIRE COUNTY COUNCIL REPORT

SUBJECT:	Application to vary a Premises Licence – Chepstow Store
DIRECTORATE:	Social Care, Safeguarding and Health
MEETING:	Licensing & Regulatory Sub-Committee
COMMITTEE DATE:	2nd January 2025
WARDS AFFECTED:	Chepstow Castle & Larkfield

1. PURPOSE:

To consider an application to vary the premises licence under the Licensing Act 2003 for Chepstow Store, 4-5 Beaufort Square, Chepstow. A copy of the application and plan is attached as Appendix A and a copy of the current premises licence is attached as Appendix A (ii).

2. RECOMMENDATION:

It is recommended that members consider and determine the application referred to in 3.1 below, based on the information provided.

3. KEY ISSUES

3.1 An application to vary the premises licence under the Licensing Act 2003 was received from Mr Alpeshkumar Patel & Mrs Sangitaben Patel for Chepstow Store, 4-5 Beaufort Square, Chepstow for the following:-

- Supply of Alcohol (Off sales): Monday to Sunday 06:00hrs – 03:00hrs
- Open Hours (Standard timings): Monday to Sunday 06:00hrs – 03:00hrs

3.2 A map of where the premises is located within Chepstow Town Centre and the surrounding area can viewed as Appendix B.

3.3 The applicant has stated the following when asked in the application to describe the steps intended to take to promote the licensing objectives:

General

- We are very mindful of our neighbours both home and business owners, many of which have become valued friends and customers, we aim to keep noise, anti-social behaviour, public nuisance to a acceptable level concerning our premises and customers. we are lucky to have a very good relationship with other businesses in our community and especially venues with late licences in place who are on hand to advise if needed.

The Prevention of Crime and Disorder

- Monitor and assess
- Implement any necessary measures ie: extra staff
- Refuse sale to anyone already overly intoxicated
- We already have signage around the shop to encourage respectful and quiet behaviour but are happy to add more if required. We will also ask customers not to loiter outside the shop when making any sales.

Public Safety

- Monitor and access
- Implement any necessary measures

Prevention of Public Nuisance

- We have clear and multiple signs throughout the premises asking customers to respect neighbours.
- Sale would be refused to anyone overly intoxicated, being aggressive or a general nuisance.
- Customers will be asked not to loiter or congregate outside of premises

Protection of Children from Harm

- We already operate a very vigilant look under 25 policy and check id as required, any sales refused are logged. We also refuse any sale we believe are being made on behalf of anyone underage and will continue to do so.

3.4 If granted the licence would also be subject to Mandatory Conditions, which are attached to this report as Appendix C.

3.5 The applicant has a statutory duty to send copies of their premises licence application to the 'Responsible Authorities' namely Gwent Police, South Wales Fire Service, The Local Health Board, Home Office (Immigration) and departments of Monmouthshire County Council being the Environmental Health Section, Social Services, Planning, Licensing and Trading Standards Department, which was carried out by the applicant. A notice also must be circulated in a newspaper within the area of the premises as well as a notice displayed at the premises to enable businesses and residents to make a representation; again, the applicant duly carried this out. The application is also advertised via the Council's website, which gives details on how a person can make a representation and this was carried out by the Licensing Authority.

3.6 Representations were received by Gwent Police (attached as Appendix D), who objected to the application against 3 licensing objectives, namely prevention of crime & disorder, prevention of public nuisance and public safety. A summary of the representations received by Gwent Police were:

- The additional staff are not deemed suitable to sufficiently promote the licensing objectives
- The premises is near late night pubs and clubs, where persons may be intoxicated when leaving these premises and then looking for alcohol at off-licences
- The premises is near a location which houses vulnerable persons
- It is believed that alcohol sold during these hours may increase anti-social behaviour for residents in the area

3.7 No representations were received by any other person or responsible authority.

3.8 Following the representations made by Gwent Police a meeting was held with Gwent Police and the applicant on 27th November 2024 to discuss the application and the concerns Gwent Police have raised. During the meeting the applicant advised on further measures they will take to promote the licensing objectives, which were:

- Amending the closing times to around 02:00 for the premises
- 1 SIA door supervisor in attendance
- Encouraging customers to consume alcohol at home by providing woven bags sealed with zip ties
- Refusal to serve any person underage or intoxicated

3.9 Following the meeting, the applicant advised they wish to amend the application to the below, with the full list of amendments attached as Appendix E.

- Bring forward the closing time to 02:00
- 2 members of staff at the premises, with 1 SIA trained
- Supplying cable tied woven bags
- Encouraging alcohol to be consumed at home
- ID verification and no sales to person who may be intoxicated

3.10 Following the amendments to the application the Licensing Authority sent them to Gwent Police and requested whether their representation remained, Gwent Police confirmed their representation remained unchanged in light of the amendments made.

3.11 Representations made under the Licensing Act 2003 must be made under the four key licensing objectives, namely:-

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

However, Section 9.9 of the Guidance issued by the Home Office states:

It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

3.12 When considering their decision members are asked to consider the licensing objectives guidance issued under the revised guidance under section 182 of the Licensing Act 2003 (attached as Appendix F)

3.13 In accordance with 9.2 of the Home Office Guidance issued under Section 182 of the Licensing Act 2003. A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn..... Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed. As such, no agreement was reached with the other persons who made a representation, and a hearing is required.

4. REASONS:

4.1 The determination of an application is to be considered in accordance with Section 182 of the Licensing Act 2003.

4.2 In section 9.4 of the Guidance issued under section 182 of the Licensing Act 2003, the Secretary of State recommends that, a representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

4.3 In section 13.10 of the Guidance issued under Section 182. It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority’s statement of policy and this Guidance.

- 4.4 Monmouthshire County Council's Policy on Prevention of crime and disorder are set out in Section 10 and read as follows:

Prevent of crime and disorder

The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. Details of the factors that will need to be considered as part of the operating schedules are given in the Licensing Policies and matters for consideration when deciding applications, which are attached in the annex to this policy and in the Guidance notes for applicants.

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.
- Is there ID scanning on entry to the premises? Will there be 'No ID No Entry' policy in place?
- 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?

- 4.5 Monmouthshire County Council's Policy on Prevention of Nuisance are set out in Section 11 and read as follows:

Prevention of public nuisance

Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.

Subject to case law the Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.

Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.

The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area; or
- extended opening hours are proposed.

premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.

When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered

- 4.6 Monmouthshire County Council's Policy on Public Safety are set out in Section 12 and read as follows:

Public safety

The Licensing Authority will expect operating schedules to satisfactorily address issues concerning public safety, and applicants are advised to seek advice from various organisations, such as the health and safety enforcement officers, South Wales Fire and Rescue Service etc., before preparing their plans and schedules, particularly where regulated entertainment is to be provided.

The Licensing Authority will encourage applicants to conduct a risk assessment of the premises and/or activity. The authority recommends that specialists, e.g. a qualified safety officer, should be consulted to assist with the assessment.

5. RESOURCE IMPLICATIONS:

Nil

6. CONSULTEES:

Heddlu Gwent Police, South Wales Fire Service and the following departments from Monmouthshire County Council, namely, Environmental Health, Social Services, Planning, Trading Standards, Licensing and the Local Health Board

7. BACKGROUND PAPERS:

Licensing Act 2003 - [Licensing Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Guidance issued under Section 182 of the Licensing Act 2003 dated December 2023 - [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Monmouthshire County Council's Statement of Licensing Policy dated 1st July 2020 - [Licensing Act Policy - Monmouthshire](#)

8. AUTHOR:

Mr Taylor Watts
Licensing Officer

CONTACT DETAILS:

Tel: 01633 644835

Email: TaylorWatts@monmouthshire.gov.uk

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**Monmouthshire Licensing Section, County Hall, The Rhadyr, Usk,
Monmouthshire, NP15 1GA**

Application to vary a premises licence 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 Mr A Patel Mrs S Patel

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PRM561

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Chepstow Store 4-5 Beaufort Square Chepstow			
Post town	Chepstow	Postcode	NP16 5LG

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£8,700

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

Yes

If not, from what date do you want the variation to take effect?

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We would like our licence to sell alcohol to be extended on a Friday and Saturday night .
It is currently 24.00hrs and we would like it to be extended to 03.00hrs.

This would help the business to stay financially viable with the rising costs of not only rent increases but also utilities, staff wages, merchandise etc.

We are currently losing a great deal of potential customers due to our licensing terms and conditions as they stand. There is a considerable amount of passing trade due to our location and close proximity to local venues.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

ye
s

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

ye
s

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----			
			<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon	-----	-----	State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue	-----	-----	
Wed	-----	-----	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 (please read guidance note 7)
Thur	-----	-----	
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----			
			<u>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</u> (please read guidance note 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----			
			<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed	-----	-----			
Thur	-----	-----	<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 7)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	-----	-----		Both	<input type="checkbox"/>
Tue	-----	-----		<u>Please give further details here</u> (please read guidance note 5)	
Wed	-----	-----	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----	<u>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</u> (please read guidance note 7)		
Sat	-----	-----			
Sun	-----	-----			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
	-----	-----		Both	<input type="checkbox"/>
Tue	-----	-----	<u>Please give further details here</u> (please read guidance note 5)		
Wed	-----	-----			
	-----	-----			
Thur	-----	-----	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri	-----	-----			
	-----	-----			
Sat	-----	-----	<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 7)		
Sun	-----	-----			
	-----	-----			

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	-----	-----			
Fri	-----	-----			
Sat	-----	-----			
			<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 7)		
Sun	-----	-----			

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	6.00	24.00	

Tue	6.00	24.00	

Wed	6.00	24.00	

Thur	6.00	24.0	

Fri	6.00		

Sat		3.00	
	6.00		
Sun		3.00	
	6.00	24.00	

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 7)

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

We are currently only permitted to sell alcohol until 24.00hrs and would like this to be extended on Friday and Saturday nights until 03.00hrs.

If our application is successful we are very mindful of our neighbours and local community, we have signage throughout our shop asking customers to be respectful and to respect neighbours in regards to noise and behaviour. We are happy to receive any feedback, suggestions and solutions to keep noise, any anti-social behaviour or loitering to an absolute minimum and will implement necessary policies if needed ie: extra staff during certain hours.

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

We are very mindful of our neighbours both home and business owners , many of which have become valued friends and customers, we aim to keep noise, anti-social behaviour, public nuisance to a acceptable level concerning our premises and customers. we are lucky to have a very good relationship with other businesses in our community and especially venues with late licences in place who are on hand to advise if needed .

b) The prevention of crime and disorder

Monitor and assess
Implement any necessary measures ie: extra staff
Refuse sale to anyone already overly intoxicated
We already have signage around the shop to encourage respectful and quiet behaviour but are happy to add more if required. We will also ask customers not to loiter outside the shop when making any sales.

c) Public safety

Monitor and access
Implement any necessary measures

d) The prevention of public nuisance

We have clear and multiple signs throughout the premises asking customers to respect neighbours.
Sale would be refused to anyone overly intoxicated, being aggressive or a general nuisance.
Customers will be asked not to loiter or congregate outside of premises

e) The protection of children from harm

We already operate a very vigilant look under 25 policy and check id as required, any sales refused are logged. We also refuse any sale we believe are being made on behalf of anyone underage and will continue to do so .

Checklist:

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	██████████
Date	29/10/2024
Capacity	Business owner

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	██████████
Date	29/10/2024
Capacity	Co Business owner

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

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

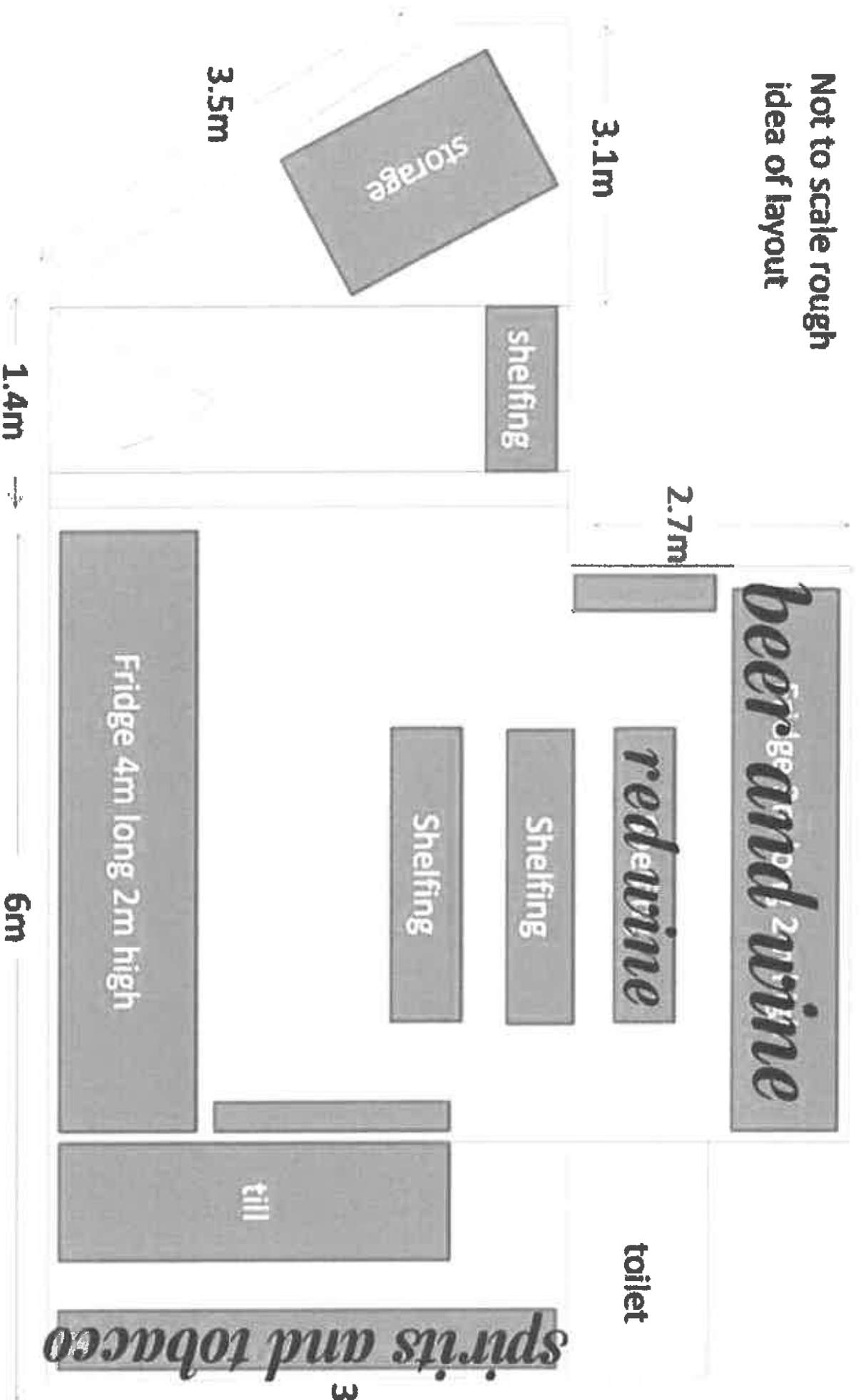
relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
- 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

3.5m

Not to scale rough
idea of layout





ADRAN TRWYDDEDU SIR FYNWY,
CANOLFAN ADDYSG GYMUNEDOL Y FENNI,
OLD HEREFORD ROAD, Y FENNI, NP7 6EL.

MONMOUTHSHIRE LICENSING SECTION,
ABERGAVENNY COMMUNITY EDUCATION CENTRE,
OLD HEREFORD ROAD, ABERGAVENNY, NP7 6EL.

Rhan A/ Part A
Fformat trwydded mangre/ Format of premises licence

Rhif trwydded mangre
Premises licence number

PRM561

Rhan A1 – Manylion y Fangre/ Part A1 – Premises Details

Cyfeiriad post y fangre neu, os nad oes, gyfeirnod map arolwg ordnans neu ddisgrifiad Postal address of premises or, if none, ordnance survey map reference or description			
Chepstow Store 4-5 Beaufort Square Chepstow			
Tref bost/ Post town	Monmouthshire	Cod post/ Post code	NP16 5LG
Rhif ffôn/ Telephone number	07984173806		

Lle mae cyfyngiad amser ar y drwydded, y dyddiadau
Where the licence is time limited the dates

Dyddiad A Roddwyd/Date Granted: 17/01/2019
Dyddiad Cyhoeddi/ Issue Date: 17/01/2019

Gweithgareddau y mae angen trwydded ar eu cyfer a awdurdodir gan y drwydded
Licensable activities authorised by the licence

Supply of Alcohol, fel y nodir gydag ymyl goch ar y cynllun a atodir gyda'r drwydded/ as indicated on the plan attached to this licence.

Yr amserau y mae'r drwydded hon yn awdurdodi cynnal gweithgareddau y mae angen trwydded ar eu cyfer
The times the licence authorises the carrying out of licensable activities

Supply of Alcohol
The licence is limited to the sale of alcohol for consumption off the premises during the hours
Monday:06.00 - 24.00
Tuesday:06.00 - 24.00
Wednesday:06.00 - 24.00
Thursday:06.00 - 24.00
Friday:06.00 - 24.00
Saturday:06.00 - 24.00
Sunday:06.00 - 24.00

Oriau agor y fangre
The opening hours of the premises

Opening Hours
Monday:06.00 - 24.00
Tuesday:06.00 - 24.00
Wednesday:06.00 - 24.00
Thursday:06.00 - 24.00
Friday:06.00 - 24.00
Saturday:06.00 - 24.00
Sunday:06.00 - 24.00

Lle mae'r drwydded yn awdurdodi cyflenwadau alcohol, a yw'r rhain yn gyflenwadau yn y fangre a/neu i ffwrdd o'r fangre
Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol-Off the premises

Rhan 2/ Part 2

Enw, cyfeiriad (cofrestredig), rhif ffôn ac e-bost (lle'n berthnasol) deiliad trwydded mangre
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Alpeshkumar Patel & Mrs Sangitaben Patel
16 Merrifield Close
Lower Earley
Reading
RG6 4BN

Rhif cofrestredig y deiliad, er enghraifft rif cwmni, rhif elusen (lle'n berthnasol)
Registered number of holder, for example company number, charity number (where applicable)

Enw goruchwyliwr mangre ddynodedig lle mae trwydded y fangre yn awdurdodi cyflenwi alcohol / Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Alpeshkumar Shantibhai Patel

Atodiad 1 - Amodau gorfodol

Annex 1 – Mandatory conditions

Mandatory Conditions – Supply of Alcohol

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.

Mandatory Conditions – Security Activity

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.

Mandatory Conditions – Exhibition of a Film

4 The admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or in the absence of a recommendation from the BBFC, the Licensing Authority. For the purposes of this section:

- i) "children" means persons aged under 18 years of age.

Mandatory Conditions – Supply of Alcohol for Consumption On The Premises

5 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);.

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

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

8. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;.

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory conditions - The ban of the sale of alcohol below the cost of duty plus VAT

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

(2) In this condition:-

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

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

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

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

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

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

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

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

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

Atodiad 2 – Amodau sy'n cydymffurfio gyda'r Atodlen Weithredu Annex 2 – Conditions consistent with the Operating Schedule

General - All Objectives

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

Prevention of Crime and Disorder

2. CCTV cameras shall be installed both inside and outside the premises and these cameras shall be operational at all times the premises is trading. All recordings shall be retained for a minimum of 28 days and shall be made available for inspection by an Authorised Officer on request.

Public Safety

3. A documented training scheme shall be introduced for all staff. The scheme shall be made available for inspection at the request of any Responsible Authority under the Licensing Act 2003.

Prevention of Public Nuisance

4. Employees shall be instructed not to serve anyone behaving in a drunk or disorderly manner.

Protection of Children

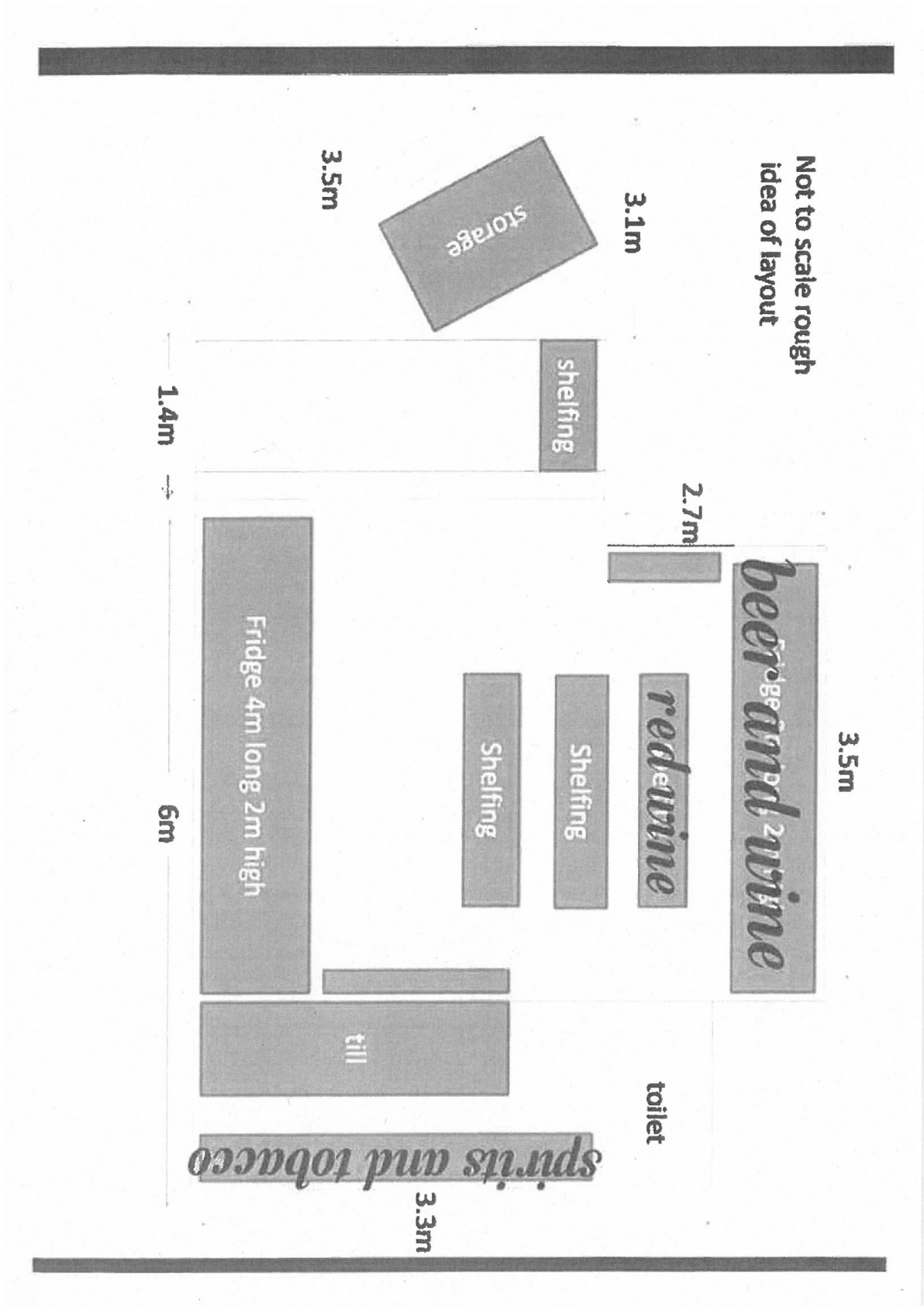
5. A Challenge 21 policy shall be operated at the premises at all times. All staff shall check the identification of all persons who appear to be less than 21 years old. This check shall be made by examining either a passport, photographic driving licence. No other form of identification shall be accepted.

6. Publicity materials notifying customers of the operation of the Challenge 21 schemes shall be displayed at the premises

Atodiad 3 – Amodau a osodir ar ôl gwrandawriad gan yr awdurdod trwyddedu
Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Atodiad 4 – Cynlluniau
Annex 4 – Plans



ADRAN TRWYDDEDU SIR FYNWY,CANOLFAN ADDYSG GYMUNEDOL Y FENNI,
 OLD HEREFORD ROAD, Y FENNI, NP7 6EL.
 MONMOUTHSHIRE LICENSING SECTION, ABERGAVENNY COMMUNITY EDUCATION CENTRE,
 OLD HEREFORD ROAD, ABERGAVENNY, NP7 6EL.

Rhan B/ Part B
Crynodeb trwydded mangre/ Premises licence summary

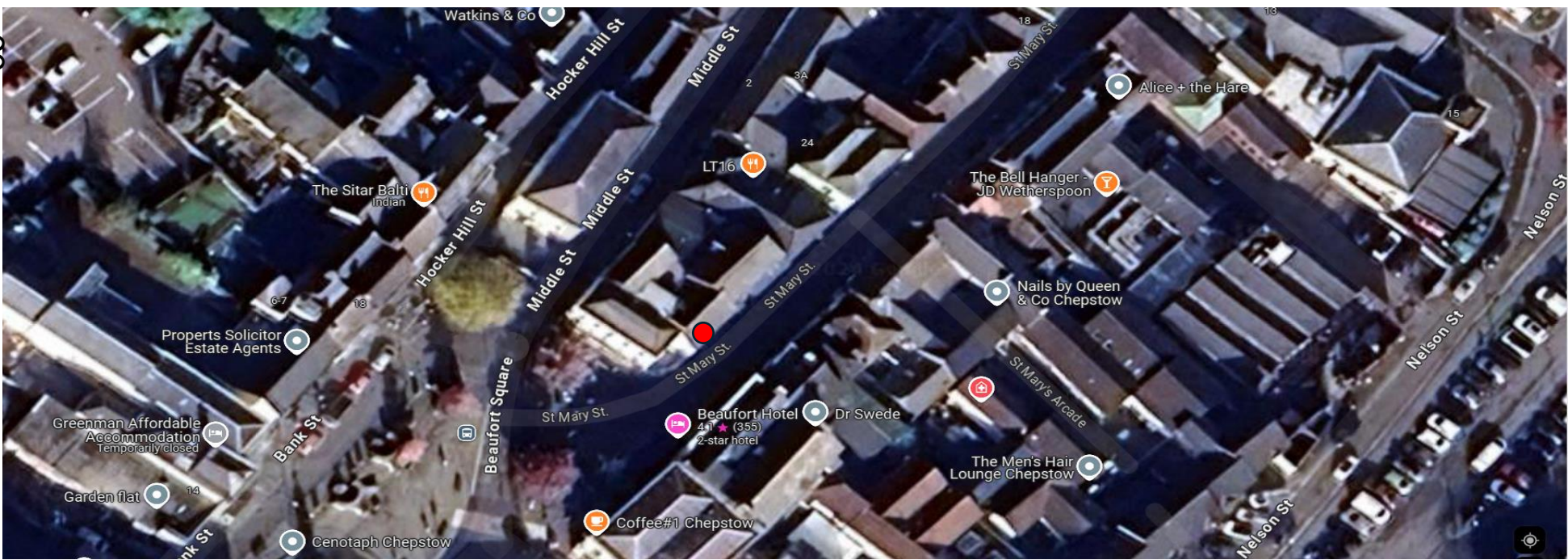
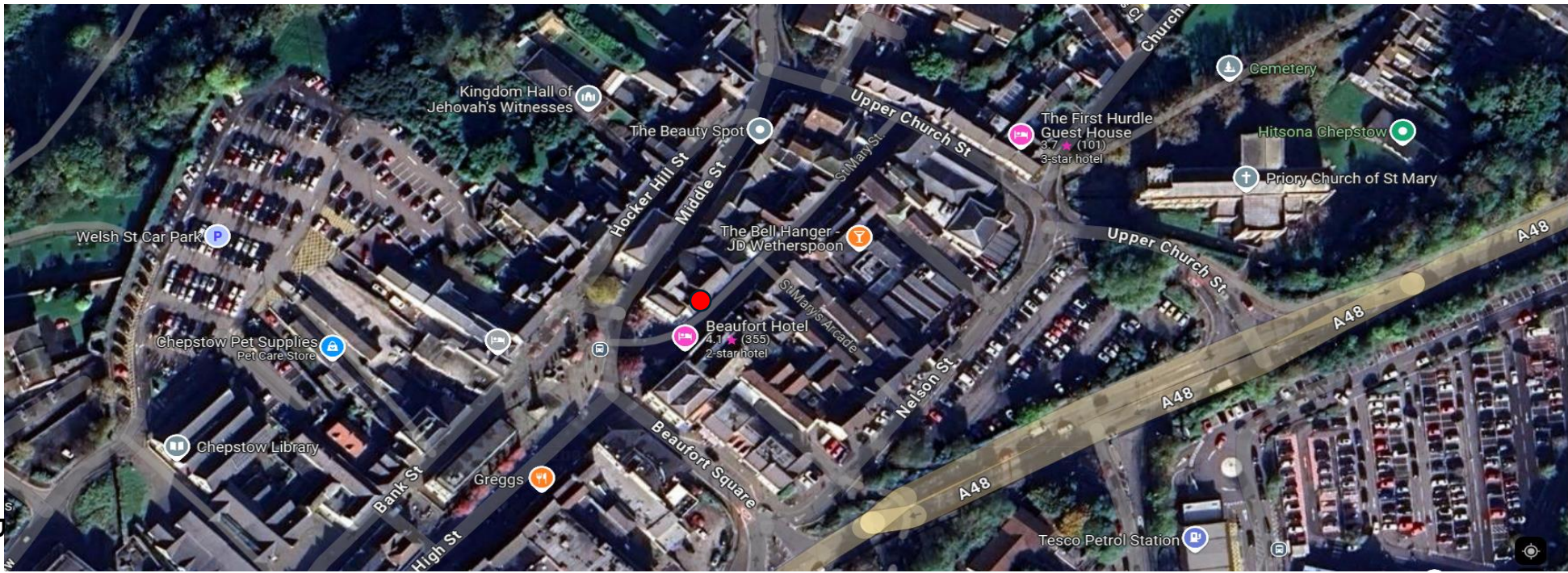
Rhif trwydded mangre
 Premises licence number

PRM561

Rhan A1 – Manylion y Fangre/ Part A1 – Premises Details

Cyfeiriad post y fangre neu, os nad oes, cyfeirnod map arolwg ordnans neu ddisgrifiad Postal address of premises or, if none, ordnance survey map reference or description Chepstow Store 4-5 Beaufort Square Chepstow	
Tref bost/ Post town Monmouthshire	Cod post/ Post code NP16 5LG
Rhif ffôn/ Telephone number 07984173806	
Lle mae cyfyngiad amser ar y drwydded, y dyddiadau / Where the licence is time limited the dates: Dyddiad A Roddwyd/DateGranted: 17/01/2019 Dyddiad Cyhoeddi/ Issue Date: 17/01/2019	
Gweithgareddau y mae angen trwydded ar eu cyfer a awdurdodir gan y drwydded / Licensable activities authorised by the licence Supply of Alcohol, fel y nodir gydag ymyl goch ar y cynllun a atodir gyda'r drwydded/ as indicated on the plan attached to this licence.	
Yr amserau y mae'r drwydded yn awdurdodi cynnal gweithgareddau y mae angen trwydded ar eu cyfer / The times the licence authorises the carrying out of licensable activities Supply of Alcohol The licence is limited to the sale of alcohol for consumption off the premises during the hours Monday-Sunday:06.00 - 24.00	
Oriau agor y fangre/ The opening hours of the premises Monday-Sunday:06.00 - 24.00	
Lle mae'r drwydded yn awdurdodi cyflenwadau alcohol, a yw'r rhain yn gyflenwadau yn y fangre a/neu i ffwrdd o'r fangre / Where the licence authorises supplies of alcohol whether these are on and/or off supplies: Alcohol-Off the premises	
Enw, cyfeiriad (cofrestredig) deiliad trwydded mangre / Name, (registered) address of holder of premises licence: Mr Alpeshkumar Patel & Mrs Sangitaben Patel, , 16 Merrifield Close, Lower Earley, Reading, RG6 4BN	
Rhif cofrestredig y deiliad, er enghraifft rif cwmni, rhif elusen (lle'n berthnasol) Registered number of holder, for example company number, charity number (where applicable)	
Enw goruchwyliwr mangre ddynodedig lle mae trwydded y fangre yn awdurdodi cyflenwi alcohol / Name of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Alpeshkumar Shantibhai Patel	
Nodwch os yw mynediad plant i'r fangre wedi ei gyfyngu neu ei wahardd / State whether access to the premises by children is restricted or prohibited: Not Applicable	

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Atodiad 1 - Amodau gorfodol
Annex 1 – Mandatory conditions

Mandatory Conditions – Supply of Alcohol

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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.

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4 The admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or in the absence of a recommendation from the BBFC, the Licensing Authority. For the purposes of this section:

- i) "children" means persons aged under 18 years of age.

Mandatory Conditions – Supply of Alcohol for Consumption On The Premises

5 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);.

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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

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

8. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory conditions - The ban of the sale of alcohol below the cost of duty plus VAT

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

(2) In this condition:-

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

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

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

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

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

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

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

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

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



HEDDLU GWENT POLICE

RELEVANT REPRESENTATIONS **PREMISES LICENCE / CLUB PREMISES CERTIFICATE** **UNDER S. 17 OF THE LICENSING ACT 2003**

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

Date application received: **04/11/2024**

Date representations sent to Licensing Authority:

Name of authority: **Monmouthshire Council**

Premises Name and address: Chepstow Store, 4-5 Beaufort Square, Chepstow, NP16 5LG

Applicant's Name: Mr A Patel/ Mrs S Patel

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

The Prevention of Crime and Disorder, The Prevention of Public Nuisance, Public Safety and The Protection of Children from Harm

This application for a variation to the Premises Licence has been considered by Gwent Police.

Gwent police object to the proposed increase in alcohol hours for the following reasons:

The applicant has suggested potentially supplying more staff, which would not support sufficiently the licensing objectives of prevention of crime and disorder,

public safety or public nuisance at the time of night suggested, where crime and disorder and drunkenness is a significant problem.

The premises is in close proximity to the late-night pubs and clubs' which is an issue of concern and will support concerns from Gwent police of the premises contributing to drunkenness of members of the public and also drinking of alcohol in the public space, leading to anti-social behaviour, an increase in crime and disorder and public nuisance to local residents in the vicinity.

This is due to the customer base who would want to attend between the hours of 00:00 to 03:00am on a weekend. The public at this time of night is predominantly persons who are attending pubs or bars in the town and majority who are already intoxicated. This would undermine the licensing objectives of prevention of crime and disorder, public safety and also public nuisance. Gwent Police would have first hand experience in who attends the town on weekend evenings due to the nature of our role and due to dealing with a number of crimes that take place in the late night and early hours of weekends.

Chepstow is a small built-up town, with a high number of residents living in the vicinity, The majority of the population in the area are of 55 years and over. This is based on ONS statistics for the area breaking down age range from survey results. The extension of alcohol sales hours could lead to issues of public nuisance to the elderly residents who reside in the area.

The off license is near a premises which houses vulnerable persons, who are vulnerable for a number of reasons. Access to off sales of alcohol at the times applied for, could contribute to an increase in crimes taking place at or outside the premises that houses the vulnerable persons and could lead to increasing the vulnerability to the persons and thus becoming more susceptible to being a victim or offender of crime.

The premises is also directly opposite a licensed premises that is open until 01:30 hours on a Friday and Saturday. ASB is an issue in this vicinity already and has led to noise complaints previously.

Statistics also show that St Marys Ward, Chepstow has the majority of calls of crimes, violent and non-violent and Anti-social behaviour, including drunk and disorderly.

Another concern is the customers the premises is looking to target in the extra hours- 00:00 hours onwards, drunk persons or persons already under the influence of alcohol will be in the vicinity on a weekend utilising pubs, bars and clubs. There would be a concern of increased risk of selling alcohol to already intoxicated persons.

The premises is an off license only, certain conditions which would be heavily expected on bars or clubs to open on their license passed 00:00am, such as door staff for public safety and prevent crime and disorder taking place at the premises, this would also have to be applied to another premises looking to operate within those hours.

St Marys Ward had 446 crimes in the last year. A nearby late-night premises has more than double reported crimes than the nearest premises. The crimes are not all related to the premises itself, but rather in the street where the applicant's premises is based. This shows a significant problem in the vicinity of the applicant premises with crime and disorder and public safety. Although not directly attributed to the applicants premises, with later closing hours on the busiest period for the night time premises, Gwent Police are concerned that the extension of hours to supply alcohol will contribute to even more crimes taking place in the area, as the potential customers at that time of night would be the persons making use of the night time premises and those persons involved in the crimes taking place.

In the last year, Gwent Police statistics of crime reported for the area confirm that the highest calls received were of violence without injury 104 ,public order 55 ,violence with injury 50 ,criminal damage 39 drug offences 10. Considering alcohol raises violent crimes by at least 49%, this demonstrates the concern by gwent police of the extension of trading hours to supply alcohol.

As stated by Justice Jay within the East Lindsey District Council V Abu Hanif appeal: "the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence." The Licensing Objectives are therefore prospective and preventative, and as such we submit that in order to ensure that the licensing objectives are upheld with specific regard to the prevention of crime and disorder that this application only be granted with the above conditions attached.

Authorised Officer: PC 2138 DAKIN

Date: 16/11/2024

OBJ 2.1

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Watts, Taylor J.

From: Mohamed Ismail [REDACTED]
Sent: 28 November 2024 22:31
To: Watts, Taylor J.
Subject: Re: Meeting Notes

Hi Taylor,

Further to our meeting yesterday with yourself and gwent police we have considered the objections raised in regards to the license applications for booze corner and Welsh road stores. We have taken on board all the concerns raised and reevaluated. Unfortunately due to today's economy we are financially struggling as a small independent business. Rent increases, utility costs, wage increases and the rising cost of merchandise all contribute to this along with footfall on the high street becoming less. We honestly believe that if our licensing application is successful it would mean the difference between keeping the businesses afloat and viable or very possibly closure. This is not based purely on alcohol sales as a large percentage of customers would also purchase other items while in the store, we are losing a lot of this trade as customers would rather go somewhere they can buy everything they want in one transaction. The only reason we are asking for a variation of hours is to save the businesses. Many businesses have closed in chepstow town including The Lion and Mythos, factory shop, even newly opened businesses planning closures or for sale due to poor turnover including LT16, Chicken hub, salkaara, Within 2 minutes walking distance Tesco have a 24hr licence but have not operated since the start of covid, and now close their store at 12am, Welsh road stores already opens Friday and Saturday evenings until 2.30-3am, the only difference being that we are not permitted to sell alcohol after 12am. Gwent police have expressed concern about potential customers becoming confrontational if refused sale after new licensing times if approved, but we are already refusing alcohol sales after 12am without this being an issue. Anti social behaviour is obviously another concern, but we hope with amendments being proposed this would combat the issue. After discussions today we really want to go forward with the mindset of not only helping our struggling businesses but to work harmoniously with local authorities, neighbours and the local community and to be flexible in our original request.

The new proposal would be as follows

- Bringing closure time at booze corner forward to 2am not 3am
- Bringing forward closure time at Welsh road stores from 3am to 2.30am
This would avoid relieving the tail end of customers from local venues and prolonging any noise, asb and loitering.
- Have 2 members of staff on or 1 trained sia member of staff
- We would encourage customers buying alcohol to consume once they are at home.
Supplying cable tied woven bags with alcohol purchases that would require scissors to open.
- Alcohol sales will be refused to anyone who appears under age and who cannot produce acceptable ID. Also any customer who is overly intoxicated would be refused the sale of alcohol. These are standard procedure for business.

We hope with the above
Ammendments to the original licensing requests we can come to an agreement that is suitable for all
parties .

Thank you
Moh

2. The licensing objectives

Crime and disorder

- 2.1 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).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.
- 2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:
- Putting alcohol into someone's drink without their knowledge or permission
 - Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission
 - Injecting another person with prescription or illegal drugs without their knowledge or permission
 - Putting prescription or illegal drugs into another person's food without their knowledge or permission
 - Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

Public safety

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.9 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);

- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

2.11 Counter terrorism and public safety

2.12 Licensing committees may wish to give due consideration to appropriate counter-terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff.

2.13 It is particularly relevant to consider conditions around health care provision in this regard. Any additional licensing conditions should be appropriate and proportionate to the venue as noted in para 1.16. We recommend that all licensing authorities pay particular attention to terrorist threats when making specific licence conditions in relation to security or health care provision at appropriate premises and events applying for a licence.

2.14 As noted in para 2.8 licensing authorities can recommend conditions where appropriate to do so, such as ensuring appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4); and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

2.15 However, in some instances, licensing authorities may wish to tailor their approach, depending on the particular nature of the application, and go further when addressing concerns around possible terrorist or other such risks. We have provided an Annex to help inform and support licensing authorities in their decision making with regards to additional licence conditions for premises and events, that may benefit from further security planning and health care provision in the aftermath of a particular type of incident.

Ensuring safe departure of those using the premises

2.16 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Maintenance and repair

2.17 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

2.18 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.19 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.20 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling

¹ S 177 of the 2003 Act now only applies to performances of dance.

entertainment.

Public nuisance

- 2.21 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.22 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.23 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.24 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.25 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise

emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.26 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.27 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

- 2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.29 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.30 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism,

or entertainment involving strong and offensive language.

- 2.31 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.34 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.36 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the

licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.37 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.38 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act

Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

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