

Committee: Statutory Licensing Sub-Committee

Date of meeting: Thursday 10th March 2022

Report Subject: Licensing Act 2003 – New Premises Licence –
The Venue Convenience Store,
Commonwealth Road, Garnlydan, Ebbw Vale

Report Submitted by: H. Jones

Report Written by: S. Jayne

1. Purpose of the Report

- 1.1 To inform the Statutory Licensing Sub-Committee of representations received in respect of an application for a new premises licence at The Venue Convenience Store, Commonwealth Road, Garnlydan, Ebbw Vale in order to enable the Sub-Committee to determine the application in accordance with the Licensing Act 2003.

2. Scope and Background

- 2.1 An application was submitted on 20th January 2022 by Mr Sunny Singh Sangha, for a new premises licence at the premises at The Venue Convenience Store, Commonwealth Road, Garnlydan, Ebbw Vale. A location plan is attached at **Appendix 1**.
- 2.2 The convenience store is located inside 'The Venue' club building. Permission has been granted by the Council's Planning Team to reconfigure the internal area of existing club building to allow the convenience store to be incorporated. An application to vary the existing premises licence in respect of the club to identify this change has also been submitted to the Licensing team for determination. As a result of the reconfiguration, the existing club will retain its original entrance at the side of the building and the new convenience store will have a new entrance at the front of the building. There will be no access to either licensed premises from the other. A plan is attached as **Appendix 2**.
- 2.3 The applicant wishes to provide licensable activities at the premises, as follows:-*

Supply of Alcohol:

Monday – Sunday 08.00am – 10.00pm

It is proposed that the opening times of the premises are as follows:-

Monday – Sunday 08.00am – 10.00pm

- 2.4 The applicant has included the following steps to promote the licensing objectives as specified in the operating schedule to the application;-

CCTV to be in operation.

- 2.5 In accordance with the Licensing Act 2003, as part of the consultation process, the applicant has a duty to send copies of the application to Responsible Authorities. Therefore, consultation has been carried out with Gwent Police, South Wales Fire and Rescue Service, Immigration Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement Officers, Planning, Environmental Health, Social Services departments and Aneurin Bevan Health Board. In addition, the applicant placed a notice of the application at the premises, for 28 days to enable Other Persons, i.e. local residents and businesses, to make representations, a notice was placed on the authorities website, also a notice was also published in the Gwent Gazette within 10 days of the date the application was received
- 2.6 No representations were received from South Wales Fire and Rescue Service, Immigration Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement Officers, Planning and Environmental Health.
- 2.7 Representations were received from Gwent Police, however the applicant agreed to amend the application as follows and Gwent Police withdrew their representations.

CCTV shall be in use at the premises.

Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system

is to be installed, it shall be fully operational by the date the licence is granted.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards;

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority;

The correct time and date will be generated onto both the recording and the real time image screen;

If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported.

Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified;

The premises licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.

In addition to the above,

There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the premises.

Should customers be outside the premises causing congestion, loitering and/or causing Anti-Social Behaviour they will be told move away from the vicinity.

An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation. Records to be maintained for a minimum of 12 months.

Clear notices displayed at entry/exit points where customers leave the premises must instruct them to respect the needs of local residents and leave the premises and the area quietly.

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

An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 21' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 21 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

- 2.8 Representations were received from two other persons within the specified timescale and copies are attached as **Appendix 2**.
- 2.9 In considering this application, the sub-committee must take account of the provisions in the Licensing Act 2003, in particular, the licensing objectives which are:-
- The prevention of crime and disorder

- Public safety
- The prevention of public nuisance
- The protection of children from harm.

2.10 The guidance issued by the Home Office under section 182 of the Act and the Council's licensing policy must be taken into account when considering this application.

3 Options for Recommendation

3.1 The options available to the Statutory Licensing sub-committee are:

1. to grant the licence subject to the conditions consistent with the operating schedule , or
2. to modify the conditions on the licence to the extent considered appropriate for the promotion of the licensing objectives, or
3. to exclude a licensable activity from the scope of the licence, or
4. to refuse to specify a person as a designated premises supervisor, or
5. to reject the application

3.2 Background Documents /Electronic Links

- Appendix 1 – Location map
- Appendix 2 – Plan of premises
- Appendix 3 – Objections from two other persons.