

# LICENSING SUB COMMITTEE B

Tuesday, 19 September 2017

**PRESENT:** Councillor A. Davies (Chair)

**Councillors:**

P.M. Edwards and J.G. Prosser

**Present as a representative of a Responsible Authority:**

E. Jones, Principal Licensing Officer;  
A. Morgan, Environmental Health Practitioner;  
Mr M. Price, Dyfed Dyfed Powys Police Authority;

**The following Officers were in attendance:**

R. Edgecombe, Legal Services Manager;  
A. Rees, Licensing Officer;  
M.S. Davies, Democratic Services Officer.

**Chamber, County Hall, Carmarthen - 10.00 am - 10.40 am.**

**1. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

**2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - PARC Y SCARLETS, PARC PEMBERTON, LLANELLI, SA19 9UZ**

The Legal Services Manager briefed all present on the procedure for the meeting and advised that an application had been received from Scarlets Regional Ltd. for the grant of a premises licence in respect of Parc Y Scarlets, Parc Pemberton, Llanelli to allow:

- Supply of Alcohol/Regulated Entertainment/Boxing or Wrestling/Opening Hours Monday to Sunday 07:00 – 02:00;
- Late Night Refreshment Monday to Sunday 23:00 – 02:00

Seasonal Variations and Non-Standard Timings as follows:

A further additional hour into the morning following every Christmas Eve (December 24<sup>th</sup>), Boxing Day (December 26<sup>th</sup>), New Years Day (January 1<sup>st</sup>), St Davids Day (March 1<sup>st</sup>) and St Patricks Day (March 17<sup>th</sup>). A further two hours into the morning for Friday and Saturday Nights in December for Christmas Parties. On New Years Eve from the end of permitted hours on December 31<sup>st</sup> to the start of Permitted hours on the following day, January 1<sup>st</sup>.

Major international sporting events - The option to open 30 minutes before to 30 minutes after, inclusive, for any major international sporting event that is televised and held in a country or countries operating on a different time zone to that of the UK co joining should they overlap.

Major sporting events included in the above clause are as follows, Rugby World Cup, Football World Cup, European Rugby and Football competitions, Olympic Games, European and Commonwealth Games,

Cricket International and World Cup Games, major boxing matches and American Football final.

The use of the pitch for regulated entertainment and late night refreshment is limited to 6 occasions per calendar year.

The Sub-Committee noted that the following documentation was attached to the report:-

Appendix A – copy of the original application submitted by the applicant;

Appendix B – representations submitted by the Licensing Authority;

Appendix C – representations submitted by Dyfed Powys Police;

Appendix D – representations submitted by Public Health Services;

Appendix E – representations submitted by other persons.

The remaining Responsible Authorities had not made representations in respect of the application.

The Sub-Committee, with the agreement of all parties, was circulated with copies of additional documentation which included Draft Proposed Licence Conditions also agreed by all parties.

The Licensing Authority representative referred to his representations as detailed within Appendix B to the report and the Draft Proposed Licence Conditions referred to above. All parties were afforded the opportunity of questioning the Licensing Authority representative on the representations made.

The Dyfed Powys Police representative referred to his representations as detailed within Appendix C to the report and the Draft Proposed Licence Conditions referred to above. All parties were afforded the opportunity of questioning the Dyfed Powys Police representative on the representations made.

The Public Health Services representative referred to his representations as detailed within Appendix D to the report and the Draft Proposed Licence Conditions referred to above. All parties were afforded the opportunity of questioning the Dyfed Powys Police representative on the representations made.

The Sub-Committee noted that Marstons PLC had withdrawn its representations on the basis of agreement with the Draft Proposed Licence Conditions as circulated.

The Sub-Committee thereupon

**UNANIMOUSLY RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act.**

Following the adjournment, the Sub-Committee reconvened to advise of its decision and, having had regard to relevant paragraphs of the Licensing Authority's Statement of Licensing Policy and the guidance issued by the DCMS and the Home Office, it was

**RESOLVED, having considered the evidence placed before the Sub Committee, that the application be granted, subject to the additional licence conditions agreed between the applicant and the responsible authorities.**

**REASONS:-**

In coming to its decision, the Sub-Committee made the following findings of fact;

1. No evidence had been presented that the previous operation of the premises had undermined the licensing objectives.
2. No evidence had been presented of any alcohol related crime or disorder, or any public nuisance, at or associated with the current licensed area.
3. The responsible authorities did not object in principle to the grant of the application and believed that the licensing objectives could be promoted by conditions upon the premises licence.
4. The Applicants agreed to those conditions being added to the licence.
5. Marstons PLC had withdrawn its representations strictly on the basis that the agreed licence conditions were attached to the licence.

The Sub Committee attached weight to the views of the responsible authorities.

The Sub Committee recognised that its decision must be based upon real evidence, and that concerns and fears about what might happen if a licence were granted, where unsupported by such evidence, were not matters which it could properly take into account.

The Sub Committee noted the agreement reached between the parties and was satisfied that granting the application, subject to the licence conditions agreed, would not undermine any of the licencing objectives. The Sub Committee was further satisfied that those conditions were appropriate in order to promote the licensing objectives and a proportionate response to the application.

**3. TEMPORARY EVENT NOTICE - THE SHOWGROUND, NANTYCI, CARMARTHEN, SA33 5DR**

The Sub Committee was informed that the applicants had requested that consideration of their application be deferred.

**RESOLVED to accede to the request.**

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**CHAIR**

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**DATE**