

LICENSING SUB-COMMITTEE "A"

TUESDAY, 19TH JUNE, 2018

PRESENT: Councillor J.M. Charles [Chair]

Councillors:

A.L. Fox and J.K. Howell

Also present as Observers:

Councillors A.S.J. McPherson and D.E. Williams

Present as representatives of a Responsible Authority:

Mr E. Jones – Principal Licensing Officer, Carmarthenshire County Council

The following Officers were in attendance:

Mr R. Edgecombe - Legal Services Manager
Mrs K. Smith - Licensing Officer
Mrs M. Evans Thomas - Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 10.40 a.m.

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - THE GA CAFE, GELLI AUR COUNTRY PARK, GOLDEN GROVE, CARMARTHEN, SA32 8LR

The Legal Services Manager advised the Sub-Committee that only the appellant and Mr Thomas Lloyd, one of the Trustees, were present and there were no objectors or representatives of Responsible Authorities in attendance. He proceeded to brief those present on the procedure for the meeting.

The Sub-Committee considered an application from the Golden Grove Trust for a premises licence in respect of the GA Café, Gelli Aur Country Park, Golden Grove, Carmarthen, as follows: -

To allow:-

Supply of Alcohol Monday to Saturday 11:00-23:00, Sunday 11:00-22:00,
New Year's Eve 10:00-01:00

Live Music Tuesday to Saturday 14:00-23:00, Sunday 10:00-17:00,
New Year's Eve 10:00-01:00

Recorded Music Monday to Saturday 10:00-23:00, Sunday 10:00-22:00,
New Year's Eve 10:00-01:00

Opening Hours Monday to Saturday 10:00-23:30, Sunday 10:00-22:30,
New Year's Eve 10:00-01:00

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 Dyfed Powys Police and agreed by the applicant – representations and agreement attached;
- Appendix C – representations submitted by other persons.

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

The Sub-Committee was circulated with a copy of a map indicating the location of the premises and the objectors' properties.

The Sub-Committee was advised that Dyfed Powys Police had made representations in relation to the application, however, agreement had since been reached between both parties. Representations had also been made by local residents objecting to the application which were detailed in Appendix C.

At this point the Sub-Committee and applicant were afforded the opportunity of asking questions.

The applicant and Mr Lloyd thereupon addressed the Sub-Committee and advised that:-

- All of the elements requested in the application will not be implemented immediately, however, they were advised that apply for the licence in fullness so that permission for all the various elements will be ready as and when needed;
- With regard to concerns over noise nuisance, an assurance was given that music will neither loud nor often. It would be for occasional weddings in the future and a harpist on a Sunday;
- Golden Grove is intended to be an upmarket centre for the arts and any music would be gentle harp music;
- There is a general need in the area for a child friendly place where families can go for a day out.

The Sub-Committee questioned the evidence submitted and 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 that, having considered all the evidence placed before the Sub-Committee, the application be granted, subject to the additional licence conditions agreed between the applicant and Dyfed Powys Police.

REASONS

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

1. There is no evidence of alcohol related crime and disorder at, or related to the premises;
2. There is some evidence of past noise pollution from the premises, but this does not appear to be alcohol related;
3. None of the Responsible Authorities have objected in principle to the grant of the licence;
4. The police have suggested several additional conditions that they feel should be added to any licence that is granted and have reached agreement with the applicant regarding this.

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, are not matters which they can properly take into account.

Having regard to all the evidence before it, the Sub-Committee was satisfied that it was appropriate to grant the licence, subject to the additional conditions agreed between the applicant and police in order to promote the licensing objective of preventing crime and disorder and that this was a proportionate response to the issues identified.

CHAIR

DATE