

Licensing Sub Committee A

Tuesday, 18 August 2020

PRESENT: Councillor J.M. Charles (Chair)

Councillors:

C.A. Davies and J.K. Howell.

Also present as observer: Councillor D.E. Williams

Present as a representative of a Responsible Authority:

E. Jones, Licensing Lead

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager

K. Smith, Licensing Officer

A. Rees, Licensing Officer

E. Bryer, Democratic Services Officer

Virtual Meeting - 12.05 pm - 1.00 pm

1. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE., 11 COWELL STREET, LLANELLI, SA15 1UU

The Chair briefed all present on the procedure for the meeting and advised the Sub Committee that an application had been received from Mr Aran Baker for the grant of a Premises Licence in respect of 11 Cowell Street, Llanelli, SA15 1UU to permit:-

- Supply of Alcohol – Monday to Sunday 08:00-01:00,
- Opening Hours – Monday to Sunday 08:00-01:00

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

- Appendix A – Copy of the application
- Appendix B - Representations submitted by the Licensing Authority
- Appendix C – Representations submitted by the Dyfed Powys Police
- Appendix D – Representations submitted by Public Health Services
- Appendix E – Representations submitted by other persons

The Licensing Authority representative referred to his representations as detailed within Appendix B and also to the representations received from Dyfed Powys Police (Appendix C) and the Public Health Services (Appendix D). The Sub Committee was advised that the applicant had amended the proposed operating hours to now terminate at 11.00 p.m. and had accepted the conditions proposed by the responsible authorities

All parties were afforded the opportunity of questioning the Licensing Authority representative on the representations made.

The Sub Committee received oral representations from the objectors re-iterating the information detailed in Appendix E of the report.

All parties present were afforded the opportunity of questioning the objectors regarding the representations made.

Mr Baker (the Applicant) was then afforded the opportunity of presenting his representations and respond to the comments made by the objectors. He confirmed that he had accepted the representations made by the Police and Public Health Authorities regarding the reduction of opening hours.

All parties present were afforded the opportunity of questioning the applicant on his submission.

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

Having regard to the 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 before it, the Sub Committee finds that the application should be granted subject to the agreed licence conditions.

REASONS:

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

1. The premises has not previously had a premises licence.
2. There is no history of complaints or enforcement action at the premises.
3. None of the responsible authorities object in principle to the grant of the licence.
4. The applicant has agreed to the licence conditions requested by the responsible authorities.

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

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.

The Sub Committee noted the concerns raised by those local people who had made representations and did not doubt that these concerns were genuine. However only limited evidence had been presented to support those concerns.

Therefore, the Sub Committee did not feel it had any justification for departing from the views of the responsible authorities in this case.

Accordingly, the Sub Committee was satisfied on the evidence presented that it was appropriate to grant the licence subject to the conditions agreed between the applicant and responsible authorities, in order to promote the licensing objectives. The Sub Committee was further satisfied that it was a proportionate response to the issues identified.

CHAIR

DATE