

LICENSING SUB COMMITTEE B

Tuesday, 18 June 2019

PRESENT: Councillor H.I. Jones (Chair);

Councillors:

P.M. Edwards and J.S. Phillips;

Also present as an Observer:

Councillor J.E. Williams;

Present as representatives of a Responsible Authority:

E. Jones, Principal Licensing Officer, Carmarthenshire County Council;

M Price, Dyfed Powys Police Force;

D. Bizby, Dyfed Powys Police Force;

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager;

R. Edmunds, Consumer and Business Affairs Manager;

A. Rees, Licensing Officer;

K. Smith, Licensing Officer;

M.S. Davies, Democratic Services Officer.

Chamber, County Hall, Carmarthen: 10.00 am - 11.35 am

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - GREENBRIDGE INN, PENDINE, CARMARTHENSHIRE, SA33 4PL

The Legal Services Manager briefed all present on the procedure for the meeting and advised the Sub Committee that an application had been received from Dyfed-Powys Police for the Review of a premises licence in respect of Greenbridge Inn, Pendine, Carmarthenshire, following a visit to the premises by Police and the Council's Licensing Officer, as well as other intelligence logs submitted, which had identified a lack of management and control at the premises

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

Appendix A – background to the review and copy of the application;

Appendix B – Licensing Authority representations.

The Police Authority Representative referred to his representations, as detailed within Appendix A to the report, and advised that subsequent thereto he had met with the Premises Licence holder and his two daughters to discuss the application. As a consequence of that visit, Mr. Owen had agreed to cease to be the Designated Premises Supervisor and this would transfer to one of his daughters. Mr. Owen and his daughters had also agreed to accept the 22 additional conditions listed in Appendix A subject to condition 17 being amended, at their request, to the Challenge 25 scheme. It had been suggested that the CCTV

should be installed by 31st July 2019. Both daughters had since undertaken licence holder courses.

All parties present were afforded the opportunity of questioning the Police Authority representative on his submission.

The Licensing Authority Representative referred to his representations, as detailed within Appendix B to the report and advised that the Licensing Authority supported the measures proposed by the police and considered that these measures were appropriate and proportionate.

All parties present were afforded the opportunity of questioning the Licensing Authority representative on his submission.

Ann Marie Owen (on behalf of the licence holder), in response to the representations received, confirmed that the 22 extra conditions requested by the Police Authority, subject to amendment of condition 17, had been agreed to.

The Sub Committee thereupon

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.

Following the adjournment, the Sub-Committee reconvened to advise of its decision and, 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:-

2.1 that Mr Huw Leslie Robert Owen shall be removed as designated premises supervisor at Greenbridge Inn, Pendine, with effect from the 31st July 2019;

2.2 that the additional licence conditions 1-22 requested by the Police and agreed to by the premises licence holder shall be added to the licence with immediate effect save that conditions relating to the installation of a CCTV system at the premises shall not take effect until the 31st July 2019.

REASONS

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

1. That in October 2018 a complaint had been received regarding underage drinking at the premises;
2. That on the 10th November 2018 officers had attended at the premises and witnessed large numbers of young people in and immediately outside the premises, who had appeared to be drunk;
3. That during the course of that visit officers had spoken to and identified persons at the premises under 18 who had purchased alcohol there that evening;
4. That those in charge of the premises at that time appeared to lack adequate control;
5. The licensing authority agrees with the measures proposed by the police

6. The premises licence holder agrees to the measures proposed by the police

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

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

The Sub Committee noted that all parties had agreed that the measures proposed by the police were appropriate to promote the licencing objectives and a proportionate response to the events of the 10th November 2018.

The Sub Committee had therefore made its decision on that basis.

3. LICENSING ACT 2003 FILM CLASSIFICATION REQUEST

The Sub Committee considered a request received from Mrs Mair Craig, on behalf of Llansadwrn Reading Rooms, seeking a recommendation regarding the admission of children to view three previously unclassified short films.

The applicant intended to screen the three films, "Heartstrings", "Neckface" and "lawn Dol" prior to the screening of a certificated feature film at the community cinema. Furthermore, the premises intended operating the community cinema under the community premises exemptions set out in paragraph 6A of Schedule 1 of the Licensing Act 2003.

The Sub Committee noted that in order to satisfy the requirements of the Licensing Act 2003, the films shown must have a recommendation concerning the admission of children issued by either the British Board of Film Classification Body (BBFC) or relevant Licensing Authority.

To enable the Sub Committee to make the required recommendations regarding the admission of children to view the films, it was afforded the opportunity of viewing the three short films and took into consideration the guidelines in relation to age ratings produced by the BBFC.

Having considered all the evidence before it, the Sub Committee

RESOLVED that

- 3.1 the film entitled "Heartstrings" be classified with a 'U' rating;**
- 3.2 the film entitled "Neckface" be classified with a '15' rating;**
- 3.3 the film entitled "lawn Dol" be classified with an '18' rating.**

CHAIR

DATE