

Licensing Sub Committee A

Tuesday, 16 November 2021

**PRESENT:** Councillor J.M. Charles (Chair)

**Councillors:**

S.A. Curry and D.E. Williams

**Also present as observer:-** Councillor B.D.J. Phillips

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

D. Bizby, Dyfed Powys Police Authority Representative

**The following Officers were in attendance:**

R. Edgecombe, Legal Services Manager

E. Jones, Licensing Lead

A. Rees, Licensing Officer

K. Smith, Licensing Officer

S. Rees, Simultaneous Translator

E. Evans, Principal Democratic Services Officer

M.S. Davies, Democratic Services Officer

E. Bryer, Democratic Services Officer

**Virtual Meeting - 10.00 am - 10.55 am**

**1. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

**2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - LLANDYBIE RFC, WOODFIELD ROAD, LLANDYBIE, AMMANFORD, SA18 3UT**

The Chair briefed all present on the procedure for the meeting and advised the Sub Committee that an application had been received from Mr David Andrew Thomas and Mrs Elizabeth Sarah Meinir Thomas for the grant of a Premises Licence in respect of Llandybie RFC, Woodfield Road, Llandybie, Ammanford, SA18 3UT to permit:-

- Supply of Alcohol – Sunday to Thursday 11:00-00:00, Friday & Saturday 11:00-02:00. Boxing Night, New Year's Eve and Sunday of a Bank Holiday weekend 11:00-02:00.
- Opening Hours – Sunday to Thursday 11:00-00:30, Friday & Saturday 11:00-02:30, Boxing Night, New Year's Eve and Sunday of a Bank Holiday weekends, Friday, Saturday and Sunday 11:00-01:00.

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 Dyfed Powys Police
- Appendix C – Representations submitted by other persons

The Sub Committee received oral representation from Mr David Bizby on behalf of Dyfed Powys Police who referred to his written representations and also stated that he had visited the premises in October and met with Mrs Thomas. Mr Bizby confirmed that the police did not object to the application but sought robust licence conditions as set out in Appendix B.

With regard to the Dyfed Powys Police's representations, detailed in Appendix B, the Sub Committee noted that they had been agreed by the applicant in full.

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

The Sub Committee received oral representations from the objector re-iterating the information detailed in Appendix C of the report and the supplementary documents.

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

The Sub Committee received oral representation from Cllr. Dai Nicholas in support of the application re-iterating the information detailed in Appendix C of the report.

Mrs Thomas (the Applicant) was then afforded the opportunity of presenting her representations and responding to the comments made by the objector. She confirmed that she had accepted the representations made by the Dyfed Powys Police.

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

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.**

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. No evidence has been presented by the police of a history of alcohol related crime and disorder or public nuisance at the premises
2. The premises has been in operation as a members club since the 1950's

3. None of the responsible authorities object to the granting of the application
4. The Police have asked for additional conditions to be placed upon the licence and the applicants have agreed to those conditions
5. The premises is located close to several residential premises
6. There were 2 incidents in October where the operation of the premises caused noise disturbance to Ms Fane
7. The police have also asked for one further condition regarding a 10.30pm terminal hour for the operation of the outside consumption area. This has also been agreed by the applicant.

The Sub Committee has attached weight to the views of the responsible authorities as it is legally obliged to do so. That none of them object to the application must therefore weigh heavily on the Sub Committee.

The Sub Committee recognises 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.

Whilst acknowledging the concerns of Ms Fane, the evidence put before the Sub Committee regarding the 2 incidents in October is not enough to outweigh the views of the Police. The application (if granted) would impose greater requirements upon the operation of the premises than is currently the case.

Therefore the Sub Committee feels that on the evidence before it, to grant the application subject to the agreed conditions would not undermine the licensing objectives and that those conditions are a proportionate response to the issues identified.

The Sub Committee noted Mrs Thomas's willingness to go beyond the requirements of the agreed licence conditions and:

- Put up signage reminding patrons to limit noise when leaving the premises
- Provide local residents with a contact email address which they can use to notify the applicants should they experience problems from the premises.

The Sub Committee is content for these steps to be taken on a voluntary basis at this time, although they could form the basis of future licence conditions should problems occur.

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**CHAIR**

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**DATE**