

LICENSING SUB-COMMITTEE B

THURSDAY, 13 APRIL 2023

PRESENT: Councillor D.E. Williams (Chair)(In Person)

Councillors (In Person):

D. Jones

H. Jones

Also Present (In Person):

R. Edgecombe, Legal Services Manager;

E. Jones, Licensing Lead;

A. Rees, Licensing Officer;

A. Eynon, Principal Translator;

M.S. Davies, Democratic Services Officer;

Also Present (Virtually):

S. Martin, Solicitor;

M. Runeckles, Members Support Officer.

Chamber, County Hall, Carmarthen and remotely - 9.30 am - 12.00 pm

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE. GWERNLLWYN CARE HOME, LLANDEILO ROAD, CROSS HANDS, LLANELLI SA14 6RD

The Sub Committee adjourned at 9.35 a.m. and reconvened on site at 10.00a.m. at the Gwernllwyn Care Home, Llandeilo Road, Cross Hands, Llanelli, in order to view the location of both the property and the objectors properties in connection with the application submitted for the grant of a premises licences. The Sub Committee was afforded the opportunity of examining both the internal and external facilities of the property. Following conclusion of the site visit, the Sub Committee reconvened in the Council Chamber at County Hall, Carmarthen and remotely at 11.15a.m. to consider the application.

The Legal Services Manager briefed all present on the procedure for the meeting which had been convened to consider a subsequently amended application received from William James for the grant of a premises licence in respect of the Gwernllwyn Care Home, Llandeilo Road, Cross Hands, Llanelli, as follows:-

To allow:

Supply of Alcohol/Opening Hours		Monday to Sunday 11.00 – 21:00
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The Sub Committee noted that the following documentation was attached to the report:-

Appendix A – copy of the original application;

Appendix B – representations submitted by the Licensing Authority;

Appendix C - representations submitted by Dyfed Powys Police;
Appendix D – representations submitted by other persons.

The Licensing Authority representative referred to his representations, as detailed within Appendix B to the report.

He referred to the representations and suggested licence conditions submitted by the Dyfed Powys Police (appendix C) and advised those conditions had been accepted and agreed by the applicant as per the signed documentation attached to the report. That acceptance had also resulted in the applicant amending the hours sought for the sale of alcohol to Monday to Sunday 11.00 – 21:00 as referred to earlier.

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

Representations were received from three objectors re-iterating the points raised in their written representations within Appendix D to the report including for example, increased traffic, impact on privacy; noise and sleep disturbance. All parties were afforded the opportunity of questioning the objectors on their representations.

The applicant responded to the issues raised.

All parties were afforded the opportunity of questioning the applicant on the representations made.

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.

Having had regard to relevant paragraphs of the Licensing Authority's Statement of Licensing policy and of Guidance issued by the DCMS and Home Office, it was:-

FURTHER UNANIMOUSLY RESOLVED that, having considered all the evidence placed before the Sub Committee, the application for a premises licence for Gwernllwyn Care Home be granted, as amended, subject to the licence conditions agreed between the applicant and the responsible authorities and the amendment of condition 1 to read:

"The sale of alcohol from Monday to Saturday shall be limited to the residents of the care home or their guests". [Therefore this restriction will not apply on Sundays.]

REASONS

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

1. The premises forms part of a registered care home;
2. The premises is located close to a residential area;

3. The premises was previously licensed, prior to its conversion into a care home;
4. Since conversion there have been no complaints about the premises;
5. None of the responsible authorities object to the grant of a licence;
6. The applicant has amended the application and accepted licence conditions proposed by the Licensing Authority and Police;

The Sub-Committee attached weight to the views of the Responsible Authorities.

The Sub-Committee noted that concerns and fears about what might happen if a licence was granted were not relevant considerations unless supported by real evidence.

The Sub-Committee further noted that it was solely concerned with the licensed area and licensable activities at the premises. The Sub-Committee was not concerned with other areas of the premises or non-licensable activities.

CHAIR

DATE