



City and County of Swansea

Minutes of the **Statutory Licensing Sub Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Friday, 2 February 2024 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)
B J Rowlands

Councillor(s)
L V Walton

Officer(s)

Annie Davies
Adrian Jeremiah
Rachel Loosemore
Darren Murphy
Jeremy Parkhouse

Licensing Officer
Lead Lawyer
Operational Lead - Licensing
Licensing Officer
Democratic Services Officer

Also present

Mr Sami
Mr Sakilan
PC N Evans
PC P Jones

Applicant's Representative
On Behalf of Applicant
South Wales Police
South Wales Police

Apologies for Absence

Councillor(s): None.

1 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

2 Statutory Licensing Sub Committee Procedure.

The Lead Lawyer presented the Statutory Licensing Sub Committee Procedure, for information.

3 Licensing Act 2003 - Section 17 - Premier Stores, 9 Dillwyn Street, Swansea, SA1 4AE.

The Chair welcomed all attendees and requested that all present introduced themselves.

The Licensing Officer reported on the application for a premises licence in relation to Premier Stores, 9 Dillwyn Street, Swansea, SA1 4AE which was received by the Authority on 15 December 2023.

She referred to the licensing objectives, policy considerations, the guidance from the Home Office and action following consideration of the Responsible Authority's and Other Persons Representations.

Specific reference was made to the application (and plan) for a premises licence at Appendix A and A1. The location plan was detailed at Appendix B and a list of licensed premises in the area at B1. The conditions consistent with the operating schedule were highlighted at Appendix C. Relevant Representations were detailed at Appendix D.

A representation had been received from South Wales Police on 11 January 2024. The representation was based on the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

PC Nicola Evans, Police Licensing Officer, further amplified her written representations regarding the undermining of the four licensing objectives.

Members sought clarification on the opening / closing times of other licensed premises in the near vicinity to the premises.

Mr Sami, the Applicant's representative, stated that the applicant had noted the representations made by South Wales Police with regards to anti-social behaviour, particularly on-street drinking and would introduce appropriate measures to address the concerns raised. He added that the applicant requested the premises be licensed to remain open until 2 a.m. and that enhanced security and CCTV would be provided, particularly between the hours of 11 p.m. and 2 a.m.

He further commented that the applicant would collaborate closely with the authorities and local community to address and prevent on-street drinking. He added that opening until 2 a.m. would contribute to the dynamics of the city centre and operating as a responsible business would positively contribute to the local economy. The safeguards being introduced would address the issues being highlighted by South Wales Police.

Members sought clarification on the number premises owned by the applicant, the items being sold at the premises and the consultations that had taken place with local residents. Clarification was also sought regarding the security measures being introduced and addressing anti-social behaviour in the area of the premises.

In response to Member questions, the Applicant's Representative informed the Sub-Committee that the applicant owned 3 other premises, 1 in Swansea and 2 in Port Talbot. The premises would be a convenience store selling everyday essentials and newspapers. It was confirmed that there were only businesses in the immediate vicinity of the premises, which were open until 11 p.m. or later and that the premises was currently empty.

It was outlined that a licenced security guard would be on duty every day between 11 p.m. and 2 a.m. who would prevent people congregating outside the premises. Any individuals causing nuisance would be recorded on CCTV and would not be served at the premises.

PC Nicola Evans, Police Licensing Officer expressed concern that the rear of the shop was backing on to a residential area and that the security operative dispersing individuals would only move the issues to other premises within the vicinity and sought clarification on how anti-social behaviour issues would be addressed.

The Applicants Representative confirmed that any individuals who were recorded causing nuisance would be refused service at the premises.

In conclusion, the Applicant's Representative added that the applicant would work with South Wales Police to help alleviate the anti-social behaviour issues in the area.

It was **resolved** that the press and public be excluded from the hearing in accordance with paragraph 14 of the Licensing Act (Hearings) Regulations 2005, to enable the Sub-Committee to take legal advice.

The Chair thanked the participants for their attendance.

(Closed Session)

Members discussed the issues relating to the application.

(Open Session)

The Sub-Committee **Resolved** to **Grant** the application subject to the conditions consistent with the operating schedule and as modified as considered appropriate for the promotion of the licensing objectives as below:

Supply of Alcohol

Monday – Sunday
0700 - 0200 hours

Late Night Refreshment

Monday- Sunday
2300 – 0200 hours

1. A Comprehensive recordable CCTV system will be installed and maintained covering all areas whilst encompassing all ingress and egress to the premises. The system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. The system must be capable of providing pictures of evidential quality, in particular facial recognition. All recordings must be stored for a minimum period of 31 days with date and time. Recordings must be made available immediately upon the request of a Police or Authorised Officer.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.
3. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
4. Premises to keep up to date records available for inspection of staff training in respect of age-related sales.
5. The Premises Licence Holder and Designated Premises Supervisor shall be responsible for ensuring that sales made from the premises are advertised correctly and contain warning that the alcohol is for sale only to persons over the age of 18.
6. Any failure to provide evidence of age is asked for at the point of collection will negate the sale and all refusal of sales will be logged on the refusal of sale log sheet.
7. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
9. A Challenge 25 proof of age scheme shall be operated at the premises and where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
10. Notices shall be clearly displayed in the premises to emphasise to customers the prohibition on providing sales of alcohol to persons under the age of eighteen years.
11. No alcohol to be sold via a single can sale with an alcohol ABV over 6.5 %.
12. Personal License Holder to be on duty at all times when the premises is open for the purpose of selling alcohol.
13. SIA registered door staff to be employed at all times the premises is open for the sale of alcohol from 23:00 hours until close.

Reason for decision:

The committee noted representations had been made by one Responsible Authority (South Wales Police).

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Cont'd

The representation received from South Wales Police on 11 January 2024 was based on the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The committee noted no representations had been received from Trading Standards, Mid and West Wales Fire Authority, Health and Safety, Planning Authority, Pollution Division, Child Protection, The Local Health Board, Immigration or any other persons.

The Committee took into consideration the responsible authorities' representations.

The Committee noted that the applicant intends to collaborate with South Wales Police when the premises is trading and to work with responsible authorities to assist in the resolution of local issues emanating from the premises.

In conclusion, the Committee felt that the representations made, with modification by way of inclusion of the additional conditions 11, 12 and 13 were sufficient and significant enough to alleviate the representations to promote the licensing objectives.

The meeting ended at 10.28 am

Chair