



**Report of the Service Manager
Statutory Licensing Sub Committee
3 March 2023**

**Licensing Act 2003
Section 17 Application for a Premises Licence**

- 1. Premises: 11 Mayhill Road, Mayhill, Swansea, SA1 6SZ**
- 2. Applicant: Mr Kananayagam Tamilkumar**
- 3. Application For a New Premises Licence**

- 3.1 An application for a new premises licence was received by this authority on the 9th January 2023. The applicant has applied for a premises licence to allow the following licensable activities to take place:

Supply of Alcohol

Monday to Sunday 0800 - 0200

A copy of the application and plan is attached at **Appendix A and A1**.

- 4. Background**

The premises is a convenience store located in a small row of shops in a residential area.

A location plan is attached at **Appendix B**.

A list of Licensed Premises in the area is attached at **Appendix B1**.

- 5. Promotion of the Licensing Objectives**

- 5.1 The Licensing Act 2003 contains four licensing objectives, namely: -
 - (i) Prevention of Crime and Disorder.
 - (ii) Public Safety.
 - (iii) Prevention of Public Nuisance.
 - (iv) Protection of Children from Harm.

Each of these objectives is of equal importance and the application must demonstrate how they are to be promoted.

- 5.2 Conditions which are consistent with the operating schedule and will be attached to the licence, if granted, are attached at **Appendix C**.

6. RELEVANT REPRESENTATIONS

6.1 Responsible Authorities

a) South Wales Police

A representation has been received from South Wales Police.
A copy of the representation is attached at **Appendix D**

b) Trading Standards

No representations.

c) Mid and West Wales Fire Authority

No representations.

d) Health and Safety

No representations.

e) Planning Authority

No representations.

f) Pollution Division

No representations.

g) Child Protection

No representations.

h) Primary Care Trust/Local Health Board

No representations.

i) Licensing Authority

No representations

j) Immigration

No representations.

k) Other Persons

Representations have been received from 2 other persons
Copies of the representations are attached at **Appendix D1 to D2**.

7. Policy Considerations

- 7.1 Considering this application Members should have regard to the current Statement of Licensing Policy (the Policy) which can be found at the following link.

<https://www.swansea.gov.uk/article/4280/Statement-of-licensing-policy>

8. Guidance Issued by the Home Secretary

8.1 Members should also have regard to the relevant parts of the current statutory guidance (The Guidance), issued by the Home Secretary in December 2022 in particular:

- (i) Introduction – Chapter 1
- (ii) Licensing Objectives – Chapter 2
- (iii) Applications For Premises Licences – Chapter 8
- (iv) Determining Applications – Chapter 9
- (v) Conditions attached to Premises Licences – Chapter 10
- (vi) Statement of Licensing Policy – Chapter 14
- (vii) Regulated Entertainment – Chapter 16

A link to the full Guidance can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf

9. Determination of the Application

9.1 The decision must be based on the individual merits of the application and the representations received, with a view to promoting the licensing objectives outlined in paragraph 5 of the report.

9.2 In arriving at the decision, Members should also have regard to the relevant provisions of the Policy and the Guidance as previously provided. Reasons must be provided for any departures from the Policy or Guidance.

9.3 In reaching the decision the Committee must, having regard to the representations, take such steps mentioned below (if any) as it considers appropriate for the promotion of the licensing objectives: -

a. Grant the licence subject to:

i) conditions that reflect the operating schedule, modified to such extent as the authority considers appropriate for promotion of the licensing objectives. Certain regulated entertainment under the Licensing Act 2003 (as amended), has been deregulated. Where entertainment is deregulated but licensable activities continue to take place on any premises, any licence conditions imposed on a grant of a licence in respect of any deregulated entertainment will be suspended.

- ii) any mandatory conditions relevant to the licence
- b. Exclude any of the licensable activities to which the application relates.
- c. Refuse to specify a person in the licence as the premises supervisor.
- d. Reject the application

The Licensing Sub Committee's instructions are requested.

Background Papers:	Licence Application
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