



City and County of Swansea

## Minutes of the **Statutory Licensing Sub Committee**

Committee Room 5, Guildhall, Swansea

Wednesday, 26 October 2022 at 10.00 am

**Present:** P M Matthews (Chair) Presided

**Councillor(s)**

J P Curtice

**Councillor(s)**

L V Walton

**Officer(s)**

Annie Davies

Aled Gruffydd

Rachel Loosemore

Licensing Officer

Associate Lawyer

Operational Lead - Licensing

**Also present**

RDN

PC Nicola Evans

Applicant

Licensing Officer, South Wales Police

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### 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 (for information).**

The Democratic Services Officer/Associate Lawyer presented the Statutory Licensing Sub Committee Procedure/Running Order, for information.

### 3 **Exclusion of the Public.**

The Committee was requested to exclude the public from the meeting during the consideration of the items of business identified in the recommendations to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exclusion paragraph of 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007, relevant to the item of business as set out in the report.

The Committee considered the Public Interest Test in deciding to exclude the public from the meeting for the items of business where the Public Interest Test was relevant, as set out in the report.

**Resolved** that the public be excluded for the following items of business.

**(Closed Session)**

#### 4 **Licensing Act 2003 - Part 6 - Application for a Personal Licence - RDN**

The Chair welcomed all attendees to the meeting and all parties present introduced themselves.

The Licensing Officer reported on the application for a personal licence in respect of RDN received on 8 September 2022. Specific reference was made to Schedule 4 of the Licensing Act 2003 at Appendix A. The application for a personal licence was outlined at Appendix B together with the objection notice that had been received from South Wales Police, at Appendix C.

PC Evans, Police Licensing Officer, outlined the objections to the application on behalf of South Wales Police in regard to undermining the licensing objectives of crime and disorder and public safety.

RDN explained the circumstances of the application and other relevant information and answered the questions of both Members and the Police Officer relating to those matters.

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.

#### **(Closed Session)**

Members discussed the issues relating to the application.

#### **(Open Session)**

The Senior Lawyer advising the Sub-Committee gave a comprehensive overview of the legal advice tendered.

The Chair indicated that the Sub-Committee had considered the application and representation made and the needs and interests of all parties in terms of the Council's Statements of Licensing Policy, statutory guidance and the requirements of the Licensing Act 2003.

The Sub-Committee **Resolved** to **Grant** RDN's application for a Personal Licence.

#### **Reasons for decision**

- Committee determined that despite offending history applicant genuinely intended to turn life around and had abstained from using drugs.
- Committee noted applicant cited the protective factor of his daughter and did not want to jeopardise providing a future for her

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- Committee impressed with the number of community events held at the premises including blue light discos to keep children off streets and prevent them from participating in underage drinking where Police ought to be present at these events
- Committee noted that all offences will be spent in March 2023.
- Committee note that if applicant reoffends this would impact upon the premises licence as well as his own personal licence.
- The Committee determined that the applicant was a fit and proper person to hold a personal licence.

The meeting ended at 10.42 am

**Chair**