



City and County of Swansea

Minutes of the **Statutory Licensing Sub Committee**

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Friday, 16 June 2023 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)
J P Curtice

Councillor(s)
V A Holland

Officer(s)

Annie Davies

Aled Gruffydd

Rachel Loosemore

Samantha Woon

Licensing Officer

Associate Lawyer

Operational Lead - Licensing

Democratic Services Officer

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 (For Information).

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

3 Licensing Act 2003 - Section 17 - Application for a Premises Licence - The Langrove, Parkmill, Southgate, Swansea, SA3 2AB.

Following formal introductions the Associate Lawyer outlined the procedure to be adopted by the Sub Committee in considering the application.

The Licensing Officer reported on the application for a new premises licence in respect of The Langrove, Parkmill, Southgate, Swansea, SA3 2AB

She referred to the licensing objectives, policy considerations, guidance from the Home Office and action following consideration of the relevant person's objections. Specific reference was made to application for a premises licence at Appendix A and A1, the location plan of the premises at Appendix B, conditions consistent with the

operating schedule at Appendix C and the representations made by Other Persons at Appendix D.

Three representations had been received from Other Persons. A copy of their representations were attached at Appendix D. The representations related to the prevention of crime and disorder and public nuisance.

In the absence of the Other Persons, the Licensing Officer read the representations (as detailed in Appendix D):

The Chair welcomed Ms S Craig, Applicant. Ms Craig referred to the representation received from Mr B Stewart and advised that there had been a misunderstanding and she was happy to modify the hours of the application to 12:00 – 20.30 hours, Monday to Sunday (in line with the hours of the Health Club). It was noted the Health Club currently close at 17:00 hours on Saturday and Sunday but their intention was to extend these hours to 21:00, hence her application. However, in the absence of any extension of current hours she would close at 17:00. Furthermore, it was noted that the Health Club and Café shared the same security system so to operate past 17:00 hours on a Saturday and Sunday would not be possible.

Ms Craig referred to an email of support from Mr B Stewart, although Licensing Officers confirmed that no such email had been received.

Ms Craig referred to the representations from Mr and Mrs Porter and Mr Newcombe. She stated that the speed bumps on the lane prevented any vehicle travelling more than 10mph. Additionally, 1 complaint had been received in 10 years (which related to the Health Club). South Wales Police had confirmed no complaints had been received.

Ms S Craig referred to the difficulties experienced by small business during the current economic climate and stated that her application sought to provide a glass of wine or beer with a meal which would be beneficial to the Community whilst potentially boosting business.

In response to Member questions, Ms Craig stated that:

- The Coffee shop had been in operation for one week so it was difficult to understand how the issues raised by objectors could related to the business.
- In regard to the removal of rubbish/empty bottles, she was happy to amend the times to 0900 – 20.30 hours.
- Part of her lease arrangement was ensuring the cleanliness of the area, therefore, waste disposal services were in place.
- She would take responsibility for the operation and maintenance of CCTV.
- There was a safe on the premises should confiscated drugs be required to be securely stored.
- There would be provision for takeaway food.

In conclusion Ms Craig detailed nature of her business and stated that the local residents patronised the Coffee shop and were complimentary in respect of the services being offered. Ms Craig stated that the application to serve alcohol would

not encourage patrons to attend from outside the area but provided an enhanced offer to the local community.

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 and advised that a decision would be provided within 5 working days.

(Closed Session)

Members discussed the issues relating to the application.

(Open Session)

The Chair indicated that the Sub-Committee's decision would be published within five working days of the Committee and would take account of 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 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/Opening hours

Supply of Alcohol

Monday – Sunday
1200 – 2030

1. Comprehensive recordable CCTV system will be installed and maintained covering the trade 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. An incident recording book, bound in numerical order, shall be maintained at the premises showing details of the date and time of assaults, injuries, accidents or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. The book must be kept available for inspection by the Police or Authorised Officers of the Licensing Authority.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and leave the area quietly.
4. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2030 hours and 0800 hours.

5. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable form of identification shall bear their photograph, date of birth and a holographic mark.
6. 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.
7. The premises to keep up to date records of staff training and refresher training in respect of age related sales including proxy sales to persons who are drunk and identifying and preventing drug misuse in written or electronic format available for inspection on request by an Authorised Officer.
8. 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.
9. A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities to disperse from the premises.

Reason for decision:

The Committee noted that no relevant representations were received from responsible authorities.

The Committee noted local resident's representations. However the Committee were of the view that the issues raised were not related to the application for a premises licence.

The Committee noted the applicant's comments.

The Committee felt that the modification of the hours of operation and conditions was sufficient and significant enough to elevate the local resident's representations regarding the effect a grant of licence would have on the licensing objectives.

The meeting ended at 10.30 am

Chair