



City and County of Swansea

Minutes of the **Statutory Licensing Sub Committee**

Multi-Location Meeting - Lilian Hopkin Room, Guildhall / MS

Teams

Wednesday, 12 February 2025 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)
M W Locke

Councillor(s)
C L Philpott

Officer(s)

Craig Davies

Lead Lawyer

Samantha Jenkins

Democratic Services Officer

Rachel Loosemore

Operational Lead - Licensing

Lindsey Stock

Licensing Officer

Also present

Councillor T M White – Ward Member

Councillor B H Hopkins – Ward Member

Suntharlal Kailasanathan – Applicant

Jeraldchandru Balsingh - Designated Premises Supervisor

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

3 Licensing Act 2003 - Section 17 - Application for a Premises Licence - Student Roost, St Davids, New Cut Road, Swansea, SA1 2DN.

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

The Licensing Officer reported on the application for a new Premises Licence in respect of Student Roost, St Davids, New Cut Road, Swansea, SA1 2DN which had been received by the Authority on 19 December 2024.

The property is situated on New Cut Road in a student residence and within a residential area. The premises is a convenience store, and the application is for alcohol off sales.

The application proposed:

Supply of Alcohol (off the premises)

Monday to Sunday
0900-2300

Opening Hours

Monday to Sunday
0600-2300

Specific reference was made to the application for a premises licence at Appendix A. The plan was detailed at Appendix A1. The location plan and licensed areas was attached at Appendix B and B1.

The Licensing Officer 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.

Conditions which were consistent with the operating schedule and would be attached to the licence, if granted, were attached at Appendix C.

Relevant Representations were detailed at Appendix D and D1. 3 representations had been received in opposition to the application. 1 representation had been received in support of the application.

The Lead Lawyer referred to the location plan and highlighted the cross signifying the premises with the entrance on Pottery Street.

Councillors B Hopkins and M White, Local Members, amplified their written representations in relation to the undermining of the Licensing Objectives. They detailed their objections stating that the premises would undermine the Licensing Objectives in relation to the Prevention of Crime & Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm.

The Local Members highlighted the complaints received from local residents regarding anti-social behaviour from Students residing in the Roost Student Accommodation; vagrants visiting the nearby Bail Hostel congregating under the railway tunnel/arch which was nearby the proposed retail unit; responsibility for the prevention and monitoring of the sale of alcohol; and lack of co-operation/engagement from the Roost management.

Members sought clarification regarding the location of the Bail Hostel in relation to High Street and the proposed premises and details of walkways linking the Bail Hostel to the surrounding areas. The proximity of Lidl and opening hours were detailed.

In response to a member question regarding the lack of representations from Responsible Authorities (South Wales Police), the Local Members stated that the PCSO had recently been relocated to another part of Swansea. However, South Wales Police were aware of the challenges within the area.

The Lead Lawyer, in answer to question from the Local Member, stated that the Applicant would have responsibility for adhering to the conditions (specifically the sale of single cans over 6% ABV) should the licence be granted.

The Designated Premises Supervisor stated that he understood the concerns raised and advised that the entrance to the premises was on New Cut Road. The Pottery Street entrance was solely for deliveries.

He stated that he had walked the distance from the Bail Hostel to Lidl which was 10 minutes, he was therefore of the opinion that residents of the Bail Hostel would likely walk to High Street which was a shorter distance.

In regard to parking, there was a single parking space outside the premises. Deliveries would be 'off peak' and would take 20-30 minutes per week. There would be no parking issues for the deliveries.

In response to the prevention of Crime and Disorder, 16 high definition cameras (6 outside the premises) afforded 24 hour surveillance. Additionally, the curtilage of the premises would be suitably lit.

Staff would be fully trained in the sale and supply of alcohol. Responsible Authorities would be able to check the CCTV and relevant documentation (detailing any incidents) when requested.

The sale of alcohol was not the only offer at the premises and there would be a wide range of goods for sale and a bakery.

In response to Member questions, the Applicant and Designated Premises Supervisor confirmed that:

- 1) He would be content for a condition to be added regarding the time of deliveries (no deliveries between 1900 to 1000 hours).
- 2) The premises would aim to employ local residents who would not add to parking pressures.
- 3) The outside lighting of the premises would not interfere with local residents as the main entrance to the premises was via New Cut Road.

In response to a Member question, the Ward Member confirmed that the unit was designated to be a retail unit so local residents were aware of the possibility of this. However, local residents were not objecting to a convenience store, but the sale of alcohol.

In conclusion the Applicant stated that he had more than 16 years of retail experience and has not experienced any issues with Responsible Authorities. He

stated that he operated with due diligence and worked with Responsible Authorities and 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.

(Closed Session)

Members discussed the issues relating to the application.

(Open Session)

The 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 all representations made and the needs and interests of all parties in terms of the Council's Statement of Licensing Policy, Statutory Guidance, and the requirements of the Licensing Act 2003.

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

Supply of Alcohol (off the premises)

Monday to Sunday
0900-2300

Opening Hours

Monday to Sunday
0600-2300

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. 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.
5. 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.
6. Premises to keep up to date records available for inspection of staff training in respect of age-related sales.
7. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard to Age-Restricted sales, and the refusal to persons believed to be under the influence of alcohol or drugs.
8. All such training is to be fully documented and signed by not only the employee but by the person delivering the training. Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to; • The premises age verification policy. • Dealing with refusal of sales • Proxy purchasing • Identifying attempts by intoxicated persons to purchase alcohol • Identifying signs of intoxication.
9. 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.
10. 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. 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.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
12. No alcohol to be sold via a single can sale with an alcohol ABV over 6.5%.
13. No alcohol deliveries are permitted between 1900 hours and 1000 hours.

Reason for Decision

The Committee noted no representations had been received from South Wales Police, Trading Standards, Mid and West Wales Fire Authority, Health and Safety, Planning Authority, Pollution Division, Child Protection, The Local Health Board, The Licensing Authority, or Immigration.

The Committee noted representations had been submitted by three Other Persons, two of which were in objection to the application and one for the application

The representation in objection received from Other Persons / Councillors B Hopkins and M White, Local Members, amplified their written representations in relation to the undermining of the Licensing Objectives. They detailed their objections stating that the premises would undermine the Licensing Objectives in relation to the Prevention of Crime & Disorder, Public Safety, the Prevention of Public Nuisance, and the Protection of Children from Harm.

The Local Members highlighted the complaints received from local residents regarding anti-social behaviour from Students residing in the Roost Student Accommodation; vagrants visiting the nearby Bail Hostel congregating under the railway tunnel/arch which was nearby the proposed retail unit; responsibility for the prevention and monitoring of the sale of alcohol; and lack of co-operation/engagement from the Roost management.

The Applicant's Representative and the Applicant rebutted the Other Persons comments stating that they understood the concerns raised and advised that the entrance to the premises was on New Cut Road. The Pottery Street entrance was solely for deliveries, and the shop has a designated parking space to accommodate this. Deliveries would be 'off peak' and would take 20-30 minutes per week. There would be no additional parking issues for the deliveries.

In response to the prevention of Crime and Disorder, 16 high-definition cameras with six of those being outside the premises, which would afford additional 24-hour surveillance to the area. Additionally, the curtilage of the premises would be suitably lit.

Additionally, staff would be fully trained in the sale and supply of alcohol and Responsible Authorities would be able to check the CCTV and relevant documentation requested.

The sale of alcohol would not be the only offer at the premises and they would sell a wide range of goods, including a bakery and the shop would be all open not only to the residence of Student Roost but to the public also.

In response to Member questions, the Applicant and Applicant's representative confirmed that:

He would be content for a condition to be added regarding the time of alcohol deliveries (no deliveries between 1900 to 1000 hours).

The premises would aim to employ local residents who would not add to parking pressures.

3) The outside lighting of the premises would not interfere with local residents, as the main entrance to the premises was via New Cut Road.

In conclusion, the Applicant stated that he had more than 16 years of retail experience and he operated with due diligence and will work with Responsible Authorities and the local community to assist in the resolution of local issues emanating from the premises.

The Committee noted that the applicant had engaged with the responsible authorities prior to the Committee and as above offered an additional condition of no alcohol deliveries between 1900 hours and 1000 hours. Additionally, the members noted the variety of other local establishments that also sold alcohol.

In conclusion, the Committee were satisfied that the applicants reasoning and justification for the for the application were significant and sufficient enough to

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alleviate the representations from local residents to sufficiently promote the licensing objectives to agree a grant of the application with the additional condition offered.

The meeting ended at 10.59 am

Chair