



City and County of Swansea

Minutes of the Statutory Licensing Sub Committee

Council Chamber - Guildhall, Swansea

Wednesday, 14 March 2018 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)

L G Thomas

Councillor(s)

L V Walton

Officer(s)

Y Lewis

L Thomas

B Walker

S Woon

Team Leader, Licensing

Senior Lawyer

Licensing Officer

Democratic Services Officer

University of Wales, Swansea Representatives:

Mr B Lucas, Head of Commercial Development (Applicant)

Mr G Watt, Projects and Partnerships

8 Disclosures of Personal and Prejudicial Interest.

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

9 Licensing Act 2003 - Section 34 - Application to Vary a Premises Licence - Swansea University Sports Village, Sketty Lane.

The Chair welcomed all attendees to the meeting and requested that the Senior Lawyer outline the procedure to be adopted by the Sub Committee in considering the application.

The Senior Lawyer provided a comprehensive overview of the procedure to be adopted by the Sub Committee when considering the application.

The Licensing Officer reported on the application to vary a premises licence in respect of Swansea University Sports Village, Sketty Lane which was received on 22 January, 2018. The applicant had applied for a variation to increase the current licensed area and to increase the capacity of the premises from up to 5000 persons to up to 9,999 persons.

She referred to the existing premises plan at appendix A1 and the plan outlining the variation at appendix A2. She stated that the plan at appendix A outlined the current licensable area which includes only the east side of the premises including the

running track. The variation application aims to include the west side of the premises incorporating the tennis court outlined in the plan.

Members noted the current premises licence at appendix B, the Licensing Objectives, relevant representations, policy considerations and the guidance from the Home Office.

One representation had been received from Other Persons. A copy of their representations was attached at appendix C. In the absence of Mr Alton, the Team Leader, Licensing read out the representations received on 26 January, 2018 and the 29 January, 2018. The representation related to the prevention of crime and disorder and public nuisance.

The Applicant, Mr B Lucas, detailed the rationale supporting the variation application. It was noted the Welsh Varsity is hosted by the University of Wales, Swansea every two years. Previously, attendees had brought their own alcohol, however in 2016 the University of Swansea had applied for a premises licence which allowed the University to monitor and control the consumption of alcohol under the licensing objectives. The entire site had been utilised with a check-point between the two sites. However, successfully managing the check-point had been problematic due to the numbers of attendees (in excess of 8,000 people). The behaviour of attendees had greatly improved at the 2016 event and there had been a reduction of alcohol consumed. The variation did not seek to alter any other aspect of the licence apart from the perimeter. The event planned for 2018 would again attract numbers in excess of 8,000 people.

In response to questions posed by Members and the Lawyer advising the Committee, the Applicant, assisted by Mr G Watt, confirmed:

- 1) There is a waste management plan in place with litter picks taking place before, during and after major events. The perimeter of the litter pick site minimises impact;
- 2) No issues had been reported in regard to noise pollution and in any event, events ceased at 5 pm;
- 3) Only one major event will be hosted as the venue is used heavily throughout the week;
- 4) The Varsity event hosted in 2016 attracted crowds in excess of 8,000 people. The complication had arisen as a result of managing footfall between the two sites;
- 5) There had been no intervention from responsible authorities in previous events, save for a medical emergency;
- 6) The tannoy system is used during sporting events and is not used for amplifying music after 5 pm;
- 7) Litter generated on a Wednesday and Thursday is not a result of licensable activities or the sale of alcohol. The usual waste management plan is adhered to on these days and litter has not previously been an issue reported to the applicant; and
- 8) The variation would allow for the citing of more alcohol outlets across the two fields therefore reducing congestion.

In conclusion, the applicant stated that the variation sought to improve the management of the area and did not require any further modification of conditions.

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

The Sub-Committee **Resolved** to **Grant** the application to vary the premises licence with no modifications to the current conditions.

Reason for Decision

- 1) Members had regard to Authority's Policy and the April 2017 Statutory Guidance when discharging the function.
- 2) Members were mindful of the policy ,and in particular, paragraphs 3.2, 4.4, 4.5, 4.7, 7.1, 7.4, 9.7, 11.1, 11.2, 12.2, 12.3 and 15.4
- 3) As to the Statutory Guidance (SG) Members had regard to chapter 1 in particular paragraphs 1.2-1.19., 2.1- 2.6, 2.15 to 2.21, 9.1 to 9.12. and 9.31 to 9.41.
- 4) In the absence of the Other Person who made representations and any expansion or amplification of the representation, the Members accepted the Applicant's response to the following issues raised :-
 - Tannoy system – the applicant advised that this was used for the sporting activities and was not used in respect of the licensable activities. It use usually ended at around 5.00pm when the sporting activities ended. Therefore, the members found this was not relevant for the purposes of the grant of the variation
 - Objectionable increase of noise pollution – the applicant was not aware of any existing noise complaints in respect of the major events held for which the licence was sought in 2016. It was unclear what type of noise this representation was referring to or if it arose as a result of the licensable activities being carried out under the licence. The members found this was not the likely effect of the grant of the variation.

- Proximity to SA2 8EF – an A3 plan was produced which showed the surrounding area to the proposed variation and it was noted that there were fields between the postcode provided and the perimeter of the proposed licenced premises. Also the Applicant confirmed the new area was already being used by persons up to the proposed new capacity for past events and the Applicant was unaware of any issues from that use from residents. This was not a new use it was just difficult managing the two areas so as to not breach the current licence and capacity allowed under it. Going forward it would simply mean it would be easier to manage the area having it as one licenced area. Before 2016 there was no restriction on visitors bringing their own alcohol into events and it was not monitored or controlled. Having the licence in 2016 allowed it to be controlled and the sale of alcohol done in accordance with the promotion of the licensable objectives as it was only available on site. The use of the additional area would not be different as it is currently and there was no evidence of its use having an impact on residents of surrounding areas. The members do not consider this will have the likely effect of undermining the licensing objectives as suggested.
- Litter - for the large scale events for which the licence will be used, they have extensive litter patrols for the licenced area and outside. As to the Wednesday and Thursday litter issues raised they do clear the ground. The members were uncertain when the litter was noted by the Other Person but accepted it would be removed when the litter picking was done. The applicant confirmed the license was not used on Wednesdays and Thursdays so this litter was not related to the sale of alcohol under the premises licence. The members were satisfied increased litter so as to undermine the licensing objective of prevention of nuisance/crime and disorder was not the likely effect of the grant.
- Drunken behaviour / prevention of crime and disorder – the Applicant advised that there were not aware of any issues arising and had a good working relationship with the police and pollution division .The members noted there were no concerns raised by the police or pollution division and therefore found this was not the likely effect of the grant requested .
- The members also noted the existing conditions would remain and that new exit points nearer to the residential areas were not intended .

The meeting ended at 10.38 am

Chair