



LICENSING AND GAMBLING SUB COMMITTEE

MINUTES OF THE MEETING HELD AT COUNCIL CHAMBER, PENALLTA HOUSE,
TREDOMEN, YSTRAD MYNACH ON MONDAY, 22ND JANUARY, 2024 AT 10.00 AM

PRESENT

Councillor W. Williams – Chair

Councillors:

Mrs E.M. Aldworth and C.J. Gordon

Together with:

L. Morgan (Licensing Manager), D. Rees (Licensing Officer), T. Lewis (Solicitor), J. Thomas (Committee Services Officer)

Representing Gwent Police

PC A. Jones

Representing Licensing Authority

K. Hopkins

Representing the Applicant

R. Mann - SS Enterprise Store Ltd (Applicant) N. Semper and C. Hoult - Licensing Guys (Applicant Representative)

Representing Other Persons

D. Davies

I. Stephens

S.C. Watkins

Local Ward Member

Councillor Chacon-Dawson

INTRODUCTION, RECORDING AND FILMING ARRANGEMENTS

The Chair welcomed all those in attendance and introductions were made. The Chair reminded those present that the meeting was being live-streamed and recorded and would be made available following the meeting via the Council's website – [Click Here to View](#)

1 APOLOGIES FOR ABSENCE

No apologies for absence were received.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the course of the meeting.

3 APPLICATION FOR A NEW PREMISES LICENCE AT 25 BRYN ROAD CEFN FFOERST BLACKWOOD NP12 3LZ

The Chairman opened the meeting and introductions were made.

The Legal Advisor to the Sub Committee outlined the procedure for the meeting and reported that Members had previously familiarised themselves with the report of the Licensing Officer, the application and plan of the premises together with the written submissions from the Responsible Authorities, Local Ward Member and Local Residents who were objecting to the application.

The Licensing Manager presented the report which outlined the application submitted for a new premise licence at the former Stone House Inn pub, 25 Bryn Road, Cefn Fforest, Blackwood, NP12 3LZ with the proposed operating hours for the supply of alcohol (off sales only).

- **Sale of Alcohol (off sales only)**

Monday to Sunday inclusive – 8.00 – 23.00

The Licensing Officer then referred to representations received in relation to the application from Responsible Authorities/Other Persons i.e. Local Ward Member and Local Residents that were set out within the report. Copies of which were circulated with the agenda.

Attention was then drawn to the local policy considerations as set out within the report and to the way in which the Sub Committee should deal with the application. It was explained that the Sub Committee must have regard to the report, the representations made and to the evidence heard. It must take such steps as is considered necessary for the promotion of the licensing objectives and could:-

- Grant the application as requested to include, where appropriate, mandatory conditions
- Modify the conditions specified in the operating schedule by altering, omitting or adding to them.
- Reject the whole or part of the application.

The Applicants representative addressed the Sub Committee and outlined the application which he indicated complied with all aspects of the Statement of Licensing Policy within Caerphilly, thereby minimizing the potential for the Licensing Objectives to be undermined. The Sub Committee were informed that the Applicant had held a personal licence for many years and had several similar establishments providing the sale of alcohol which have all been run responsibly and without causing any issues inline with the Licensing Objectives.

Response was made to the concerns raised by the Local Ward Member and Local Residents in their representations. However, the Sub Committee were reminded that parking and traffic issues are not a matter to be taken into consideration and these matters should be dealt with by the Planning Department. In relation to the concerns raised regarding Crime and Disorder, the Sub Committee were advised by the Applicants representative that stats had been obtained from the Home Office site for the past six months and comparatively low level crime rate compared with other areas in Gwent. However, the residents and Local Ward Member were assured that the Applicant is proactive and understands his responsibility as a business owner and has accepted additional conditions that the Police and the Licensing Authority have suggested to be added to the licence should it be granted, to help alleviate any potential for

Crime and Disorder or Public Safety originating from the premises. These conditions were outlined within the report. All parties were given the opportunity to ask questions.

The Local Ward Member sought clarification on how the Applicant intended to ensure that deliveries of alcohol were not provided to persons under 18. The Applicants representative explained the app the customer would order from would be from an independent business. For example, 'Happy Shopper'. This app has a built-in programme that will not allow a person to order alcohol without providing identification. The Sub Committee were assured that this is an approved app and is used throughout the UK by many businesses.

Concerns were raised regarding potential safety issues caused by parking outside the premises. The Applicant advised the delivery of stock made to the business would be in a substantially smaller vehicle, than what would have been used to deliver to the premises, when it was trading as a pub. Therefore, causing less potential for hazards. The Applicant also reassured the Sub Committee that any delivery drivers collecting deliveries would use the car park in near proximity to the premises.

The Sub Committee invited the Responsible Authorities to make their representations.

PC. A. Jones addressed the Sub Committee outlining the representations included within the report and confirmed the applicant had agreed to the suggested additional conditions. Therefore, the Police had no objection to the application.

The Senior Licensing Officer addressed the Sub Committee outlining the representations included within the report and confirmed the applicant had agreed to the suggested additional conditions. Therefore, the Licensing Authority in its role as a responsible authority had no objection to the application.

The Sub Committee invited the Local Ward Member and Local Residents to make their representations.

The Local Ward Member confirmed their objections which were included within the report and stated that taking into consideration the comments from the applicant, Police and Licensing Authority they still had concerns regarding crime and disorder and public safety.

The three residents separately addressed the Sub Committee all outlining the representations submitted which were included in the report. They all felt very strongly that the application should not be granted due to the potential safety issues with parking and the potential for crime and disorder.

All parties were then afforded the opportunity to sum up before the Licensing and Gambling Sub Committee retired to make its decision.

In closing the Licensing Manager asked Members to consider all the representations before them, the evidence heard at the meeting, and all Licensing guidance when making their decision. The Sub Committee were reminded of the need to consider the promotion of the Licensing Objectives and whether the applicant would be able to meet the same.

The Police stated that they had no further comments and providing the additional conditions be added to the operating schedule they have no objection to the application.

The Licensing Authority further stated that they had no further comments and providing the additional conditions be added to the operating schedule they have no objection to the application.

The Local Ward Member and Residents had nothing further to add.

In closing the applicant's representative emphasised, the Sub Committee needed to make

their decision on whether the shop, operating the proposed opening hours, including the conditions and additional conditions from the responsible authorities would undermine any of the licensing objectives.

The Legal Advisor informed all parties present that the Sub Committee would retire to consider the representations made at the meeting and they would be informed in writing of the decision in the next 5 days.

The Sub Committee retired at 12.20 p.m. to make its decision and all other parties left the meeting.

Following consideration of the application for a new premises licence at 25 Bryn Road Cefn Fforest, Blackwood Np12 3lz and having regard to the Licensing Manager's report and all the representations made, the Licensing and Gambling Sub Committee unanimously

RESOLVED that the application for a new premises license as set out in Section 1.3 of the Licensing Manager's report be GRANTED, subject to the conditions agreed in line with recommendations by Gwent Police and the Licensing Authority as detailed in appendix 14 in the Officers report.

The Sub-Committee considered the representations of all parties in attendance at the hearing. The Applicant's representative made their application on the basis that the licensing objectives found under section 4 of the Licensing Act 2003 would properly be promoted by the granting of the license to the Applicant.

The Applicant's representative presented the Applicant as an experienced, credible business owner, who had other similar convenience stores in the South Wales area, who would efficiently and properly promote the licensing objectives under the legislation.

The Sub-Committee considered the representations from Gwent Police, in particular officer PC A Jones, who confirmed that subject to the further recommendations and re-wording of the Applicant's suggested steps to promote the licensing objectives, namely in relation to CCTV, Challenge 25, refusal/incident recording, retention of staff training records and alcohol deliveries, they did not oppose the application.

The Sub-Committee also considered the responses from the Fire Protection Officer and Child Protection Officer and that neither party had any representations to make in respect of the application.

The Sub-Committee also considered the views of the Senior Licensing Officer, Mrs K Hopkins, who advocated the amendments to the Applicant's suggested conditions and subsequent further conditions that were suggested by Gwent Police. On this basis, the application was not opposed. Mrs Hopkins did suggest additional conditions on behalf of the licensing authority, which were also considered by the Sub-Committee.

The Sub-Committee also considered the views of the Local Ward Councillor and from community members local to the premises. These views related to the lack of parking spaces at the premises, the increased risk to public safety due to the area where the premises is located, and further concern was raised surrounding the Applicant's intention to offer a delivery service. The risk to young persons and school children was also raised and considered by the Sub-Committee when making their decision.

The Sub-Committee determined that a number of these issues were outside the scope of the application for a premises license, although were thoroughly considered before making their decision.

Having considered all of the representations, the Sub-Committee determined that although it had concerns about the premises being located on a busy and difficult road area, they were

satisfied that the licensing objectives under the relevant legislation would be promoted and having considered the legislation under the Licensing Act 2003 and the Home Office guidance for the application of new premises license, it did not have grounds to properly refuse the license and as such the application was granted.

No additional conditions were imposed.

Any person aggrieved by this decision has 21 days from the date of written notification of the decision to appeal to the local Magistrates Court.

CHAIR