

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Licensing and Regulatory Sub Committee held at The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA on Tuesday, 15th January, 2019 at 12.15 pm

PRESENT: County Councillor: B. Strong (Chair)

County Councillors: A. Easson and J. Pratt

OFFICERS IN ATTENDANCE:

Linda O'Gorman	Principal Licensing Officer
Taylor Watts	Licensing Officer
Sheila Parker	Deputy Head of Legal Services
Richard Williams	Democratic Services Officer

APOLOGIES:

None.

1. Declarations of Interest

There were no declarations of interest received.

2. Application for a Premises Licence for Chepstow Store, 4-5 Beaufort Square, Chepstow, NP16 5LG

We received an application to consider an application for a Premises Licence under the Licensing Act 2003 for Chepstow store, 4-5 Beaufort Square, Chepstow, NP16 5LG.

The Chairman welcomed all to the meeting and introduced Members of the Sub Committee and officers present.

The Licensing Officer presented the key issues, which summarised:

A new application for a premises licence under the Licensing Act 2003 was received from Mr. Alpesh Patel for the Chepstow Store, 4-5 Beaufort Square, Chepstow, NP16 5LG for the following:

- Supply of Alcohol (Off sales) Monday to Sunday 06.00hrs – 24.00hrs.
- Hours Open to the Public Monday to Sunday 06.00hrs – 24.00hrs.

If granted the licence would also be subject to Mandatory Conditions, which are attached to the report as Appendix C.

A representation was received against the application from Heddlu Gwent Police of the 'Responsible Authorities'. Representations were also received from four other persons.

Gwent Police would not object to this application if the following amendments were made to the application:

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- CCTV cameras shall be installed both inside and outside the premises and these cameras shall be operational at all times the premises is trading. All recordings shall be retained for a minimum of 28 days and shall be made available for inspection by an Authorised Officer on request.
- A Challenge 21 policy shall be operated at the premises at all times. If operating a Challenge 21 policy, all staff shall check the identification of all persons who appear to be less than 21 years old. This check shall be made by examining either a passport, photographic driving licence. No other form of identification shall be accepted.
- Publicity materials notifying customers of the operation of the Challenge 21 schemes shall be displayed at the premises.
- The Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any Responsible Authority under the Licensing Act 2003. The DPS shall check the book once a week ensuring that it is complete and up to date. The DPS will sign the book each time it is checked.
- A documented training scheme shall be introduced for all staff. The scheme shall be made available for inspection at the request of any Responsible Authority under the Licensing Act 2003.
- Employees shall be instructed not to serve anyone behaving in a drunk or disorderly manner.

The applicant had agreed to the Police recommendations via email.

In relation to the other objectors. An email was issued by the Licensing Section to the four persons, advising them of the amended application. The email requested the objectors to confirm if they wished to pursue their objection in view of the change to the original application. Three persons stated they wished to continue with the objection to the application and the Licensing Section received no response from the remaining person who made the original objection. The objections are summarised as follows:

- The area already has two corner shops where their amenities have caused issues for the local area.
- St Marys Street should be pedestrianised and should not be open to traffic between 10:00-16:00 but it has vehicles speeding and driving dangerously. Vehicles also park illegally to collect coffee and use the street as a cut through to avoid traffic congestion.
- Shop owners are constantly cleaning up beer bottles, cigarette ends and vomit from outside their stores after the weekend and so it's believed having this type of premises will exacerbate this issue further.

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- Concerned that customers will loiter in the street causing anti-social behaviour.
- There are on-going issues with refuse in the street and traffic issues which may get worse if this premises opens.

It was noted that representations made under the Licensing Act 2003 must be made under the four key licensing objectives, namely:

- The prevention of crime and disorder.
- Public Safety.
- The prevention of public nuisance.
- The protection of children from harm.

Having received the report of the application and the views expressed, the following points were noted:

- All persons making representations, as well as the applicant had been invited to attend the meeting. However, the applicant had advised that he was unable to attend the hearing and asked to be made aware of the outcome of the hearing. Of the four persons who had made representations, two had advised that they were unable to attend the hearing. No response had been heard from the remaining two persons.
- Additional photographs had been submitted after the agenda had been published and had been forward to the Committee.
- The Planning Department has no objection to the application.
- In response to a question raised regarding the opening hours for the sale of alcohol, it was noted that all applications have to be treated on their own merits and the nature of the objections received and whether they comply with the four key licensing objectives.
- It was considered that the issues raised by the objectors don't refer to the shop itself but refer to traffic and police issues.
- Concern was expressed regarding the licensing hours - Monday to Sunday 06.00hrs – 24.00hrs. Crime and disorder issues need to be considered, as well as public safety, prevention of public nuisance and protection of children from harm. Concern was expressed regarding the sale of alcohol during these hours.
- It was noted that the Committee could consider reducing the hours of permissions available in respect of the sale of alcohol.
- In response to a Member's question, it was noted that a supermarket in the area was permitted to sell alcohol over a 24 hour period.

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- The Police have put in extra measures to ensure that the sale of alcohol is monitored and the applicant concurs with the recommendations outlined by the Police.
- In addition to the conditions outlined, it was noted that the Committee has powers to add further conditions should it be deemed necessary.

The Committee retired in accordance with procedure in order to deliberate on the information provided and make its decision.

The Panel returned and the Chair announced the decision.

The Sub Committee has considered the application for a premises licence for 4/5 Beaufort Square, Chepstow.

We have considered the written application and written objections as neither applicant nor objectors were present today.

In reaching the decision we have had regard to:

- The Licensing Act 2003.
- The licensing objectives.
- The Council's statement of licensing policy.
- The guidance issued by the Home Office.

In taking into account all of the above matters and all the relevant circumstances of the application, we discussed the following points.

- We were pleased to note the conditions suggested by Gwent Constabulary and that the applicant had agreed these, and confident these will assist in running the premises safely.
- We were particularly pleased to note that CCTV would be in place.
- We are aware that it is possible to purchase alcohol locally from supermarkets, and public houses.
- We are mindful of the local economy, and the night time economy.
- The application will mean that empty premises are put into use.
- A number of the objections are better dealt with elsewhere and some are police matters.

Having carefully considered all of the above, we have therefore decided to agree the application with the additional conditions agreed following the police recommendations, being aware that there will be ongoing monitoring of the premises.

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The meeting ended at 1.00 pm.