

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Licensing and Regulatory Sub Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Wednesday, 6th November, 2024 at 12.00 pm

PRESENT: County Councillors: Tudor Thomas, Tony Easson and Sue Riley

OFFICERS IN ATTENDANCE:

Linda O'Gorman	Principal Licensing Officer
Taylor Watts	Licensing Officer
Julian Sanders	Solicitor
Wendy Barnard	Democratic Services Officer

APOLOGIES:

None

1. Declarations of Interest.

Item 3: County Councillor A. Easson declared a personal, non-prejudicial interest as a Ward Member in Caldicot as the application related to a premises in Newport Road, Caldicot.

2. Application for a Premises Licence - Caldicot Store & Post Office

The Chair welcomed everyone to the meeting and introduced Members of the Sub Committee and the attending officers. The Principal Licensing Officer explained the protocol for the meeting.

- The Applicant attended in person.
- Principal Licensing Officer
- Licensing Officer
- An objector and companion attended in person.

All confirmed sight of the report and the committee procedure.

The Licensing and Regulatory Sub Committee considered an application for a new Premises Licence under the Licensing Act 2003 for Caldicot Store and Post Office, Unit 4, Holman House, 36-38 Newport Road, Caldicot to sell alcohol between the hours of 07:00 and 21:00 (the shop opening hours).

The Licensing Officer presented the report and outlined the steps the applicant would take to promote the licensing objectives. These included staff training, ID verification, fire safety measures, incident logbook, noise management plan and community engagement (the full list is in Appendix A). The report appendices also included a map, a list of mandatory conditions, responses from statutory authorities, representations from other persons, Police incident log and Licensing Objectives.

The Sub Committee were advised that the representations from other persons could be summarised that granting the licence could increase anti-social behaviour in the area

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that could cause damage to other businesses, also potentially threaten the safety of members of the public and staff.

The Licensing authority requested statistics on antisocial behaviour in the Caldicot area from Gwent Police. The statistics cover the whole Caldicot area not specific to the town centre. Between August 2023 and December 2023. There were 35 police logs and between April 2024 and October 2024, there were 31 police logs.

Representations must be received in relation to at least one of the four licensing objectives:

1. prevention of crime and disorder,
2. public safety,
3. prevention of public nuisance, and
4. protection of children from harm

Section 9.9 of the Guidance issued by the Home Office recommends that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing by the Licensing Sub Committee would then provide an opportunity for the person or body making the representation to amplify and clarify it.

There were no objections from statutory authorities. Gwent Police withdrew its representations upon agreement of the conditions should the licence be granted.

The Objector had opportunity to make representations explaining that he is not against granting the licence. Having traded in the town centre for two years and moved opening hours from 6pm to 9pm, it was noticeable that there were lots of young people causing trouble where shops were open and lit. Window glass has been broken on two occasions and reported to the Police. The School and community has been very helpful in promoting a message that there are consequences to this behaviour.

The Objector's worry is that a new shop with long opening times will encourage young people to congregate again and levels of antisocial behaviour will rise again. The objector wanted help from the committee to address the problem and expressed surprise that there was no objection from Gwent Police citing that there are two Police Officers in the High St. every day.

The Applicant addressed the concerns raised by outlining the proactive measures he was taking to ensure his premises operates responsively and in full compliance with the Licensing Act and Monmouthshire County Council's Licensing Policy.

Regarding the gathering of young people, he said there have been no young people gathered as backed by CCTV other than on Halloween. Footage is available to Gwent Police and Licensing authorities. Responsible practices include staff training, CCTV (which records for 31 days and is HD to recognise faces), the new premises meets all public safety requirements including noise dampening and ID checks via EPOS system that gives a date to check the person is born before.

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Gwent Police is satisfied that its conditions are agreed if the licence is granted. No residents have made representations.

The Applicant explained he had another shop in Tutshill and has an excellent compliance record with Forest of Dean Council and Gloucestershire Police.

The application fully aligns with the licensing objectives.

Sub Committee Members Questions/Comments

A Member was aware of the anti-social behaviour in the Town Centre and the work with Gwent Police to address it. The Member believed the sale of alcohol was a different question to the antisocial behaviour experienced noting that there are many outlets in the town that sell alcohol. The Applicant responded that there were no issues arising from his shop in Tutshill because of robust procedures, staff training, and proactive engagement with the community.

A Member asked for confirmation that the shop opening hours will remain as 7.00am - 9.00pm regardless of whether the licence is granted. The Applicant confirmed that was correct.

The Objector reiterated that the granting of a licence was not at issue but the worry that antisocial behaviour will increase. The Applicant was asked if there was anything he could do to keep antisocial behaviour levels down.

The Chair sought clarification if the objection to the granting of a premises licence is withdrawn as the main concern was the potential for an increase in antisocial behaviour.

Clarification was provided from the Objector that there was no objection to the granting of a licence. The request is for support regarding antisocial behaviour.

Principal Licensing Officer If a licence is granted there will be extra measures in place CCTV etc. If not granted, the premises can still operate at these hours. The Sub Committee will consider whether the sale of alcohol will hinder the licensing objectives or would the antisocial behaviour exist regardless of the sale of alcohol.

A Member confirmed that Caldicot Town Council is endeavouring to get the town traders involved in the reduction of anti-social behaviour. The Objector thanked the community and the School for their support in the past.

The Sub Committee adjourned to consider the application.

The Sub Committee reconvened

The Committee considered the representations made, the four key licensing objectives, the report of Licensing Officer, the evidence provided and the information provided by the applicant.

The Committee Members asked questions relevant to making a decision on the granting of a licence.

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The Committee noted the concerns of the Objector about antisocial behaviour. The objection to the granting of the licence was withdrawn during the meeting by the Objector.

The Sub Committee unanimously agreed to grant the licence as there was no objections from the statutory authorities and the objectors had withdrawn the objection during the meeting. The licence was granted as follows:

- Supply of Alcohol (Off sales): Monday to Sunday 07:00hrs – 21.00hrs
- Open Hours (Standard timings): Monday to Sunday 07:00hrs – 21.00hrs

The meeting ended at 12.53 pm