

Committee: Statutory Licensing Sub-Committee

Date of meeting: 22nd June 2022 – 11.00 am

Report Subject: Licensing Act 2003 – Variation of Premises
Licence – A & J Local Store, 58 Glyn Terrace,
Tredegar, Gwent. NP22 4JA

Report Submitted by: Miss Helen Jones

Report Written by: Mrs Michele Bennett

1. Purpose of the Report

- 1.1 To inform the Statutory Licensing Sub-Committee of representations received in respect of an application for the variation of a premises licence at A & J Local Store, 58 Glyn Terrace, Tredegar, Gwent, NP22 4JA in order to enable the Sub-Committee to determine the application in accordance with the Licensing Act 2003.

2. Scope and Background

- 2.1 An application was submitted on 17th March 2022 by Mr Jegatheeswaran Thevarasa, for the variation of a premises licence at the premises at A & J Local Store, 58 Glyn Terrace, Tredegar, Gwent. NP22 4JA. Location map attached as **Appendix 1.**

- 2.2 The current premises licence was granted on the 28th July 2021 following a licensing sub-committee hearing to determine the application for sale of alcohol from 7 am to 11 pm. Gwent Police put forward the following conditions which the applicant accepted therefore Gwent Police withdrew their representations previous to the hearing.

1. CCTV is installed and working to the satisfaction of the Police and Licensing Authority. Recordings will be maintained for a minimum of 28 days. Recordings shall be

immediately available on request of any authorised officer named under the Licensing Act 2003.

If the CCTV equipment fails, the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into good working order.

The DPS shall train an appropriate number of staff in the use of the CCTV system to facilitate the efficient operation of it with a view to providing evidence when requested by an authorised officer named under the Licensing Act 2003.

The correct time and date will be generated onto both the recording and the real time image screen.

CCTV to cover all of the licensed area of the premises, it will be of evidential quality.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.

2. An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as 'Challenge 25' whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport
3. All refusals will be kept in a refusals book detailing the time, date, the goods, the staff member and the name of the persons who tried to purchase. If no name is given, then a good description will be recorded. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable and retained for a 12 month period.
4. All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers. Safeguarding training should also be

undertaken with all staff. Training should be clearly documented, signed and dated by both the trainer and member of staff receiving it. This documentation should be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.

5. An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation. The logbook will be retained for a 12 month period.
6. Rowdy and/or disorderly customers will be asked to leave the premises.
7. Throughout the hours that the licence operates the premises will operate regular patrols in the vicinity of the premises to collect and tidy any litter or refuse in that area.
8. Should customers be outside the premises causing congestion on the pavement, loitering and/or causing Anti-Social Behaviour they will be told move away from the vicinity of the store.
9. There shall be no consumption of alcohol beverages purchased from the premises in open containers outside at the front of the premises.

The Sub-Committee's decision was to grant the licence for the following hours:-

Off sale of alcohol between the hours of 10 am to 7 pm Monday to Sunday

- 2.3 The current opening hours of the premises are:-

6 am to 11 pm Monday to Sunday

- 2.4 The proposed variation is made under Section 34 of the Licensing Act 2003 :-

To increase the hours for off sale of alcohol between the hours of 7 am to 11 pm Monday to Sunday, application attached as **Appendix 2**.

- 2.5 In accordance with the Licensing Act 2003, as part of the consultation process, the applicant has a duty to send copies of the application to Responsible Authorities. Therefore, consultation has been carried out with Gwent Police, South Wales Fire and Rescue Service, Immigration Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement Officers, Planning, Environmental Health, Social Services departments and Aneurin Bevan Health Board. In addition, the applicant placed a notice of the application at the premises, to enable Other Persons, i.e. local residents and businesses, to make representations. A notice was also published in the Gwent Gazette within 10 days of the date the application was received
- 2.6 No representations were received from Gwent Police, South Wales Fire and Rescue Service, Immigration Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement Officers, Planning, Environmental Health, Social Services departments and Aneurin Bevan Health Board
- 2.7 Representations were received from 'other persons' comprising a letter from two 'other persons' (3.1), a letter from one 'other person' (3.2), and a letter in the form of a petition with 82 signatures (3.3), received within the specified timescale, copies attached at **Appendix 3** (3.1, 3.2, 3.3).
- 2.8 In considering this application, the sub-committee must take account of the provisions in the Licensing Act 2003, in particular, the licensing objectives which are:-
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm.
- 2.9 The guidance issued by the Home Office under section 182 of the Act and the Council's licensing policy must be taken into account when considering this application.

3 Options for Recommendation

3.1 The options available to the Statutory Licensing sub-committee are:

1. (a) to modify the conditions on the licence;
2. (b) to reject the whole or part of the application;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

3.2 Background Documents /Electronic Links

- Appendix 1 – Location map
- Appendix 2 – Application
- Appendix 3 – other persons representations