

Committee: Statutory Licensing Sub-Committee

Date of meeting: **28th July 2021**

Report Subject: **Licensing Act 2003 – New
Premises Licence – 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 a new premises licence application in accordance with the Licensing Act 2003 attached as Appendix 1

2. Scope and Background

2.1 The purpose of this report is to determine a new premises licence application submitted by Mr Jegathees Thevarasa in respect of 58 Glyn Terrace, Tredegar, Gwent, in accordance with the Licensing Act 2003. A location plan of the premises is attached as Appendix 2

2.2 There is currently no licence in force in respect of the premises.

2.3 An application has been made by Mr Jegathees Thevarasa for the following activities and times –

Supply of alcohol –
Monday to Sunday 7.00 am to 11.00 pm

Opening hours 6.00 am to 11.00 pm

2.4 In accordance with the Licensing Act 2003, the applicant has served copies of the application on the following Responsible Authorities:-

Gwent Police, South Wales Fire and Rescue Service, Blaenau Gwent County Borough Council Trading Standards, Licensing Enforcement, Planning, Environmental Health, Social Services departments, Home Office Immigration Enforcement and the Aneurin Bevan Health Board

A notice of the application was displayed at the premises for 28 days to enable 'other persons', i.e. local residents and businesses, to make representations.

A notice of the application was placed in the local newspaper the Gwent Gazette dated 24th June 2021.

A notice of the application was advertised on the Blaenau Gwent website for a period of 28 days.

2.5 No representations were received from Environmental Health, South Wales Fire and Rescue Service, Blaenau Gwent Trading Standards, Licensing, Planning, and Social Services departments, Home Office Immigration Enforcement or the Aneurin Bevan Health Board.

2.6 The following representations were received from Gwent Police and the applicant agreed to amend the application to include the following conditions –

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 aforementioned are proposed to assist in promoting the key licensing objectives.

- 2.7 As a result of the applicant's agreement to these amendments, Gwent Police withdrew their representations
- 2.8 Representations were received from 11 'Other Persons' attached as Appendix 3

The 'Other Persons' were informed of the amendments to the application put forward by Gwent Police, however, they still wished to object to the application

A petition was also received with over 209 signatures objecting to the application under the licensing objectives –

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

- 2.9 In considering this application, the Licensing 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.

2.10 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 Licensing sub-committee are:

1. To grant the licence
2. To grant the licence with modifications to the conditions
3. To exclude any licensable activity to which the application relates
4. To refuse to specify a Designated Premises Supervisor
5. To reject the licence application

3.2 Background Documents /Electronic Links

- Appendix 1 – Application form
- Appendix 2 – Location plan of where the premises is situated
- Appendix 3 – Other persons representations