

MINUTES OF A SPECIAL MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE (A)  
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON  
FRIDAY, 29 AUGUST 2014 AT 10.00AM

Present:

Councillor R Williams - Chairperson

Councillors

R D Jenkins  
J E Lewis

Officers:-

R Morris - Senior Licensing Assistant  
A Lee - Legal Officer  
A Rees - Senior Democratic Services Officer - Committees

Representing the Applicant

Mr S Gibson - Licensing Agent  
Mr K Wong - Applicant

Objectors

Mr T J Davies  
Mr D Price

14 APOLOGIES FOR ABSENCE

None.

15 DECLARATIONS OF INTEREST

None.

16 LICENSING ACT 2003: SECTION 17 APPLICATION FOR PREMISES LICENCE  
BRYNMENYN POST OFFICE AND VILLAGE STORE, 4 ABERGARW ROAD,  
BRYNMENYN, BRIDGEND

The Senior Licensing Assistant reported on an application made by Mr Kwok Wong for a new premises licence at the Brynmenyn Post Office and Village Store, 4 Abergarw Road, Brynmenyn, Bridgend. The premises were described as a post office and convenience store with the licensing of the ground floor of the premises being sought. The application sought authorisation for the supply of alcohol for off premises only on Monday to Saturday between 0800 and 2300 hours and Sunday between 0900 and 2300 hours. The application had been advertised in accordance with the regulations with representations received which had been forwarded to the applicant for consideration.

The Senior Licensing Assistant reported that the Sub-Committee must have regard to the Council's Statement of Licensing Policy and the Home Office Guidance issued under Section 182 of the Licensing Act 2003.

Mr Gibson, Licensing Agent addressed the Sub-Committee on behalf of the applicant by stating that the application is to licence the premises which is a post office and convenience store for the supply of alcohol. He described the nature of the premises as

being small with a modest display of convenience products. The applicant's agent informed the Sub-Committee that the applicant wished to develop his business and that it was the expectation nowadays by the public that the majority of small businesses would sell alcohol. The applicant only wished to sell beers, wines and spirits and did not want to sell alco pops and was prepared to accept a condition restricting the sale of alco pops on the premises licence. He did not believe that members of the public would travel out of their way to the premises in order to purchase alcohol. It was the intention of the applicant to increase the basket spends of his customers thereby increasing his turnover. He stated there was no evidence to suggest that the introduction of the sale of alcohol would give rise to the problems suggested by the objectors to the application.

The applicant's agent informed the Sub-Committee that the applicant opened his premises at present until 1800 hours and in the event of his application for a premises licence being successful proposed to open to 2000 hours. He stated there would be occasions when the applicant would not stay open to 2000 hours but wished to have the flexibility to do so. The applicant did not have any interest in trading beyond 2000 hours and was prepared to accept a condition to the premises licence restricting the opening hours for the supply of alcohol to 2000 hours.

The applicant's agent stated that the objections raised that licensed premises would be attractive to the people living in the nearby hostel were unfounded as the applicant had no intention of selling alco pops from the premises. He also stated that the applicant intended to introduce a challenge 25 scheme in relation to the sale of age restricted goods from the premises. The applicant's agent informed the Sub-Committee that the applicant is aware of who people are in the community in which he lives and would not sell alcohol to vulnerable people. The applicant was also aware that he was not obliged to make a sale of alcohol to anyone and that the applicant wanted to have the opportunity to trade successfully.

The applicant's agent informed the Sub-Committee that the application for a premises licence which authorised the sale of alcohol was until 2300 hours, although the applicant was prepared to accept a restriction for the sale of alcohol until 2000 hours.

The Sub-Committee questioned whether the four licensing objectives would be met if the premises were to close at 2000 hours. The applicant's agent informed the Sub-Committee that application outlined comprehensively how the four licensing objectives would be complied with. By closing at 2000 hours it would ensure the licensing objectives were complied with. A later closing time in the evening may give rise to problems.

The Sub-Committee heard representations from Mr David Price who lives next door to the premises who expressed his concern at the potential for anti-social behaviour emanating from the premises in the event of it being granted a premises licence to sell alcohol. He did not believe in the assertion made by the applicant's agent that the majority of convenience stores now sold alcohol. He stated that there was an element of anti-social behaviour prevalent in the village and to grant a premises licence would cause further problems of anti-social behaviour. He informed the Sub-Committee of burglaries and thefts which had taken place in the village over the last fortnight. He stated that he would be happy for the sale of alcohol from the premises to be restricted to 2000 hours.

The Sub-Committee heard representations from Mr T J Davies who had lived in the vicinity of the premises for 31 years and informed the Sub-Committee that the applicant had been a good neighbour. He also informed the Sub-Committee that the police had attended the nearby crisis centre on 2 to 3 occasions in the last fortnight and that the sale of alcohol from the premises would exacerbate the situation. He informed the Sub-Committee that people at present go to a premises in Sarn to purchase alcohol and then return to litter the village with empty cans and bottles in peoples gardens.

Mr Price informed the Sub-Committee that the newspaper shop in Ynysawdre had been granted a premises licence which had proven to be problematic.

Mr Davies questioned the need for alcohol to be sold from the premises as it had never been sold from the premises before. He stated that the offer by the applicant to restrict the sales of alcohol to 2000 hours was more acceptable than 2300 hours specified in the original application, but residents would prefer for there to be no sales of alcohol from the premises. He stated that alcohol was already sold in the village from a public house in the vicinity of the premises. However some people in the village may be tempted to purchase cheaper alcohol from the post office and convenience store should it be granted a premises licence which could give rise to anti-social behaviour problems in the village of Brynmenyn with people drinking outside his house and littering the village with empty cans and bottles.

The Sub-Committee informed the objectors that the applicant had given an assurance that he would be taking the licensing objectives seriously and that they were there to protect the public. Mr Davies informed the Sub-Committee that once customers who had purchased alcohol had left the premises there was no redress against them by the applicant giving rise to anti-social behaviour. Mr Price informed the Sub-Committee that residents had already experienced anti-social behaviour from the crisis centre and lived in fear of reprisals.

The Sub-Committee invited both parties to sum up.

The applicant's agent in his summing up stated that it was a myth that cheap alcohol would be sold from the premises in that the applicant did not have the buying power large companies have and would be purchasing his stock from a cash and carry. He stated that the applicant was prepared to restrict the sale from the premises to 2000 hours as opposed to the 2300 hours that had been applied for. He also informed the Sub-Committee that the four licensing objectives would not be undermined and should there be a problem arising from the premises, the review procedure could be invoked, which the applicant was fully aware of and that he would have to live up to the expectations of being a premises licence holder.

The Sub-Committee retired to consider the application further adjourning at 10.28am and reconvening at 11.00am.

RESOLVED: That the Sub-Committee has considered the application and the case put forward by the applicant. The Sub-Committee has also considered the representations made by the objectors. The applicant has stated to the Sub-Committee that he is prepared to close at 2000 hours. The Sub-Committee has decided on the evidence and the application to grant a licence to the applicant from the start times requested in the application to 2000 hours each evening. The Sub-Committee feel that by granting this application it will not undermine the 4 licensing objectives as the applicant has listed in his application the necessary steps to promote the licensing objectives.

The meeting closed at 11.02am.