

Meeting of:	LICENSING ACT 2003 SUB COMMITTEE (B)
Date of Meeting:	25 SEPTEMBER 2023
Report Title:	NEW PREMISES LICENCE APPLICATION FOR 11-13 CAROLINE STREET, BRIDGEND CF31 1DN
Report Owner / Corporate Director:	CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY
Responsible Officer:	KIRSTY EVANS LICENSING POLICY OFFICER
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules.
Executive Summary:	For the Sub-Committee to consider and determine a new premises licence application under Section 16 of Licensing Act 2003 for 11-13 Caroline Street, Bridgend CF31 1DN

1. Purpose of Report

- 1.1 The purpose of this report is to determine an application received from Amber Taverns Ltd for the grant of a new premises licence at 11-13 Caroline Street, Bridgend CF31 1DN.

2. Background

- 2.1 The Licensing Authority has received an application for the grant of a new premises licence. The application can be found in **Appendix A**.
- 2.2 The plan accompanying the application which details the licensed premises can be found in **Appendix B**.
- 2.3 The applicant describes the premises as:
“Town Centre Public House with bar servery”.
- 2.4 The application requests the following licensable activities for the hours stated:

- Regulated Entertainment in the form of the Provision of Films (indoors), Live Music (Indoors), Recorded Music (Indoors), Performance of Dance (Indoors) and anything of a Similar Description (Indoors):

Monday to Thursday: 09:00 to 00:00 hours

Friday and Saturday: 09:00 to 01:00 hours

Sunday: 09:00 to 00:00 hours

Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

An additional hour: Christmas Eve, Boxing Day, The Thursday preceding Good Friday, The Friday, Saturday and Sunday of each Bank Holiday weekend, St Patrick's day and St David's Day.

- The Provision of Late-Night Refreshment (indoors and outdoors):

Monday to Thursday: 23:00 to 00:00 hours

Friday and Saturday: 23:00 to 01:00 hours

Sunday: 23:00 to 00:00 hours

Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

An additional hour: Christmas Eve, Boxing Day, The Thursday preceding Good Friday, The Friday, Saturday and Sunday of each Bank Holiday weekend, St Patrick's day and St David's Day.

- The Sale of Alcohol for consumption on and off the premises

Monday to Thursday: 09:00 to 00:00 hours

Friday and Saturday: 09:00 to 01:00 hours

Sunday: 09:00 to 00:00 hours

Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

An additional hour: Christmas Eve, Boxing Day, The Thursday preceding Good Friday, The Friday, Saturday and Sunday of each Bank Holiday weekend, St Patrick's day and St David's Day.

2.5 The application requests the following opening hours:

Monday to Thursday: 09:00 to 00:30 hours

Friday and Saturday: 09:00 to 01:30 hours

Sunday: 09:00 to 00:30 hours

Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

An additional hour: Christmas Eve, Boxing Day, The Thursday preceding Good Friday, The Friday, Saturday and Sunday of each Bank Holiday weekend, St Patrick's day and St David's Day.

- 2.6 The additional conditions proposed by the applicant for the promotion of the licensing objectives can be found in Section 18 of the application, detailed in **Appendix A**.

3. Current situation/proposal

- 3.1 In accordance with the requirements of the Licensing Act 2003, copies of the application were forwarded to the Responsible Authorities.
- 3.2 During the statutory 28-day consultation period the application has been advertised in accordance with the regulations; both at the premises, in a local newspaper and on the Council's website.
- 3.3 A representation was received during the consultation period from South Wales Police. A copy of the representation can be found in **Appendix C**.
- 3.4 Representations were also received from 5 'other persons' (as defined by the Licensing Act 2003). Copies of these representations are detailed in **Appendix D**. Some matters that are not a consideration of this Sub-Committee have been redacted.
- 3.5 Reference has been made to daytime music within some of the representations and it should be noted that live and recorded music have been part de-regulated.

Live music taking place at a workplace between 08:00 and 23:00 hours before an audience of no more than 500 people does not require an authorisation (licence).

Recorded music taking place at a licensed premises authorising the sale of alcohol for consumption on the premises, taking place between 08:00 and 23:00 hours before an audience of no more than 500 people does also not require an authorisation.

Any problems associated with music at these times should be dealt with under separate environmental health legislation relating to noise nuisance.

- 3.6 Reference has also been made to granting permission to place tables and chairs on the highway; this is not a consideration for this Sub-Committee. The applicant will be required obtain permission from the relevant Council department which will involve a separate application process.
- 3.7 As relevant representations have been received the Sub-Committee must determine the application in accordance with the Licensing Act 2003.
- 3.8 The Licensing Act 2003 (Section 4) states that it is the duty of all Licensing Authorities to carry out their functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) Protection of children from harm

Each objective is of equal importance and should be of paramount consideration at all times.

3.9 Section 4(3) Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Statement of Licensing Policy, the Statutory guidance issued under Section 182 of the Licensing Act 2003 and the Licensing Act itself, in this case in particular to:

- a) Paragraphs 2, 3, 4, 5, 8, 9, 11 of the 2019-2024 Statement of licensing policy
- b) Chapters 2, 3, 8, 9, 10 and 16 of the Statutory guidance, as revised August 2023
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 182 and 183 of the Licensing Act 2003.

3.10 Any further updates will be provided at the start of the Sub-Committee meeting as permitted under the Licensing Act 2003 (Hearings) Regulations 2005.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

6. Climate Change Implications

6.1 There are no Climate Change Implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding and Corporate Parent Implications arising from this report.

8. Financial implications

8.1 There are no financial implications arising from the report.

9. Recommendations

- 9.1 The Sub-Committee is asked to determine the application having regard to the Council's Statement of Licensing Policy, the Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, the application, submissions and representations before them.

Background documents: None