

<b>Meeting of:</b>	<b>LICENSING ACT 2003 SUB COMMITTEE (B)</b>
<b>Date of Meeting:</b>	<b>6 FEBRUARY 2025</b>
<b>Report Title:</b>	<b>VARIATION OF A PREMISES LICENCE FOR BRYNMENYN STORES, 4 ABERGARW ROAD, BRYNMENYN, BRIDGEND CF32 9LF</b>
<b>Report Owner / Corporate Director:</b>	<b>CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY</b>
<b>Responsible Officer:</b>	<b>KIRSTY EVANS LICENSING TEAM MANAGER</b>
<b>Policy Framework and Procedure Rules:</b>	<b>There is no effect upon the policy framework or procedure rules.</b>
<b>Executive Summary:</b>	<b>For the Sub-Committee to consider and determine an application for the variation of a premises licence following representations received from “other persons”</b>

## 1. Purpose of Report

- 1.1 The purpose of this report is to determine an application for the grant of a premises licence for Brynmenyn Stores (Premier) submitted by Kuldip Singh Sidhu.

## 2. Background

- 2.1 The Licensing Authority has received an application for the variation of premises licence BCBCLP632, for Brynmenyn Stores (Premier), 4 Abergarw Road, Brynmenyn, Bridgend CF32 9LF.

A copy of the application is detailed in **Appendix A**.

- 2.2 The premises licence (BCBCLP632) currently authorises the following licensable activities:

Sale of alcohol for consumption off the premises

Monday to Sunday: 08:00 to 20:00 hours

A copy of the current premises licence is detailed in **Appendix B**.

- 2.2 The applicant describes the variation as:

*“Extend Supply of Alcohol hours:*

*Current hours: Monday – Sunday: 08:00 – 20:00*

*Proposed hours: Monday – Sunday: 07:00 – 23:00”*

2.3 The application requests the following licensable activities for the hours stated:

- The Sale of Alcohol for consumption off the premises:

Monday to Sunday                      07:00 to 23:00 hours

### 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 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. However following discussions with the applicant, the Police have agreed to withdraw their representation on the stipulation that conditions are imposed on the premises licence should the variation be granted.

These proposed Police conditions are detailed in **Appendix C** along with applicant's agreement to the proposals.

3.4 Representations were also received from three "other persons" (as defined by the Licensing Act 2003) in the consultation period. Upon receipt of the representations, the applicant proposed to reduce the requested end timings of the sale of alcohol to 22:00 hours. This was put to the objectors and one local resident agreed to withdraw their representation on that basis.

The applicant's agreement to vary the application by reducing the requested sale of alcohol end timings is detailed in **Appendix D**.

3.5 The two other objectors; one local resident and one local Councillor wished to proceed with their representations. These representations are detailed in **Appendix E**.

3.6 As relevant representations were received during the consultation period and not withdrawn the Sub-Committee must determine the application in accordance with the Licensing Act 2003.

3.7 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.

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:

Sections 1, 4, 5, 6, 7, 9, 34, 35 and 36 of the Act.

Sections 2, 3, 4, 5, and 7 to 11 of the 2019-2024 Statement of Licensing policy.

Sections 2, 5, 8, 9, 10 and 14 of the Statutory Guidance to local authorities issued by the Home Office.

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