

MINUTES OF A MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE (A) HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 11 NOVEMBER 2015 AT 2.00 PM

Present

Councillor R Williams – Chairperson

B Jones                      JE Lewis

Officers:

Andrew Rees                Senior Democratic Services Officer - Committees  
Kelly Watson                Group Manager Legal & Democratic Services  
Yvonne Witchell            Licensing & Registration Manager

Representing the applicants:

Mr B Shawe                 Solicitor  
Mr G S Cheema             Applicant

Representing the Responsible Authorities:

PC Rowlatt                 South Wales Police  
Fiona Colwill                Licensing Enforcement Officer

10. APOLOGIES FOR ABSENCE

None.

11. DECLARATIONS OF INTEREST

Councillor GW Davies declared a personal interest in agenda item 3 – Application for new Premises Licence GSC Top Club, Caerau, Maesteg as a Bridgend County Borough Councillor and as a member of the Licensing Sub-Committee.

12. APPLICATION FOR NEW PREMISES LICENCE: GSC TOP CLUB, CAERAU, MAESTEG

The Licensing and Registration Officer reported on an application made under Section 17 of the Licensing Act 2003 by Gian Singh Cheema and Sharn Jeet Kaur for a new premises licence at the GSC Top Club, 76 & 77 Caerau Road, Caerau, Maesteg. The premises are freehold with ground floor and first floor facilities and were formerly a private members club.

The Licensing and Registration Officer informed the Sub-Committee that discussions had taken place between the applicants and the Public Protection Department and Licensing Authority prior to the commencement of the Hearing resulting in the withdrawal of their objections. This had resulted in an amended application with revised opening hours and conditions to which the applicants had agreed.

The Licensing and Registration Officer reported on the amended for the premises licence which authorised the supply of alcohol on the premises only, plays, films, indoor sporting events, live music, recorded music, performance of dance and anything of a

similar description to live music, recorded music and performances of dance and the provision of late night refreshment between the following times:

Supply of alcohol, plays, films, indoor sporting events, live music, recorded music, performances of dance & anything of a similar description to that falling within live music, recorded music and performances of dance:- Sunday to Friday: 1100 – 2300 hours; Saturday: 1100 – 2330 hours; Live Music:- Sunday to Friday: 1100 – 2330 hours; Saturday: 1100 – 2330 hours; The provision of late night refreshment from Sunday to Friday would not apply and on Saturday 2300 – 0000 hours. There were no non-standard timings for the above licensable activities and the premises will be open to the public between 0900 and 2330 hours Sunday to Friday and between 0900 – 0000 hours on Saturdays.

The Licensing and Registration Officer informed the Sub-Committee that the applicants had agreed to conditions numbered 2, 3 and 4 of the Environmental Health Department relating to standard and non-standard timings for the provision of live music, karaoke and DJ and to the additional conditions of the Licensing Authority numbered 1 – 9 to promote the licensing objectives.

The Licensing and Registration Officer informed the Sub-Committee that the applicants had also agreed to the conditions of the South Wales Police and that they would now withdraw their objection to the application. PC Rowlatt informed the Sub-Committee that South Wales Police did not have objections to the reduced hours as it believed the licensing objectives would be upheld and also would be in line with the hours of a public house. She stated that the applicants need to ensure that Mrs Kaur would be trained up to be a Designated Premises Supervisor. PC Rowlatt informed the Sub-Committee that the applicants need to ensure that there was a personal licence holder on the premises at all times. South Wales Police have had concerns regarding the CCTV system particularly in relation to blind spots within the premises which were not covered by cameras despite there being 16 cameras situated in the premises. PC Rowlatt requested that the applicants ensure that CCTV cameras cover all public access areas by installing mirror cameras. CCTV footage would need to be maintained and recording at all times and made available to the police for inspection on request.

The Licensing and Registration Officer informed the Sub-Committee that the Public Protection Department and Licensing Authority had withdrawn their representations as a result of the amended hours put forward.

Councillor G W Davies who had objected to the application on behalf of local residents in his capacity as a ward member for the Caerau ward informed the Sub-Committee that he was grateful for the agreement by the parties. He requested clarification of the location for the shelter for smokers. PC Rowlatt clarified that the shelter was located to the rear of the premises and had been included on the plan which had been submitted.

In response to a question from the Legal Officer, Councillor G W Davies stated that he would be withdrawing his representations.

The Licensing and Registration Officer informed the Sub-Committee that representations received from Mr A J Stockley and Ms C A Brown objecting to the application had not been withdrawn.

The applicants' representative informed the Sub-Committee that in the event of the application being granted the premises would be supervised at all times during opening hours by the applicants and in the event of behavioural problems being encountered at the premises it would close immediately. The applicants' representative stated that door

supervisors would be considered on Bank Holidays and at Christmas when the premises were expected to be busy.

The Licensing and Registration Officer informed the Sub-Committee that in relation to the licensing objective of the prevention of public nuisance this had been dealt with in the conditions proposed by the Public Protection Department. In relation to the prevention of children from harm, Challenge 25 will form part of the premises age verification policy.

Following a question from the Licensing and Registration Officer the applicants' representative informed the Sub-Committee that Mr Cheema's wife intended to apply to be a DPS.

The Legal Officer questioned what kind of activities were planned to take place in the function room. The applicants' representative stated there would be children's entertainment and dancing lessons taking place in the function room. The Legal Officer explained that any children's entertainment taking place at the premises would need to be supervised by a qualified person.

The Legal Officer advised the Sub-Committee that it needed to consider the representations received from Mr A J Stockley and Ms C A Brown.

The Licensing and Registration Officer informed the Sub-Committee that she had received notification from Mr A J Stockley and Ms C A Brown that they would not be attending the hearing.

The Licensing and Registration Officer read out the representations received from Mr A J Stockley and Ms C A Brown which objected to the proposed hours in the original application as they were considered excessive due to the number of elderly residents and families with young children living in the vicinity of the premises. Various activities for children took place at the Noddfa Community Project which is in the vicinity of the premises. The representations from Mr A J Stockley and Ms C A Brown requested that the permitted hours be the same as other public houses with the applicants having to apply for Temporary Event Notices for occasions such as New Year's Eve. Comparisons were drawn with the permitted hours at the Blaenllynfi Hotel, the Station Hotel and the Conservative Club in Caerau. The representations received had also expressed concern that in the event of earlier opening hours being allowed it would lead to patrons queuing outside. It was also believed that the entertainment licence which had also been applied for was excessive for a small residential area.

The Licensing and Registration Officer informed the Sub-Committee that the representations made in relation to anti-social behaviour emanating from the premises in the past were not relevant to this application.

The Legal Officer informed the Sub-Committee that most of the concerns expressed in the representations had been addressed by the revised hours and amended conditions agreed by the parties.

In relation to a question from the Legal Officer as to the employment of door staff, the applicants' representative stated that door staff would be employed at Christmas.

PC Rowlatt informed the Sub-Committee test purchases in relation to underage sales had taken place at the premises in its previous operation and that the police would manage the premises at a macro level.

The applicants' representative stated that his clients had noted the concerns raised by the residents which were part of the history of the premises when it was operated as a private members club. He also stated that Mr Cheema has experience as he has held a licence for 6 years.

The Licensing Enforcement Officer informed the Sub-Committee that Challenge 25 would have to be imposed as part of the licence conditions.

Councillor Davies questioned what action would be taken to minimise noise levels emanating from the premises. The applicants' representative stated that the windows at the premises would be locked when music was being played and the sound would be lowered if it resulted in complaints being received from residents.

The applicants' representative informed the Sub-Committee that all matters had been clarified by Licensing and the police. He requested clarification whether the applicants could open past midnight on New Year's Eve. The Licensing and Registration Officer stated that extra hours could not be added to the application and additional hours would have to be applied for by way of a Temporary Event Notice or by submitting an amended application.

The Sub-Committee retired to consider the application at 3.12pm and re-convened at 3.24pm, wherein it was:

RESOLVED: That the Sub-Committee has considered the application and all the relevant guidance. The Sub-Committee note that the majority of the objectors have withdrawn their objections following negotiations.

The Sub-Committee had one objection before them today, however these objectors have not attended. From the information provided by the applicant the Sub-Committee is satisfied that they are addressing all the concerns that have been raised.

The Sub-Committee granted the licence subject to the times and conditions that have been agreed between the parties.

The meeting closed at 3.25 pm