

STATUTORY LICENSING SUB-COMMITTEE

Minutes of a Remote Meeting held on 2nd August, 2024.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillors P. Drake, W.A. Hennessy and M.J.G. Morgan.

Also present: Mr. S.K. Dachepalli (Applicant), W. Lane (Operational Manager, Shared Regulatory Services), Councillor J.M. Norman, R. Price (Legal Officer, Vale of Glamorgan Council) and M. Thomas (Democratic Services Officer, Vale of Glamorgan Council).

(a) Announcements –

Prior to the commencement of the business of the Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

The Officer advised that a copy of the procedure for the meeting was available to Elected Members within the agenda papers circulated in advance of the meeting.

(b) Appointment of Chair –

RESOLVED – T H A T Councillor P. Drake be elected as the Chair for the duration of the Sub-Committee hearing.

(c) Declarations of Interest –

No declarations of interest were received.

(d) Licensing Act 2003 – Variation of a Premises Licence – The Corner Shop, 31-33 Crawshay Drive, Llantwit Major, CF61 2LH (LA) –

The Chair welcomed those present to the Sub-Committee hearing and thanked the Democratic and Scrutiny Services Officer for making introductions.

The Operational Manager, Shared Regulatory Services (which included Licensing), advised that the application before the Sub-Committee was for a Variation of a Premises Licence at The Corner Shop, 31-33 Crawshaw Drive, Llantwit Major, CF61 2LH.

The application (which was attached to the report at Appendix A) sought:

Sale of Alcohol Monday to Sunday 07:00 hours to 23:00 hours (being an additional 2 hours opening time). The operating schedule for this was attached at Appendix B to the report.

Three representations had been made by local Vale of Glamorgan Council Elected Members, (Councillors Hanks, John and Norman) which were attached at Appendix C. They felt that the proposed variation and extension of licensing hours for the sale of alcohol from these premises would undermine the licensing objectives to the detriment of local residents.

The South Wales Police Authority, after having some initial concerns regarding this licensing variation, had subsequently agreed conditions for it as contained within Appendix D to the report with the Applicant and therefore had withdrawn their representation on this.

The report also set out the options available to the Committee Members on determining this licence, as well as outlining the key recommendation on determining this application with 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 and any representations submitted. If minded to grant this application, the Sub-Committee was requested to confirm whether any additional conditions were to be imposed or only those which were consistent with and set out in the operating schedule.

Following the presentation of the report, the Chair asked for clarity on the proposals referred to in Appendix B. The Operational Manager, Shared Regulatory Services explained that the license would remain as is but would simply extend the hours for off license sales of alcohol from the current times of 07:00 to 21:00 hours, to 07:00 to 23:00 hours.

Councillor Morgan asked about the normal opening hours of the shop (aside from the sale of alcohol) and whether this went up to 23:00 hours. Due to the Applicant being present, they would be able to confirm if this was the case when they addressed the Committee.

Councillor Hennessy asked whether South Wales Police had recorded any incidents in relation to the premises and its current alcohol licensing. It was explained that South Wales Police had not provided any such incidents nor raised concerns about the premises and the extension of its off-licensing hours outside of the conditions that they had already discussed with the Applicant.

Having regard to the procedure for the hearing, the Applicant, Mr. Dacheballi, was then invited to present his application.

The Applicant advised that he had been running the shop for six years and had security systems, including panic buttons installed. He confirmed that the shop currently opened at 07:00 and closed at 21:00 hours. There had been no incidents

involving the Police. He stated that many customers had requested that the shop's opening hours be extended until 23.00 hours.

The Chair then asked all parties present if they had any questions of the Applicant.

Councillor Hennessy asked about noise at the premises / location. He was advised that there were not many houses close to the shop and that staff would deal with any noise outside the shop and two members of staff were on duty. He also referred to the two-hour extension requested for selling alcohol; he was advised that this was because a shorter extension of say one hour would not be enough and two hours had been requested instead.

On the Chair's query about the parking facilities for the shop, it was explained that there was normal road parking with no restrictions outside the premises.

On Councillor Morgan's query on the numbers of customers that were from the local community and who walked rather than drove to the shop, the Applicant said 70% of customers would walk to the shop. He stated the next shop was about a mile away and people had asked for the shop to be open until later. On the Councillor's follow up question on whether the Applicant was present at the premises most days, the Applicant stated he was present at the premises every day.

Subsequently, Councillor Norman stated she was objecting to this application due to concerns on the impact of this on the senior citizens accommodation nearby. Councillor Norman also stated she was concerned about loitering and possible anti-social behaviour, which could be encouraged by the extended opening / licensing hours and had been seen locally, some time ago in the past, due to a previous occupant at the flat above the shop. Furthermore, there was already access to alcohol until 11pm nearby, namely a local public house. The Operational Manager, Shared Regulatory Services, confirmed there were no incidents relating to the premises from South Wales Police and they had agreed extra conditions which the police felt were sufficient in addressing the licensing objectives. Should this application be agreed, then those conditions would be imposed as part of the licence going forward.

Following a question from Councillor Hennessy, Councillor Norman confirmed there was parking for cars and parking was not a problem by the premises concerned. However, people walking to the shop and loitering was the issue that the Councillor wished to raise her concerns about.

In his closing statement, the Applicant stated that when he took over the shop, he upgraded the security systems and he had a great deal of experience, with the shop operating for six years with no problems. He stated that he had held a personal licence for ten years and was capable of managing the shop and had previously managed a 24-hour petrol station with alcohol sales in St Athan.

Finally, the Chair asked for clarification on how many members of staff would be in the shop when open at night. The Applicant confirmed there would always be two members of staff in the shop, but this could rise to four or five persons on delivery days to help with the new stock, etc.

With all parties having the opportunity to make their representations and with no other parties to consult and no further questions from Members of the Sub-Committee, the Chair advised that the Sub-Committee would be going into private deliberation, with the decision on the application to be provided to all parties as soon as possible after the meeting and with written confirmation of the Sub-Committee's reasons to follow.

Following this the Applicant, Councillor Norman and the Operational Manager, Shared Regulatory Services in attendance disconnected from the hearing, as confirmed by the Democratic and Scrutiny Services Officer, and the Licensing Sub-Committee deliberated the application in private with the support of the Council's Legal Officer.

RESOLVED – T H A T the application, with the conditions agreed with South Wales Police and the Applicant at Appendix D to the report, be granted.

Reason for decision

In reaching its decision today the Sub-Committee had considered the application along with all those who have made both written and oral submissions. The Sub-Committee had taken into account the Licensing Act 2003 as amended, in particular the licensing objectives and the Home Office Guidance along with the Council's Statement of Licensing Policy.