

**CYNGOR SIR POWYS COUNTY COUNCIL**

**Licensing Sub-Committee**

**REPORT BY: Sue Jones, Senior Licensing Officer**

**SUBJECT: Application For a New Premises Licence – The Old Stables,  
Smithfield, Builth Wells**

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**REPORT FOR: DECISION**

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**1. APPLICATION**

- 1.1 On 6<sup>th</sup> September, an application for a Premises Licence was received from Mr David Owens for The Od Stable Block, Smith field Road, Builth Wells
- 1.2 A copy of the application and a plan of the premises are reproduced at **Annex B**. A view of the street showing the location is shown at **Annex C**
- 1.3 It is proposed that the premises will operate as a gin bar and bistro catering for over 25's
- 1.4 The applicant & The Licensing Authority satisfied procedural obligations by consulting the Responsible Authorities and advertising the application.
- 1.5 The applicant has applied for a Premises Licence authorising:
- Sale of alcohol 11.30 to 23.30 daily**  
**Live music 21.00 to 23.30 on Fridays and Saturdays**
- 1.6 In accordance with the application the following conditions will be attached to any licence granted, as offered and agreed by the applicant:
- **CCTV will be installed and working to the satisfaction of Dyfed-Powys Police. Footage will be kept for a minimum of 14 days. If the CCTV is found to be inoperative, the police and licensing authority will be notified within 24 hours and immediate steps will be taken to rectify the problem.**
  - **Any windows in the licensable areas of the premises will be double glazed**
  - **After 19.00 hours only persons over the age of 25 will be permitted**
  - **Children under the age of 18 will only be permitted on a Sunday before 19.00 accompanied by an adult for the purposes of partaking of a meal.**

In addition mandatory conditions made under Section 19, Licensing Act 2003 (Supply of Alcohol) will also apply (**Annex C**)

## 2. REPRESENTATIONS

### 2.1 Responsible Authorities

The following responses were received:

**Fire Authority - will comment on planning when change of use is applied for**

**Planning – planning permission will be required for change of use**

**Police – no objections**

### 2.2 Other Persons

#### Objections

Five letters from local residents have been received objecting to the application they are all concerned that the licence, if granted, would impact on the levels of noise on this otherwise residential area, in addition safety concerns have been raised about the limited parking, potential for increased accidents and the effect that that may have on the safety of residents and children living in the vicinity. Copies of the letters are attached at **Annex D**.

## 3. OPTIONS

3.1 In determining the application for the Premises Licence, the Sub-Committee must take such steps as are considered appropriate to promote the licensing objectives;

- i) The Prevention of Crime and Disorder
- ii) Public Safety
- iii) The Prevention of Public Nuisance
- iv) The Protection of Children from Harm

They must also have regard to the Council's Licensing Policy, relevant extracts from the policy state:

### **LICENSING HOURS**

***When determining individual licence applications for premises the licensing hours will be decided having regard to the individual merits of each application. The presumption will be to grant the hours as requested unless there are objections to those hours raised by responsible authorities or other persons on the basis of the licensing objectives. However as a guide to applicants the Responsible Authorities are less likely to object to applications with the following closing times:***

- ***Pubs & Bars 11pm Sunday to Thursday / Midnight Friday & Saturday***

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***These hours are not pre-determined and each application will be considered on its own merits. For applications within the above hours there is no presumption***

***that the application will be automatically granted in cases where relevant representations have been made***

***The licensing authority will closely examine the hours of business for premises that are situated in predominantly residential areas and will impose strict conditions relating to noise control where representations are received, and it is considered necessary.***

## **THE PREVENTION OF PUBLIC NUISANCE**

***Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation. Applicants must demonstrate in their operating schedule suitable and effective measures to prevent nuisance failure to address this objective is likely to lead to an objection***

***Particular regard should be had to minimise the potential for public nuisance that may arise from premises where:***

- ***They are situated in residential or noise sensitive areas and/or***
- ***Extended opening hours are proposed***

***The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.***

***Smoking & External areas - Legislation preventing smoking indoors at public premises has resulted in many customers of licensed premises and clubs using external areas. Premises licence holders, designated premises supervisors and applicants must have regard to how this has an impact on the four licensing objectives.***

3.3 The options are to;

- a) grant the application as submitted by the applicant without modification,
- b) grant a licence with modified conditions; or
- c) reject the whole or part of the application.

## **4. DETERMINATION**

4.1 The Licensing Sub-Committee is requested to determine the application taking such steps as are considered appropriate to promote the licensing objectives.