

CYNGOR SIR POWYS COUNTY COUNCIL

Licensing Sub-Committee

Date:

REPORT BY: Sue Jones, Senior Licensing Officer

SUBJECT: Application for a Premises Licence – Village Sports Bar, Abercrave

REPORT FOR: DECISION

1. APPLICATION

- 1.1 On 7th July 2021, an application for a New Premises Licence was received from William Paul Bushnell for The Village Sports Bar in Abercrave. This premises is contained within the Abercrave Miners Welfare Hall, Tan Yr Allt, Abercrave.
- 1.2 A location map of the premises is set out at **Annex A**, and a copy of the application and a plan of the premises are reproduced at **Annex B**.
- 1.3 The proposed business will consist of a bar/seating area with TV screens and a hall with 8 pool tables for a pool club. The hall may also be used for occasional functions with live entertainment.
- 1.4 This building has previously been licensed as a club premises. The licence for Abercrave Miners Welfare Association was surrendered in March this year, although it had not been in use as a licensed premises for some time. A copy of the previous licence is attached at **Annex C**
- 1.4 The applicant & The Licensing Authority satisfied procedural obligations by consulting the Responsible Authorities and advertising the application as prescribed.
- 1.5 The Applicant has applied for a Premises Licence authorising:

Sale of alcohol:

Sunday – Wednesday 08:00 - 00.00

Thursday/Friday/Saturday /NYE and Sunday of Bank Hol weekends 08:00 – 01:00

Regulated Entertainment:

Recorded music / Live music / Indoor Sports (e.g. pool tournaments)

Sunday – Wednesday 08:00 - 00.00

Thursday/Friday/Saturday 08:00 – 01:00

1.6 As part of the operating schedule the applicant has offered licence conditions set out at **Annex E**

2. REPRESENTATIONS

2.1 Responsible Authorities

- The Police Licensing Officer has met with the applicant and made no representations.
- The Environmental protection officer has met with the applicant, a copy of his response is attached at **Annex D**

The following additional conditions have been agreed with him:

1. **During live/recorded music events all doors/windows should be kept shut, unless there is an emergency in which case the use of the emergency fire escape is permitted.**
2. **A newly positioned main entrance door near to the toilet facilities will have a self-closer attached to it and during live/recorded music events a SIA security person will be present at the main entrance door and also be tasked with ensuring the door is kept shut.**

2.2 Other Persons

Six letters objecting to the application were received from local residents see **Annex F**

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

4. GUIDANCE

4.1 The following relevant extracts are from the Section 182 Guidance to The Licensing Act 2003 [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212222/Revised_Guidance_issued_under_section_182_of_the_Licensing_Act_2003.pdf)

- 2.19 *Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of*

live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- The Guidance also makes reference to proximity to schools (2.25) but only for applications that involve adult entertainment. *This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language*
- *9.42 All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.*
- *9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.*

3.3 The options are to;

- a) grant the application as submitted by the applicant without modification, with the exception of the inclusion of mandatory conditions made under Section 19, Licensing Act 2003 (Supply of Alcohol); or
- b) grant a licence with modified conditions; or
- c) reject the whole or part of the application.

5. DETERMINATION

5.1 The Licensing Sub-Committee is requested to determine the application.