



STATUTORY LICENSING COMMITTEE

Date Written	19 th August 2022
Report Author	Joanne Baber
Exempt/Non Exempt	Non Exempt
Committee Date	1 st September 2022

To: Chair, Ladies and Gentlemen

APPLICATION FOR A NEW PREMISES LICENCE – CLWB CROWN, WEBSTER HOUSE, DYNEVOR STREET, MERTHYR TYDFIL, CF48 1BA

1.0 SUMMARY OF THE REPORT

1.1 An application has been made for a new premises licence in respect of Clwb Crown, Webster House, Dynevor Street, Merthyr Tydfil. During the consultation period representations were received, therefore the application is being brought before the Licensing Sub-Committee for determination.

2.0 RECOMMENDATIONS that

2.1 In determining the application, Councillors must have regard to the four licensing objectives on which the Licensing Act 2003 is based. These are:

- The prevention of crime and disorder
- Ensuring public safety
- Prevention of public nuisance, and
- The protection of children from harm.

Councillors must have consideration to the representations and take such steps it considers appropriate for the promotion of the licensing objectives.

The steps are:

- (i) To grant the licence;
- (ii) To grant the licence subject to such conditions modified to such extent as the Authority considers necessary for the promotion of the licensing objectives;
- (iii) To exclude from the scope of the licence any licensable activities to which the application relates;
- (iv) To refuse to specify a person in the licence as the premises supervisor;
- (v) To reject the application.

3.0 INTRODUCTION AND BACKGROUND

3.1 An application was received from International Crown Events Ltd for a new premises licence under the Licensing Act 2003 in respect of the above named premises.

3.2 The application proposed the following licensable activities and hours:

Films (Indoors & Outdoors) / Indoor Sporting Events / Plays (Indoors & Outdoors) / Boxing or Wrestling Entertainment (Indoors & Outdoors)

Monday to Sunday – 9am to midnight

Live Music (Indoors & Outdoors) / Performance of Dance (Indoors & Outdoors)

Monday to Sunday – 9am to 1am (plus seasonal variation)

Recorded Music (Indoors & Outdoors)

Monday to Sunday – 9am to 2am (plus seasonal variation)

Late Night Refreshment (Indoors & Outdoors)

Monday to Sunday – 11pm to 2am (plus seasonal variation)

Supply of alcohol ON and OFF the premises

Monday to Sunday – 7am to 2am (plus seasonal variation)

Opening Hours

Monday to Sunday – 6am to 2.30am (plus seasonal variation)

Please see Appendix A for the full application and plans.

3.3 In accordance with procedure, South Wales Police, South Wales Fire Service, Cwm Taf University Health Board and the Council's Public Health, Trading Standards, Licensing, Planning and Children's Safeguarding Unit were consulted on the application. An advertisement was placed in the legal notices section of the Merthyr Express and notices were displayed at the premises and on the Council's website in respect of the application.

4.0 REPRESENTATIONS

Responsible Authorities

- 4.1 An objection to the application was received from Environmental Health. A copy of the objection is attached as Appendix B.
- 4.2 Representations were received from South Wales Police. A copy of the representations is attached as Appendix C.

5.0 MEDIATION

- 5.1 The Licensing Department arranged for a mediation meeting to take place with all parties on 9th August 2022.
- 5.2 Following the mediation meeting, the applicant has provided an amended application and plans. A copy of this is attached as Appendix D.
- 5.3 Following the mediation meeting and after viewing the amended application, South Wales Police have submitted amended representations along with an amended plan. A copy of this is attached as Appendix E.
- 5.4 Following the mediation meeting and after viewing the amended application, Environmental Health have submitted amended representations along with an amended plan. A copy of this is attached as Appendix F.
- 5.5 For Members reference, a list of the permitted timings/licensable activities for near-by licensed premises is attached as Appendix G to this report.

6.0 LEGISLATION

- 6.1 As a result of deregulatory changes that have amended the 2003 Act, no licence is required for the following activities which are relevant to this application:
- Plays/Dance: no licence is required for performances between 8am and 11pm on any day, provided that the audience does not exceed 500;
 - Indoor sporting events / Boxing or wrestling entertainment: no licence is required for an event between 8am and 11pm on any day, provided that those present do not exceed 1000;
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 8am and 11pm on any day, on any premises;
 - a performance of amplified live music between 8am and 11pm on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- Recorded music: no licence permission is required for any playing of recorded music between 8am and 11pm on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

6.2 When a performance or event does not exceed the threshold at which such a performance or event becomes licensable, any relevant conditions attached to the premises licence would not apply.

6.3 More detailed information can be found in Section 16 of the statutory guidance issued under Section 182 of the Licensing Act 2003 - <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>.

7.0 FINANCIAL IMPLICATION(S)

7.1 There are no financial implications.

8.0 EQUALITY IMPACT ASSESSMENT

8.1 It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report.

ELLIS COOPER
CHIEF EXECUTIVE

CLLR MICHELLE SYMONDS
PORTFOLIO MEMBER FOR PUBLIC
PROTECTION, CRIME AND DISORDER

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Does the report contain any issue that may impact the Council's Constitution?		No