

LICENSING SUB COMMITTEE

13 APRIL 2018

Present: Councillor Jackie Parry(Chairperson)
Councillors Goddard and Williams

8 : DECLARATIONS OF INTEREST

None received.

9 : APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - TESCO EXPRESS

Applicant: Mr Chris Howells – Tesco Express Cardiff Area Manager.
Jeremy Bark – BCLP Solicitors representing the applicant.

An application for variation of a Premises Licence has been received from Tesco Stores Limited in respect of Tesco Tyn Y Parc Cardiff Express, Tyn y Parc Road, Cardiff, CF14 6BN.

The applicant has applied to amend the licensable hours as follows:

- The sale by retail of alcohol for consumption off the premises:
Monday to Sunday: 06:00 to 23:00.

A representation from South Wales Police was withdrawn as the condition suggested by them was agreed with the applicant.

A representation had been received from a local ward Councillor, a copy of which was attached to the report.

Applicants Representations:

Mr Bark stated that Tesco are an established operator, with over 2000 Tesco Express stores across the country. He explained that the store in question (Tyn y Parc Cardiff Express) is in an old building and currently operates according to an historic licence, which has various restrictions including during seasonal hours. Tesco were seeking to amend the licence to match the current opening hours of the store, which is in line with other stores.

Mr Bark explained that they have conferred with South Wales Police and have agreed to the conditions suggested by them, namely that a CCTV system shall be installed.

When asked about concerns regarding public nuisance, Mr Bark informed Members that there have been some historic complaints but these have been dealt with. For example, following previous complaints from neighbours regarding noise and light, Tesco consulted with residents and now the lights in the car park are turned off at a certain time. There haven't been any problems in the store recently, and Tesco will liaise with customers as and when any issues arise in future. He also added that the

store has an excellent relationship with nearby Whitchurch High School, who haven't voiced any concerns regarding the proposed changes.

Mr Bark advised Members that Tesco employees are comprehensively trained, and they try to ensure that a member of the management team is working in the store at any given time. There are currently three licence holders, with two more being trained in the coming weeks. He also added that Tesco always seek to implement best practice, and were the first supermarket to introduce the 'Think 25' policy.

Members were informed that in other similar Tesco stores, the percentage of alcohol sold during the hours of 06:00-07:00 is 0.1% and between the hours of 07:00-08:00 it is 0.2%, so overall the changes will not have a significant impact.

RESOLVED:

That the Sub-Committee, having considered all the information and in accordance with the requirements of the Licensing Act 2003, the Section 182 Guidance and the Licensing Authority's own Statement of Licensing Policy, GRANT the Application.

10 : GAMBLING ACT - APPLICATION FOR AN UNLICENSED FAMILY ENTERTAINMENT CENTRE PERMIT - MAMBO

Applicant: Mr Jonathan Ellis Senior – Mambo (Cardiff Soft Play Limited)
Mr Jonathan Ellis Junior – Mambo (Cardiff Soft Play Limited)

An application for the grant of an Unlicensed Family Entertainment Centre has been received from Jonathan Ellis in respect of Mambo (Cardiff Soft Play Limited), Unit 5 Vanguard Way, Cardiff.

The legal representative advised that the premises to which the application relates does not comply with the requirements of Section 238 of the Gambling Act 2005, which specifies that a "*family entertainment centre*" means premises (other than adult gaming centre) wholly or mainly used for making gaming machines available for use, on the basis that the premises are mainly used for soft play.

RESOLVED:

That the Sub-Committee, having considered all the information and in accordance with the requirements of the Gambling Act 2005 and the Section 238 Guidance, REFUSE the Application.

The meeting terminated at 10.30 am