

STATUTORY LICENSING SUB-COMMITTEE

Decision Notice – Remote Meeting, 17th July, 2024.

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

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

Present: Councillors P. Drake, M.J.G. Morgan and J.M. Norman.

Also present: Mr. D. Kumar (Licence Holder), Mr. L. Stelling (Licence Holder Representative - Coleridge Law), Miss. P. Kumar (Family Member Translator), K. Evans (Licensing Officer – Vale of Glamorgan), I. Agostini-Green (Responsible Authority: Vale of Glamorgan Licensing Officer), J. Docherty (Legal Officer – Vale of Glamorgan), A. Rudman (Democratic and Scrutiny Services Officer – Vale of Glamorgan).

AGENDA ITEM 1. APPOINTMENT OF CHAIR –

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

AGENDA ITEM 2. DECLARATIONS OF INTEREST –

No declarations of interest were received.

AGENDA ITEM 3. LICENSING ACT 2003 – REVIEW OF PREMISES LICENCE – D.K. STORES, 87 COURT ROAD, BARRY, CF63 1ET (LA) –

RESOLVED – T H A T the conditions of Licence PRM AS0663 be modified to include the following conditions, as proposed by the Responsible Authority and subsequently agreed by the Licence Holder:

1. A till with an automatic 'age prompt' shall be used at all times to assist staff carrying out age verification in respect of alcohol sales, and other age restricted products (to be installed within 2 months of decision).
2. Both a contact telephone number and email address for the Premises Licence Holder / Designated Premises Supervisor or another nominated person shall be made available at all times when the shop is selling alcohol. The telephone number and email address shall be made available to residents, customers and responsible authorities on request.
3. In the absence of the Designated Premises Supervisor a nominated person shall be in control of the premises – this nomination will be in writing and a record of this will be available for inspection.

4. All staff selling alcohol shall be authorised in writing to sell alcohol and a record of the authorisation will be kept in the shop available for inspection by authorised persons.
5. All staff authorised to sell alcohol shall be provided with training on first appointment and then refresher training shall be provided quarterly. Training will include information on age restrictions / Challenge 25, the sale of alcohol to somebody who is drunk, and proxy sales. A written record of all training carried out shall be kept. These records shall be made available for inspection by the Police and the Local Authority on request (to replace current training condition).
6. A notice(s) shall be clearly displayed in and at the entrance to the premises advising customers that there is a Challenge 25 policy in place.
7. A due diligence checklist (aimed at preventing any underage sales and maintaining good records) shall be kept available for inspection by the Police and other authorised officers.
8. A notice(s) shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf any person under the age of 18.

Reasons for decision

In reaching its decision, the Sub-Committee has considered the review along with all those who have made both written and oral submissions. It has 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.

The sub-committee were concerned about the instances of sale of alcohol to underage persons on more than one occasion in breach of the existing Licence. The sub-committee acknowledged the unqualified admission of the owners, their remorse, and the fact that they have already taken steps to provide further training and maintain training records in line with the conditions of the Licence. Notwithstanding this, the sub-committee felt that the modification of the Licence to include further conditions as set out in the Officers Report was justified to prevent future occurrences of underage sales and protect children from harm.