



**BARRY TOWN COUNCIL  
CYNGOR TREF Y BARRI**

**PURSUANT TO THE REQUIREMENTS OF THE BELOW STATUTORY PROVISIONS, NOTICE IS HEREBY GIVEN THAT A MEETING OF THE PLANNING COMMITTEE WILL BE HELD ON A HYBRID BASIS IN THE COUNCIL CHAMBER, TOWN HALL, KING SQUARE, BARRY, CF63 4RW AND REMOTELY TUESDAY 14 APRIL 2026 COMMENCING AT 7.00 PM FOR THE PURPOSE OF TRANSACTING THE BUSINESS SHOWN IN THE AGENDA SET OUT BELOW.**

From 1 May 2021 The Local Government and Elections (Wales) Act 2021 makes provision for meetings to take place through a variety of arrangements, including multi-location meetings where all individuals are attending virtually and hybrid meetings where a number of individuals are attending in person at a designated location and others are attending virtually from a range of other locations. The Act makes permanent provision for remote meetings (multi-location) and electronic publication of documents

**This is a public meeting and any resident of Barry may attend in person or remotely; for remote access details, please contact [info@barrytowncouncil.gov.uk](mailto:info@barrytowncouncil.gov.uk) Should members of the public wish to address the Committee in relation to any of the planning applications set out below, they will need to raise their hands when the application in question is reached. The Chairperson will then seek the Committee's permission to allow them to address Councillors on the application about to be discussed.**

Yours faithfully

Rachel Honey-Jones  
Chief Officer (Town Clerk)

## AGENDA

1. **Apologies for absence**
2. **To receive declarations of interest under the Council's Code of Conduct** (Note: Members seeking advice on this item are asked to contact the Monitoring Office at least 72 hours before the meeting)
3. **Well-being of Future Generations (Wales) Act 2015**  
**(To Note)**

*Planning Committee members will note that this Act sets out the requirement for a public body to act in a manner which seeks to ensure **that the needs of the present are met without compromising the ability of future generations to meet their own needs.***

4. **Standing Order 3(o)** **(To Note)**

The use of cameras, camcorders and other recording devices in all Council, Committee and Sub-Committee meetings is expressly forbidden, with the exception of any formal recording of proceedings in accordance with the Council's policy, should the Council instigate such a policy.

5. **To approve the minutes of the Planning Committee's Meeting held on 17 March 2026**  
**(Pages 2127 - 2130)**

### Planning Issues

6. **To consider Planning Applications:**  
**(Pages 2131 - 2145)**
  - a) Planning Application No. 2025/00797/FUL – Change of use from vacant offices to temporary accommodation comprising 12no. bedsits at 163 Holton Road, Barry
  - b) Planning Application No. 2026/00013/FUL – Erect a storm porch to the front elevation at 3 Ffordd Cwm Cidi, Barry
  - c) Planning Application No. 2026/00085/FUL – Change of use to a residential care home (C2) providing 16 bedrooms for older persons/dementia care. Proposal includes a double-storey extensions to provide communal facilities, accessible WC/assisted bathing, and a secure external garden. Vehicular access will be retained from Colcot Road with on-site parking and a designated drop-off/ambulance bay at 128 Colcot Road, Barry
  - d) Planning Application No. 2026/00181/FUL – Build a garden room/office in the rear of the garden at 6 Cwrt Edward, Barry

- e) Planning Application No. 2026/00185/FUL – Demolition of existing conservatory at rear of house, to be replaced by a solid extension extending 5m from original rear elevation of house at 12 Hollyrood Close, Barry
- f) Planning Application No. 2026/00189/FUL– Creation of flat roof outbuilding for ancillary use to the main house at The Dales, Little Brynhill Lane, Barry
- g) Planning Application No. 2026/00200/FUL– Single storey side extension, internal remodelling, plus all associated works at 5 Bron Awelon, Barry

**7. To consider Tabled Applications (None Received)**

None received.

**8. Local Planning Authority Decisions (Pages 2146 - 2147)**

**9. Notification of a Premises Licence Review (None)**

**10. Applications Dealt with Under Delegated Powers – For information only (None)**

**11. The Vale of Glamorgan Statement of Licensing Policy DRAFT (Pages 2148 - 2167)**

**12. Date of Next Meeting**

The date of the next Planning Committee is scheduled for Tuesday 28 April 2026

**Distribution**

Electronic notification of summons and front-page Agenda to all Committee members. Email notification of electronic papers to all Barry Town Councillors (22). A full copy of the agenda and papers for this meeting (with the exception of confidential items) will be available at the Town Council Offices and on the Town Council Website – [www.barrytowncouncil.gov.uk](http://www.barrytowncouncil.gov.uk)

**This document is available in large print and other formats upon request/Cewch y ddogfen hon mewn pring bras a ffor matiau eraill drwy holi.**

From 1 May 2021, the Local Government and Elections (Wales) Act 2021 sets out a statutory requirement that: As soon as reasonably practicable after a meeting of a community council, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out—

- (a) the names of the members who attended the meeting, and any apologies for absence;
- (b) any declarations of interest;
- (c) any decision taken at the meeting, including the outcomes of any votes.

Barry Town Council meets this duty by publishing this information in the form of draft meeting minutes which will be displayed electronically within 7 working days after the meeting. It should be noted that these minutes are DRAFT and not agreed until the next meeting.

### **BARRY TOWN COUNCIL**

#### **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON TUESDAY 17 MARCH 2026 AT 7:00PM**

**PRESENT:** Councillor S Hodges (Chairperson) together with Councillors Ball (Vice-Chair), Clarke (Town Mayor – Ex-Officio), E J Goodjohn, E S Goodjohn and Thomas.

**ALSO PRESENT:** Chris Mason – Head of Community Services and Facilities  
Courtney Parker – Administrator  
Councillor N Hodges – Observer

PL495.       **APOLOGIES FOR ABSENCE**

Councillors Collins and Hennessy.

PL496.       **TO RECEIVE DECLARATIONS OF INTEREST UNDER THE  
COUNCIL'S CODE OF CONDUCT**

Councillor E S Goodjohn announced a declaration of interest in regards to any Premises Licence Applications received due to being a member of the Vale of Glamorgan Council's Licencing Committee.

PL497.       **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

**RESOLVED:** That the Well-being for Future Generations (Wales) Act 2015 be received and noted.

- PL498. **STANDING ORDER 3(o)**  
**RESOLVED: That Standing Order 3(o) be received and noted.**
- PL499. **TO APPROVE THE MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 24 FEBRUARY 2026**  
**RESOLVED: That the minutes of the Planning Committee’s meeting held on 24 February 2026 be approved and signed as a correct record.**  
The Chair brought Agenda item 9 forward  
Councillor Thomas entered the meeting at 7:03pm  
Councillor E S Goodjohn left the meeting at 7:03pm
- PL500. **NOTIFICATION OF PREMISES LICENCE APPLICATIONS**  
Application for a Grant of Premises Licence – Front Room Unit B The Pumphouse, Hood Road, Barry  
The Chair noted that a planning application to extend the outdoor seating area had previously been considered by the committee.  
**RESOLVED: No objection.**  
Councillor E S Goodjohn rejoined the meeting at 7:04pm
- PL501. **TO CONSIDER PLANNING APPLICATIONS**
- a) **Planning Application No. 2024/00991/FUL**  
**Location:** St Nicholas, Romilly Park Road, Barry  
**Development:** Demolish existing front garage and construct new front one and two storey extension with associated works  
The Chair commented that its replacement would enhance the street scene.  
**RESOLVED: No objection.**
- b) **Planning Application No. 2026/00085/FUL**  
**Location :** 128, Colcot Road, Barry  
**Development:** Change of use to a residential care home (C2) providing 16 bedrooms for older persons/dementia care. Proposal includes a double-storey extensions to provide communal facilities, accessible WC/assisted bathing, and a secure external garden. Vehicular access will be retained from Colcot Road with on-site parking and a designated drop-off/ambulance bay

The Chair noted that the Planning Officer had recommended an objection and requested to review the proposed plans.

The Head of Community Services and Facilities presented the plans to the Committee.

Councillor Thomas commented that many residents are unhappy with the proposal, adding that she agreed with the Planning Officer's recommended objection, as it appears to be a significant overdevelopment.

**RESOLVED: Strong Objection raised, While the principle of the proposed change of use is considered acceptable, the level of accommodation is deemed excessive. The proposed extension is also considered to dominate the original dwelling due to its large scale, is poorly designed, and would have a detrimental impact on the character of the existing dwelling and the surrounding area and result in concerns regarding the obstruction of views.**

**c) Planning Application No. 2026/00143/FUL**

**Location:** 9, Heol Ty Draw, Barry

**Development:** Conversion of existing integral garage to a habitable room, including removal of garage door, installation of a 2.30m wide window, and internal alterations including formation of a utility room.

Councillor Ball commented that he had no concerns, noting that the proposal is located in a small cul-de-sac with ample parking space available.

**RESOLVED: No objection.**

**d) Planning Application No. 2026/00147/FUL**

**Location:** 3 Ffordd Y Dociau, Barry

**Development:** Lean to conservatory to the rear of the dwelling

**RESOLVED: No objection.**

**e) Planning Application No. 2026/00170/FUL**

**Location:** Castle Farm, 39 Peterswell Road, Barry

**Development:** Ground and First floor extension to corner of existing 3-bedroom house to create a 4-bedroom with 1 en-suite, open-plan kitchen dining room, and utility/washroom

**RESOLVED: No objection.**

None received.

PL503. **LOCAL PLANNING AUTHORITY DECISIONS**

**RESOLVED:** That the Local Planning Authority Decisions be received and noted.

PL504. **APPLICATIONS DEALT WITH UNDER DELEGATED POWERS – FOR INFORMATION ONLY**

None received.

PL505. **DATE OF NEXT MEETING**

**RESOLVED:** That the date of the next Planning Committee is scheduled for Tuesday 14 April 2026.

PL506. **EXCLUSION OF THE PRESS & PUBLIC**

In accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting

PL507. **PLANNING CONSULTANCY REPORT**

The Head of Community Services and Facilities provided a brief update, explaining that the proposal would be a permanent arrangement and that the cost had been budgeted.

The Committee agreed that using an external body had been effective. It was suggested that the arrangement be reviewed every three years.

**RESOLVED:**

- 1) That members receive and note this report.**
- 2) That members note the expenditure will be met from the existing budget.**
- 3) That a review is carried out in three years' time.**

Meeting closed at 7:17pm.

Signed..... (Chairperson) Dated.....

## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 20 March 2026

COMMENTS DEADLINE – 10 April 2026

<b>APPLICATION NO. (S)</b>	2025/0079/FUL
<b>LOCATION</b>	163 Holton Road, Barry
<b>WARD</b>	Buttrills
<b>APPLICANT</b>	Nick Wheadon, NKW Properties
<b>PROPOSED DEVELOPMENT</b>	Change of use from vacant offices to temporary accommodation comprising 12no. bedsits

### **BACKGROUND**

The application site relates to a three storey, end of terrace property which occupies a corner plot bound by Holton Road to the front and Watson Street to the side. Dwellings at Cora Street are situated to the rear of the site. The site is situated within the settlement of Barry, the Holton Road district centre and is within the secondary shopping frontage. The property is currently vacant however was previously used as a doctors surgery and offices.

### **PROPOSAL**

Planning permission is sought for the change of use of the existing property into 12 bedsits. The proposed development will provide 5 units on the ground floor, 5 units on the first floor and 2 units on second floor. It doesn't appear that there are any external alterations proposed.

This application is a re-submission, planning application reference 2024/00803/FUL, was refused for the proposed conversion of the property into 12 flats. The reason for refusing the application is as follows:

- 1. In the absence of a scheme which makes suitable provision for affordable housing and in the absence of a Section 106 agreement to secure such provision, the proposed development is contrary to Policies MD4 (Community Infrastructure and Planning Obligations) and MG4 (Affordable Housing) of the Vale of Glamorgan Adopted Local Development Plan 2011 2026 and the Council's Affordable Housing SPG (Revised October 2024).*
- 2. The gross internal floorspace of the flats would provide substandard levels of living accommodation for future occupiers and the proposals would also fail to provide sufficient and directly accessible amenity space to serve the occupiers of the flats. The proposed development would therefore result in an overdevelopment of the site and would fail to meet the basic living standards and amenity requirements of future occupiers, which would impact upon their future well-being. The development is therefore contrary to Policies SP1 (Delivering the Strategy), criteria 8 and 9 of Policy MD2 (Design of New Development) and criterion 5 of Policy MD5 (Development within Settlement Boundaries) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, as well as advice in the Council's approved Supplementary Planning Guidance on Residential and Householder Development (paragraph 10.1, Design Standard 5, and paragraph 10.3 Key Principles i. and iii.) and national guidance found in Planning Policy Wales (12th Edition).*

3. *The window opening serving the habitable rooms of Flat 5 would not provide a suitable form of outlook due to its narrow width and would also result in limited natural light reaching the flat. This would result in a substandard form of living accommodation that would fail to meet the basic living standards for future occupiers, in turn impacting upon their future well-being. The development is therefore contrary to Policies SP1 (Delivering the Strategy) and criterion 8 of Policy MD2 (Design of New Development) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026.*
4. *The window openings serving the habitable rooms of Flats 1, 3 and 4 would result in direct, close quarter views from the limited amenity space into the habitable rooms, providing little to no privacy to the future occupiers of the development and unacceptably impacting upon their living conditions and privacy. The proposal is therefore considered to be contrary to Policy MD2 of the Vale of Glamorgan Local Development Plan 2011 2026 and the guidance set out in the Council's approved Supplementary Planning Guidance on Residential and Householder Development.*

This is an amended application, which has recently been considered by Barry Town Council. It appears that the amendments relate to the submission of an amended floor plan and a HMO Management Plan.

### **BIODIVERSITY**

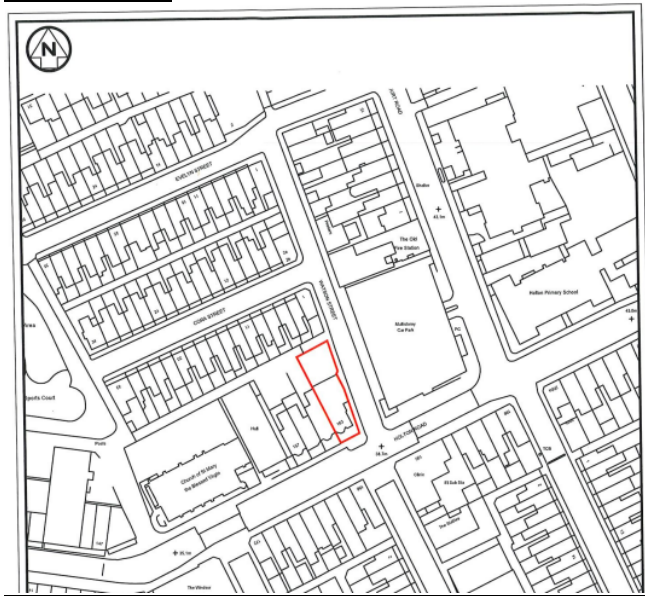
Paragraph 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.....”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

### **RECOMMENDATION**

A supporting statement has been submitted with the current application, which does not appear to have been submitted with the previous application, however the proposal remains the same. The supporting statement states that the proposal will provide temporary accommodation operated by the Vale of Glamorgan Council. The accommodation is expected to be occupied by transient residents for short periods of time. Whilst the expected occupants are noted, it is not possible to restrict users to short term occupants as the application would grant residential units which could be used on a long or short term basis. It therefore doesn't appear that the reasons for refusing the previous application have been overcome.

The amended details relate to the submission of a HMO Management Plan which includes information relating to the cleaning schedule, maintenance, manager visits, reporting anti-social behaviour, in addition to the sourcing of tenants, living arrangements, security and refuse arrangements. Nonetheless, it is considered that the previous comments remain the same.

# SITE PLAN



## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 13 March 2026

COMMENTS DEADLINE – 03 April 2026

<b>APPLICATION NO. (S)</b>	2026/00013/FUL
<b>LOCATION</b>	3 Ffordd Cwm Cidi, Barry
<b>WARD</b>	Illtyd
<b>APPLICANT</b>	Mrs Wales
<b>PROPOSED DEVELOPMENT</b>	Erect a storm porch to the front elevation

### **BACKGROUND**

The application site relates to a two storey, semi-detached dwelling which is situated at 3 Ffordd Cwm Cidi, within the settlement boundary of Barry. The dwelling is considerably set back from the highway, with a driveway and off-street car parking to the front of the dwelling. The rear of the site adjoins neighbouring dwellings.

### **PROPOSAL**

Planning permission is sought for the erection of a porch, to be situated to the front of the dwelling. There is an existing porch and the proposed porch is situated to the front of this porch, providing a further extension to the front. The existing porch consists of a monopitch roof and the proposed porch consists of a flat roof. The proposed porch measures approximately 1.9 metres in width, with a depth of 1.5 metres. A door is proposed to the side elevation and a corner window to the side and front. A stepped access is provided to the side, due to the differences in levels. Proposed materials are facing brickwork, with white uPVC windows and doors.

### **BIODIVERSITY**

Paragraph 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.....”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW12 and result in a net benefit for biodiversity.

### **RECOMMENDATION**

The proposal results in an unusual arrangement due to the proposed porch adjoining an existing porch, however there are no significant concerns.

# **SITE PLAN**



## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 10 March 2026

COMMENTS DEADLINE – 31 March 2026

<b>APPLICATION NO. (S)</b>	2026/00085/FUL
<b>LOCATION</b>	128 Colcot Road, Barry
<b>WARD</b>	Dyfan
<b>APPLICANT</b>	Mr Abdul Mohammed, C.E Healthcare Ltd.
<b>PROPOSED DEVELOPMENT</b>	Change of use to a residential care home (C2) providing 16 bedrooms for older persons/dementia care. Proposal includes a double-storey extensions to provide communal facilities, accessible WC/assisted bathing, and a secure external garden. Vehicular access will be retained from Colcot Road with on-site parking and a designated drop-off/ambulance bay.

### **BACKGROUND**

The application site relates to a single storey, detached dwelling situated at 128 Colcot Road, within the settlement of Barry. The dwelling is set back from the road frontage with an enclosed front garden and a driveway to the side, gaining access to a detached garage.

### **PROPOSAL**

Planning permission is sought to change the use of the existing property to a residential care home (C2 use). The proposed use will provide care for older adults with mobility impairments, dementia, acquired brain injury and mild learning disabilities. Staff are proposed to be on site 24 hours a day (4 full time employees in total). Visiting hours are 10.00 to 16.00 hours every day.

The proposal includes the erection of a single storey extension to the side of the dwelling and a double storey extension to the rear. The development will provide a total of 16 bedrooms. The ground floor provides a front lounge, reception, 7 en-suite rooms, a rear lounge/dining room, kitchen/staff room, office/store and WC. The first floor provides 9 en-suite rooms, a laundry and lounge/lobby. An internal staircase and lift are proposed. The single side extension consists of a monopitch roof, however the double storey rear extension consists of a flat roof. Proposed materials are render at ground floor and cladding at first floor. Solar panels are proposed to the flat roof. Externally, the proposed development includes the provision of a bin and cycle store within the rear garden.

This is an amended application, which has recently been considered. It appears that the amendments relate to the submission of an amended application form and a Statement of Purpose, however these are not considered to alter the original comments.

### **BIODIVERSITY**

Paragraph 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.....”. The Vale of Glamorgan 2026 have noted this requirement and now

seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

### **RECOMMENDATION**

Objection – whilst the principle of the proposed change of use is considered acceptable, the level of accommodation is considered excessive. The proposed extension is also considered to dominate the original dwelling due to its large scale, is poorly designed and has a detrimental impact on the character of the existing dwelling and the surrounding area.

### **SITE PLAN**



## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 10 March 2026

COMMENTS DEADLINE – 31 March 2026

<b>APPLICATION NO. (S)</b>	2026/00181/FUL
<b>LOCATION</b>	6 Cwrt Edward, Barry
<b>WARD</b>	Buttrills
<b>APPLICANT</b>	Mr Barrie Hopkins
<b>PROPOSED DEVELOPMENT</b>	Build a garden room/office in the rear of the garden

### **BACKGROUND**

The application site relates to a two storey, terraced dwelling which is situated at 6 Cwrt Edward, within the settlement of Barry. The dwelling is within a cul-de-sac and adjoins a vehicular access to the side (south) with a overhang of the dwelling above. Off-street car parking is situated to the front of the dwelling.

### **PROPOSAL**

Planning permission is sought for the erection of a detached outbuilding. The proposed outbuilding is situated within the rear garden, adjacent to the rear boundary and will replace an existing shed. The outbuilding measures approximately 3.4 metres in width, by 3 metres in depth and will be used as a garden room. A flat roof is proposed, with a slight slope measuring 2.5 metres at its highest point. Proposed materials are grey timber horizontal cladding, with white uPVC windows and doors. It appears that the development was completed in May 2025 and therefore the application is retrospective.

### **BIODIVERSITY**

Paragraph 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.....”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW12 and result in a net benefit for biodiversity.

### **RECOMMENDATION**

No objection.

**SITE PLAN**



## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 16 March 2026

COMMENTS DEADLINE – 06 April 2026

<b>APPLICATION NO. (S)</b>	2026/00185/FUL
<b>LOCATION</b>	12 Hollyrood Close, Barry
<b>WARD</b>	Dyfan
<b>APPLICANT</b>	Mr Daniel Evans
<b>PROPOSED DEVELOPMENT</b>	Demolition of existing conservatory at rear of house, to be replaced by a solid extension extending 5m from original rear elevation of house.

### **BACKGROUND**

The application site relates to a two storey, semi-detached dwelling which is situated at 12 Hollyrood Close, within the settlement of Barry. The dwelling is accessed from Hollyrood Close and consists of a driveway to the front. A private access road is situated to the side of the application site. The rear of the site adjoins dwellings.

### **PROPOSAL**

Planning permission is sought for the erection of a single storey extension, to be situated to the rear of the dwelling. The extension is proposed to replace an existing conservatory. The proposed extension consists of a flat roof, with a rooflight. A door and full height window are proposed to the rear elevation and doors to the side elevation. The extension proposes a projection of 5 metres in depth and measures 3.1 metres in height. Proposed materials are facing brickwork.

### **BIODIVERSITY**

Paragraph 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.....”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW12 and result in a net benefit for biodiversity.

### **RECOMMENDATION**

No objection.

**SITE PLAN**



## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 11 March 2026

COMMENTS DEADLINE – 01 April 2026

<b>APPLICATION NO. (S)</b>	2026/00189/FUL
<b>LOCATION</b>	The Dales, Little Brynhill Lane, Barry
<b>WARD</b>	Dyfan
<b>APPLICANT</b>	Mr Stuart Burgoyne
<b>PROPOSED DEVELOPMENT</b>	Creation of flat roof outbuilding for ancillary use to the main house.

### **BACKGROUND**

The application site relates to a detached dwelling, situated at The Dales, Little Brynhill Lane which is outside the settlement boundary within open countryside. The dwelling is accessed from Little Brynhill Lane, which is gained from Port Road East. The site is also within the Mineral Safeguarding area for Limestone 2 and the Dyffryn Basin and Ridge Slopes Special Landscape Area.

### **PROPOSAL**

Planning permission is sought for the erection of a detached outbuilding. The proposed outbuilding is situated to the south of the existing dwelling and will provide a swimming pool, gym, sauna, WC and plant room in connection with the main dwelling. The outbuilding measures approximately 17.5 metres in width, by 6.6 metres in depth. A flat roof is proposed measuring 3.4 metres in height. Proposed materials are stone, with aluminium windows and doors and a sedum roof with rooflights.

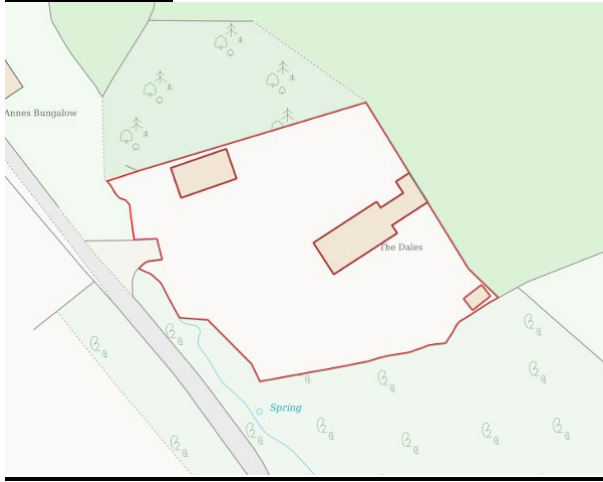
### **BIODIVERSITY**

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### **RECOMMENDATION**

No objection.

# SITE PLAN



## **BARRY TOWN COUNCIL**

PLANNING COMMITTEE – 14 April 2026

EFFECTIVE DATE OF RECEIPT – 23 March 2026

COMMENTS DEADLINE – 13 April 2026

<b>APPLICATION NO. (S)</b>	2026/00200/FUL
<b>LOCATION</b>	5 Bron Awelon, Barry
<b>WARD</b>	Baruc
<b>APPLICANT</b>	Mr Luke Thomas
<b>PROPOSED DEVELOPMENT</b>	Single storey side extension, internal remodelling, plus all associated works

### **BACKGROUND**

The application site relates to a two storey, semi-detached dwelling situated at 5 Bron Awelon, within the settlement of Barry. The dwelling is situated at a lower level than the highway to the front. The rear of the site adjoins dwellings at Porth Y Castell. The dwelling is also within the Barry Garden Suburb Conservation Area.

### **PROPOSAL**

Planning permission is sought for the erection of a single storey extension, to be situated to the side of the dwelling. The proposed development will provide an extension of the existing dining area. A monopitch roof is proposed, with a single rooflight and a window to both the front and rear elevations. Proposed materials are render, with a fibre cement slate roof to match the existing dwelling. The existing patio doors to the rear elevation are also proposed to be replaced with bi-folding doors.

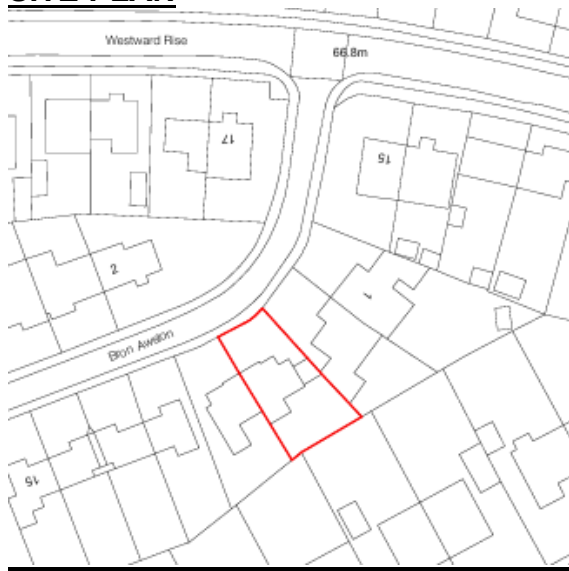
### **BIODIVERSITY**

Paragraph 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.....”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW12 and result in a net benefit for biodiversity.

### **RECOMMENDATION**

No objection.

# **SITE PLAN**



## BARRY TOWN COUNCIL

<b>PLANNING COMMITTEE</b>	<b>14 APRIL 2026</b>	<b>AGENDA ITEM: 8</b>
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### DECISIONS TAKEN BY THE LOCAL PLANNING AUTHORITY ON RELEVANT PLANNING APPLICATIONS

#### Purpose of Report

The purpose of this report is to advise Councillors of the outcome of various planning applications determined by the Vale of Glamorgan Council as Local Planning Authority. The applications and decisions on each one is listed below in tabular form, for ease of reference.

#### Recommendation

The Committee is recommended to receive and note the contents of the information set out below in relation to each application considered by the Town Council's Planning Committee at a previous meeting, and the Local Planning Authority's decision in each case.

<b>Application No.</b>	<b>Address and Development Proposed</b>	<b>Barry Town Councils Observation</b>	<b>LPA's Decision</b>
2025/01292/FUL	Erect a conservatory to the rear garden at 2 Ffordd Y Glannau, Barry	No Objection	Approved
2026/00096/FUL	Proposed single storey, flat roof, rear extension (previously approved) second storey side extension over existing structure (amended design) at 50 Brookfield Avenue, Barry	No Objection	Approved
2026/00095/FUL	Removal of existing detached prefabricated garage & construction of new single storey extension to the rear of property at 22 Lidmore Road, Barry	No Objection	Approved
2026/00083/FUL	Proposal of a new porch to the front elevation at 34, St Andrews Road, Barry	No Objection	Approved
2025/01111/FUL *amended	Proposed rooflights to rear roofslopes, replacement windows including existing rooflights, replacement roof and internal remodelling. Proposal also includes the replacement of the doors to the front balcony with sliding doors. The external rear staircase would also be removed at 35, The Parade, Barry	No Objection	Approved

<b>Application No.</b>	<b>Address and Development Proposed</b>	<b>Barry Town Councils Observation</b>	<b>LPA's Decision</b>
2026/00048/FUL	Change of use from single dwelling to home of multiple occupation at 26 Wynd Street, Barry	No Objection	Approved
2025/01224/FUL	First floor rear extension to form a new bedroom, using materials to match existing at 27 Westward Rise, Barry	No Objection	Approved
2025/01187/RG3	Change of use of vacant units to health and well-being hub at Ty'r Gyfraith, Thompson Street, Barry	No Objection	Approved
2025/01171/FUL	Replacement of two existing windows with one large corner window. Removal of an existing lean-to roof and replacement with a flat roof. New rendering to existing brick wall. New balcony to the full width of the front of the house, with storage beneath at Jovale, 20 Maes-y-coed, Barry	No Objection	Approved
2025/01141/FUL	Proposed garage at Bryn Sion Hall, Llanover Street, Barry	No Objection	Approved
2025/01117/FUL	Proposed single storey side extension and external alterations at Bryn Awel, Buttrills Road, Barry	No Objection	Approved

The Vale of Glamorgan Council is reviewing its Statement of Licensing Policy in respect of the Licensing Act 2003.

The Statement of Licensing Policy aims to secure public safety, protect children from harm, prevent public nuisance and prevent crime and disorder whilst encouraging a sustainable leisure and entertainment industry.

The Licensing Act 2003 requires that Licensing Authorities publish a Statement of Licensing Policy which sets out the various factors that they will take into account and consider in the administration and determination of applications made under the Act in relation to the promotion of the Licensing Objectives.

The Council recognises both the expectations of local residents for a safe and healthy environment in which to live and work, and the need for the provision of safe and well conducted entertainment, hospitality and leisure facilities throughout the borough.

The draft policy is attached, with any changes detailed in red. If you wish to make any comments in respect of the draft Policy, please email them to [licensing@valeofglamorgan.gov.uk](mailto:licensing@valeofglamorgan.gov.uk) no later than 28 April 2026.



# The Vale of Glamorgan Statement of Licensing Policy 2026-2031

Approved: **XX/XX/XXXX**

A Welsh Language version of this policy is available

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## 1. Introduction

Residents, businesses and visitors to the Vale of Glamorgan Council area deserve to have a wide choice of high quality and well managed entertainment and cultural venues operating within a safe, orderly and attractive environment. The Council also wishes to support responsibly operated businesses and the local economy. This policy sets out the framework which supports the themes within the Vale of Glamorgan Council Corporate Plan for **2026-2031**.

The Vale of Glamorgan Council is the local licensing authority (“the licensing authority”) with responsibility for licensed premises under the Licensing Act 2003. This Statement of Licensing Policy sets out the policies the licensing authority will apply when making decisions on licensing applications and reviews. This policy has been prepared in accordance with the Licensing Act 2003 having regard to the [Statutory Guidance](#) issued under section 182 of the Act.

This Statement of Licensing Policy will be kept under review and published in line with Section 5 of the Licensing Act 2003.

To avoid duplication and to ensure that information is up to date, applicants, residents and other persons, members of the public and responsible authorities will be directed to [.GOV.UK](#) for information on the licensing processes.

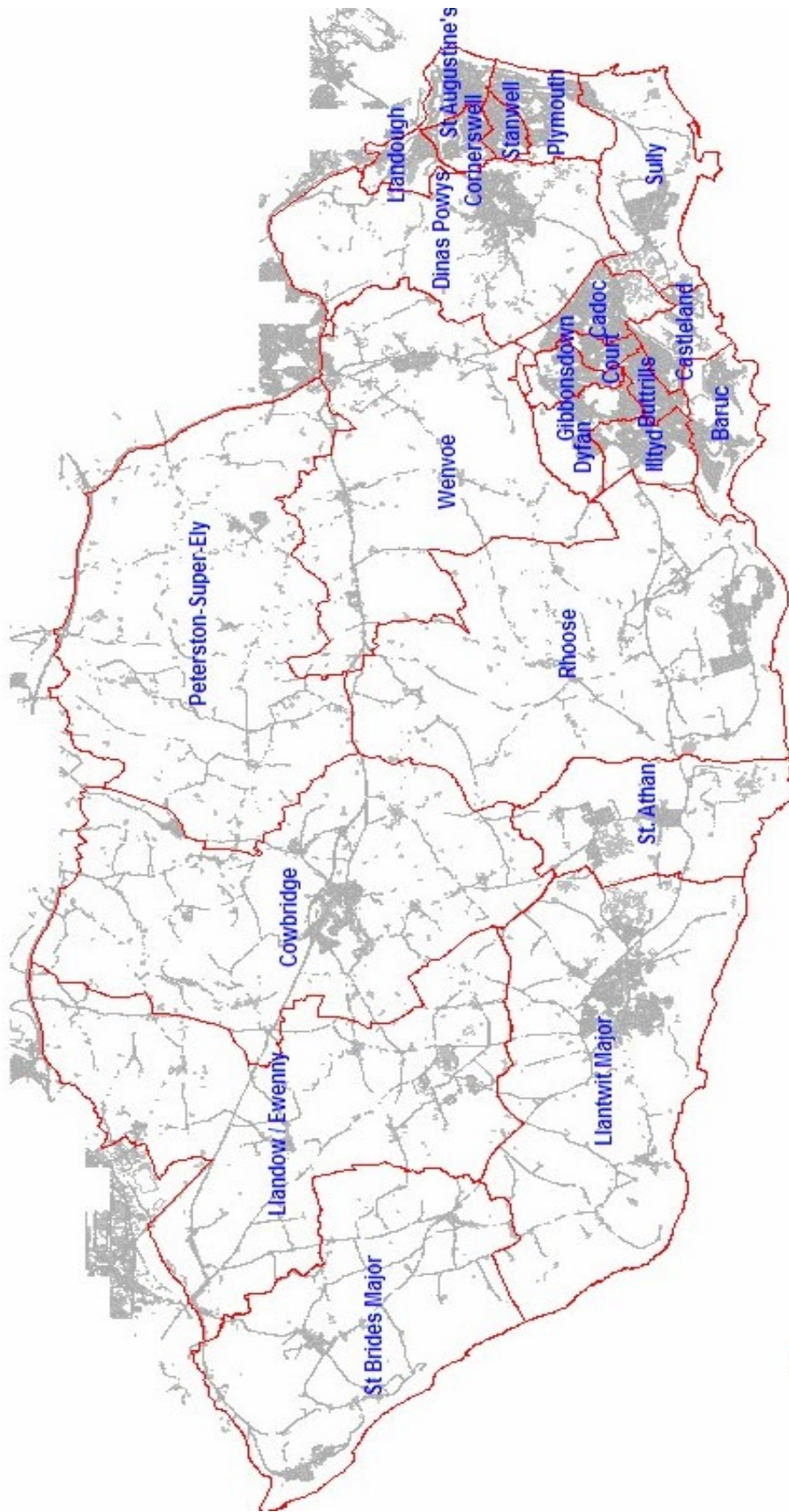
In discharging its licensing functions, the licensing authority will promote the licensing objectives which are as follows:

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

Each of the above objectives has equal importance.

## 2. AREA PROFILE

The Vale of Glamorgan is Wales' most southern Authority. There are four Town Councils and twenty two Community Councils in the area. It covers 33,097 hectares (331 square miles) with 53 kilometres of coastline. The council area has a population of 131,900\* (2021 Census data). The main towns are Barry, Penarth, Llantwit Major, Dinas Powys and Cowbridge. Barry is the Vale's administrative centre, a seaside resort and a port. Cardiff Airport is located three miles west of Barry.



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### 3. Purpose and Scope of the Licensing Policy

The Licensing Act 2003 requires licensing authorities to publish a 'Statement of Licensing Policy' every five years, which sets out how they intend to exercise their functions under the Act. The policy sets out a general approach to making licensing decisions. Each application will be considered on its own individual merits. The discretion of the licensing authority in relation to applications will only be engaged following the receipt of relevant representations as set out in the Act.

When making licensing decisions, the licensing authority will consider the need to promote growth and deliver economic benefits.

In coming to a decision on individual licensing applications, the licensing committee will have regard to relevant local plans and strategies such as The Vale of Glamorgan's Corporate Plan 2025-2030 and The Vale of Glamorgan Replacement Local Development Plan 2021-2036 provided these considerations are consistent with the licensing objectives and this licensing policy.

The policy covers regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Nothing in this policy will prevent a person applying for a variety of permissions under the Act.

The policy covers the following licensable activities:

- Retail sale of alcohol
- Supply of alcohol by, or on behalf of, a club
- Provision of regulated entertainment
- Provision of late-night refreshment

The Licensing authority must also have regard to this Statement of Licensing Policy and any revisions to the guidance issued by the Secretary of State. However, this does not mean that decisions and policy will be followed to the letter in every case. The licensing authority may depart from the policy having properly taken into account all the circumstances of a case.

The Licensing Act 2003 also supports a number of other key aims and purposes which are vitally important and should be principal aims for everyone involved in licensing work and will therefore be integral to the Policy. They include;

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.
- Giving the Police and Licensing Authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems.

- Recognising the important role that pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises.
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

#### **4. Consultation**

In accordance with Section 5 of the Act and prior to the publication of this policy the licensing authority consulted with;

Chief Officer of Police for the area  
 Fire Authority  
 Responsible Authorities  
 Representatives of local licence holders  
 Representatives of clubs  
 Representatives of Personal Licence Holders  
 Representatives of businesses  
 Town and Community Councils  
 Vale of Glamorgan Councillors  
 Public Consultation via the Vale of Glamorgan website

#### **5. Duration and Review of Policy**

This Policy takes effect on **XXXX** and will remain in force for a period of not more than five years.

This Statement of Licensing Policy was prepared by the Team Manager Licensing Shared Regulatory Services on behalf of the Vale of Glamorgan Council and was approved by the Vale of Glamorgan Council at their meeting held on **XX/XX/XXXX**.

#### **6. Licensing Process**

Applications

There are four types of authorisations issued under the Licensing Act 2003, they are;

Premises Licences  
 Club Premises Certificates  
 Temporary Event Notices  
 Personal Licences

The procedure and documentation required for the various applications is prescribed by the Act and Regulations, and further advice on how to make an application, can be found on the Council's [website](#).

An application or notice for licensing purposes will be accepted as being lawfully made only where it contains all of the required details specified by the Act and/or regulations. The licensing authority will, however, exercise appropriate discretion and not reject applications where they contain minor or factual errors which can easily be rectified.

To avoid unnecessary representations being made in respect of an application, applicants are advised to complete all relevant parts of an application form. Some parts of the form are mandatory and where matters have been considered, but are deemed not to be relevant to the application, it is suggested that, for the avoidance of doubt, the particular section is marked “not applicable”.

The grant of an application does not obviate the need for the applicant to satisfy the requirements of any other regulatory regime or statutory requirement.

## **7. Premises Licences and Club Premises Certificates**

It is recognised that licensed premises vary considerably in terms of character, size, occupancy, location, clientele etc. Venues may offer alcohol, regulated entertainment or late-night refreshment or any combination of these activities. There is, therefore, no definitive list of control measures that should be introduced by all premises. Licensed premises will be assessed according to the activities they provide and the individual risks of each premises' activities. Applicants should therefore not cut and paste from previous applications.

In accordance with the statutory guidance, whilst applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. The authority encourages liaison between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

It is for the applicant to explain within their application how the Licensing Objectives will be promoted and how any potential negative impact from the operation of the premises will be reduced. Any proposals should be included in the Operating Schedule and should be clear, meaningful, achievable and enforceable.

The operating schedule should focus on the direct impact of the activities taking place on the licensed premises.

Applicants should avoid the inclusion of conditions that are already regulated by other legislation, e.g. Fire Regulations, Health and Safety at Work etc.

## **8. Representations**

There is a prescribed period during which the licensing authority can receive a written representation. The authority will accept representations submitted in

an electronic format providing it is possible to identify the person submitting the representations.

In the interests of transparency and fairness, the licensing authority will normally make the details of persons making representations available as part of the hearing process unless the person expressly withholds permission to do so, or, there are exceptional and compelling reasons why this is necessary.

The licensing authority will only consider representations that relate to the impact of licensable activities carried on from premises on the licensing objectives.

The licensing authority will require a responsible authority or other person to produce evidence to support their representations.

Further details on how the licensing authority uses information gathered during the licensing process can be found in the Licensing Privacy Notice available at [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)

'Relevant representations' can include positive, supportive representations. Advice for anyone wishing to make representations is available on the Vale of Glamorgan website and can be provided in hard copy upon request.

Individuals or groups may request a representative to make representations on their behalf, for example a legal representative, friend, Member of Parliament, **Member of the Senedd** or Town and Community Councillor. Licensing authority Members are bound by the Member Code of Conduct when participating in the licensing process.

Responsible Authorities are advised that in order to be considered relevant, representations to impose conditions on licences must not duplicate existing legislation, and should be tailored to the size, style, characteristics and activities taking place at the premises concerned. Standard conditions will not be imposed and therefore all representations should be proportionate and properly recognise the difference between venues.

The authority encourages and supports mediation between parties but reminds applicants that they are under no obligation to agree to representations made by a responsible authority and may ask for a Licensing Sub-Committee to determine the application. In accordance with the statutory guidance, the licensing authority will be alert to any attempts to impose conditions where there is no evidence of a problem at the premises and, if there is any doubt, will discuss this with the relevant parties.

#### Local Health Board Responsible Authority

In the Vale of Glamorgan the Local Health Board function is undertaken by Cardiff and Vale University Health Board (UHB). The Vale of Glamorgan Council as Licensing Authority recognises that although public health is not a

licensing objective, the UHB holds valuable information relevant to the licensing objectives. The UHB actively monitors:

- Emergency Unit attendances
- Hospital admissions
- Last Drink Data

The UHB uses this data to contribute to the understanding of the effects, levels and patterns of alcohol consumption within the UHB area.

The UHB has advised the Vale of Glamorgan Council that examples of circumstances in which they may wish to make representations include:-

- New applications
- Applications for review or variation when:-
  - An existing licensed premise is perceived not to be promoting the licensing objectives, or,
  - When there is information to suggest non-compliance with an existing Premises Licence
  - Proposed changes to licensable activities that could have a detrimental effect on one or more of the licensing objectives

The UHB has advised the Vale of Glamorgan Council that they will use information from the Alcohol Treatment Centre and Emergency Department to monitor and inform the Licensing Authority of any activity that is causing concern and use the information to make representations where appropriate.

## **9. Decision Making**

The licensing authority strives to provide an efficient and cost effective service to all parties involved in the licensing process. With the exception of the approval and review of this policy, decisions on Licensing Act 2003 matters will normally be taken in accordance with the approved scheme of delegation and the recommendations for delegation set out in the Section 182 guidance issued to licensing authorities.

## **10. Granting of Authorisations**

If no relevant representations are received then the authorisation will be issued automatically with, in the case of a premises licence or club premises certificate, such conditions as are mandatory or are consistent with the operating schedule accompanying the application.

## **11. Delegation of Functions to Committee**

The powers of the Vale of Glamorgan Council under the Licensing Act 2003 will be carried out by the Statutory Licensing Committee. Most functions will be carried out by a Licensing Act Sub Committee of three Members, or by one or more Licensing Officers acting under delegated authority.

Members will conduct meetings in accordance with the Licensing Act 2003 Procedures for Sub Committee Hearings. The authority may undertake remote hearings and all parties will receive instructions and guidance on how to participate.

After a hearing, having regard to the application and the representations made, the licensing authority may impose or amend conditions as it sees fit, or restrict the hours or the licensable activities permitted on the premises. Conditions will be attached to such an extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

## **12. Conditions**

The licensing authority cannot impose conditions upon its own volition. Conditions will only be attached in three circumstances and these are as follows:

- Mandatory conditions under the Licensing Act 2003 or introduced by regulation under the Act which will have effect in all circumstances regardless of if they appear on the Licence.
- If they are consistent with the applicant's operating schedule.
- When considered appropriate, reasonable, and proportionate after relevant representations have been received and not withdrawn.

Conditions will be worded so that they are clear, meaningful and enforceable. Conditions that appear in the applicant's operating schedule may be re-worded to meet this requirement.

## **13. Temporary Event Notices**

Information regarding the use of Temporary Events Notices can be found on the Vale of Glamorgan Council website.

Applicants are advised to take care to complete the forms properly. Notices will not be rejected on the basis of minor administrative errors.

Applicants are encouraged to serve Temporary Events Notices in good time and the licensing authority's recommendation is a minimum of 21 days but not more than 6 months before the event.

Apart from long established events like the Vale of Glamorgan Show, the use of multiple TENs simultaneously on a single site will be scrutinised closely to ensure there has been no attempt to circumvent the requirement for a Premises Licence.

## 14. Types of Premises

The licensing authority recognises that types of premises covered by Premises Licences vary hugely. The same licensing regime applies to all these premises, regardless of the licensable activity provided, location, hours of operation and customers. From a licensing authority perspective, however, there are variations in the nature and scale of the risks posed by different types of premises, and their likely impact on the licensing objectives.

### Pubs, Bars and Clubs

The licensing authority acknowledges that licensed premises, especially those that are predominantly used for the consumption of alcohol and offering late night/early morning entertainment, can present significant challenges in relation to crime and disorder. The Authority expects the licensing trade to fully cooperate and play its part in minimising crime and disorder.

Licence Holders and Designated Premises Supervisors will be required to demonstrate commitment to manage premises in a safe and responsible manner.

Operators of premises of this type must consider measures to prevent crime and disorder on, or emanating from, their premises. The following are examples of control measures that may need to be addressed;

- Effective and responsible management of the premises
- Training and supervision of staff
- The internal layout and the location of various pieces of equipment within premises, including the position of cash registers, gaming machines etc.
- The provision, location and suitability of any CCTV and the need for the Police and Local Authority to have access to any recordings
- The use of plastic or similar non-glass drinking vessels
- The adequacy of staffing levels to maintain a safe environment
- Management policy and action in relation to people who become intoxicated or disorderly
- Participation in Pubwatch or other similar schemes
- The controls in place to prevent the use or supply of illegal drugs, including entry policies and any search procedures
- The policy/procedure in respect of age verification and preventing sales of alcohol to persons who are under age

### Hotels

It is generally accepted that hotels will require permission to make sales of alcohol to residential guests for 24 hours.

### Off Licences

In determining applications for shops, stores and supermarkets, the licensing authority will consider the individual merits of the case, but such premises will normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless relevant representations are received that there are good reasons, based on the promotion of the licensing objectives, for restricting these hours.

Some shops and supermarkets selling alcohol have been a focus for anti-social behaviour, disorder and disturbance. This can be caused by street drinkers and underage drinkers who try to obtain, or have obtained, alcohol from such premises. Due to these concerns the licensing authority will consider seriously any representations made by Responsible Authorities and other persons in relation to the effects of granting such licences on the immediate vicinity of the premises.

### Community Premises

Many community premises within the Vale of Glamorgan Council hold Premises Licences to allow regulated entertainment. A number also have permission for the sale of alcohol without the mandatory condition requiring a DPS. When considering applications under these provisions the Licensing authority will take into account the following matters;

- Whether the premises constitutes a community premises
- Whether appropriate arrangements are in place for the supervision of the sale of alcohol on the premises by the management committee

Community premises are likely to include, church halls, chapel halls, village halls, parish halls, community centres and other similar buildings. Where it is not clear the Licensing authority will consider whether a premise constitutes a community premises on a case by case basis.

The Council may require additional information to ensure that the management committee is formally constituted and accountable.

It is expected that the management committee will have in place appropriate arrangements to ensure compliance with the requirements of the Licensing Act 2003 when the premises are hired out to a third party, i.e. hiring agreement.

### Events on Council Land

The Vale of Glamorgan Council wishes to encourage cultural and community events in the county and is aware of the Guidance around the licensing of public open spaces. In accordance with the provisions of the Licensing Act 2003, the Council has made applications and been granted premises licences for areas of public land.

Persons or organisations wishing to carry on a licensable activity on licensed public land are not required to obtain a Premises Licence or give a Temporary Events Notice themselves, but do need the permission of the Council to put on

the event. This can help facilitate events that do require a Premises Licence, but which would be impractical to arrange, and gives the Council a degree of control over the running of the event.

Organisations or individuals wishing to run an event on public land should, in the first instance contact the Events Officer of the Vale of Glamorgan Council.

#### Premises offering late night refreshment

It is recognised that takeaway premises open late at night and can be associated with disorder as persons under the influence of alcohol having left late night venues congregate there. Operators will be expected to identify steps they can take to reduce nuisance and to include them in their Operating Schedule. The authority has not adopted specific policies in relation to takeaways or the disapplication of the Licensing Act 2003 to such premises.

#### Petrol and Service Stations

Under Section 176 of the Licensing Act 2003, no Premises Licence, Club Premises Certificate or Temporary Event Notice has effect to authorise the sale of alcohol on or from 'excluded premises'. These premises are a motorway or trunk road service area or a premises primarily used as a garage or which form part of premises which are so used.

The licensing authority, however, accepts that many retail outlets attached to petrol or service stations serve a dual purpose acting as a local shop as well as selling fuel. Applications for licences for premises of this type should be accompanied by trading figures for a minimum period of one month to demonstrate the primary use of the business is not as a garage.

### **15. Operation of Premises**

The Premises Licence Holder will be expected to ensure that the Designated Premises Supervisor (DPS) has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

Within all licensed premises, whether or not alcohol is to be sold, the licensing authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained persons at the premises to enable compliance with all statutory duties and the terms and conditions of the Premises Licence.

Where licences contain inherited outdated, unachievable or inappropriate conditions it is recommended that Premises Licence Holders submit the appropriate application to vary the licence to remove these conditions.

#### External Areas

The provision of seating areas outside premises in beer gardens or on the pavement can enhance the attractiveness of a venue, but operators of licensed premises should ensure, so far as possible, that customers do not cause a nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place. Where appropriate, Door Supervisors have an important role in managing customers, not only on the doors but also in the immediate area of their premises.

Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should be given to the use of toughened or 'plastic' drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.

The Licensing authority will be mindful of the development of external areas to licensed premises, and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective.

## **16. Children and Safeguarding**

Applicants will be expected to include in their Operating Schedule a statement of the measures that they will take to protect children from harm which includes moral, psychological and physical harm as well as the protection of children from exposure to strong language, sexual expletives and gambling.

When addressing the issue of protecting children from harm, applicants must demonstrate that those factors that may particularly impact on children have been considered. These include;

- Where entertainment or services of an adult or sexual nature are provided
- Where the premises have a reputation for underage drinking
- Where there has been a known association with illegal drug use
- Where there is a strong element of gambling on the premises
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided e.g. not food led

The licensing authority recognises the great variety of premises for which licences may be sought. Access by children to all types of premises will not be limited unless it is considered necessary to do so in order to protect them from harm in any way. Access is at the discretion of the premises licence holder and is neither encouraged nor discouraged by the policy except where:-

- There have been convictions for underage drinking or the premises have a reputation for underage drinking.
- The premises have a known association with drug taking or drug dealing
- Gambling takes place on the premises
- Entertainment of an "adult" or "sexual" nature takes place

Following the receipt of relevant representations the licensing authority reserves the right to take all necessary steps to prevent harm to children by: -

- Limiting the hours when children will be permitted in the premises
- Stating a minimum age (below 18)
- Limiting or prohibiting access where certain activities are taking place
- Permitting access only when accompanied by an adult
- Such other conditions or restrictions as may be necessary to achieve the licensing objectives.

A complete ban on children entering licensed premises is rarely likely to be necessary. Nothing within this policy makes it a requirement that children must be admitted to any premises. This is a matter left to the discretion of the management of the premises.

The licensing authority recognises the Vale of Glamorgan Council Director of Social Services Directorate as being competent to advise the Authority on matters relating to the protection of children from harm in relation to this Policy.

Should a premise be giving film exhibitions the applicant may wish to address in their operating schedule arrangements for restricting children from viewing age restricted films. It should also be noted that in relation to such premises a mandatory condition will be applied requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases, the local authority.

The Licensing Authority supports those premises that choose to participate in any proof of age scheme such as “Challenge 25 or 21” or “No ID, No Sale” as it promotes the licensing objectives.

### Proxy Sales

Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the proxy sale of alcohol, and shall ensure that all reasonable steps are implemented to prevent adults purchasing alcohol for those underage.

## **17. Other Matters**

### Enforcement and Compliance

Where enforcement action is taken it will be in accordance with the principles of the authority’s enforcement policy. Inspections regimes will be based on a risk assessment of premises in relation to the licensing objectives. Inspections will often be in response to a complaint or the reporting of an issue, but all premises may be subject to inspection at intervals.

The licensing authority considers that it is good practice for Responsible Authorities to give licence holders early warning of problems, with a view to securing improvements informally.

An example of a recognised early warning system is the Traffic Light System operated by South Wales Police. Any information supplied to the licensing authority as part of representations or a review process will be considered in light of the broad principles set out in the Shared Regulatory Services Enforcement Policy of Proportionate, Accountable, Consistent, Transparent, and Targeted. If such an enforcement tool is used, the licensing authority will expect to receive information on how the points system was allocated, the interaction with the licensee, what interventions had already been carried out, and the risk to the licensing objectives which underpin the representations/review submitted.

Where an initial warning fails to secure a resolution to a problem at a licensed premises, the licensing authority and Responsible Authorities will use a stepped approach and may engage the Licence Holder in a voluntarily agreed 'Action Plan' for improvement.

Where there is a failure to respond to such warnings, it is likely that a request for a Review will be submitted. However, where there are very serious issues, Responsible Authorities may submit a Review application without warning.

#### Cumulative impact /Early Morning Restriction Orders

None of the towns within Vale of Glamorgan Council have an area with an excessive number of licensed premises in close proximity, therefore, it is not envisaged that a cumulative impact policy will be introduced within the authority in the foreseeable future.

## **18. Reviews**

Reviews of premises licences represent a key protection for the local community in respect of problems which may arise during the term of a premises licence. Any person and responsible authority has the right to make representations in respect of an application or seek a review of a licence or certificate within the provisions of the Act. Each case will be dealt with on its merits.

The licensing authority considers that it is good practice for responsible authorities to give licence holders early warning of problems and of the need to improve.

Individuals or groups may request a representative to make representations on their behalf, for example a legal representative, friend, Member of Parliament, **Member of the Senedd** or Town and Community Councillor. Licensing authority Members are bound by the Member Code of Conduct when participating in the licensing process.

In the interests of transparency and fairness, the licensing authority will normally make personal details of residents and other parties available as part of the hearing process unless the person withholds permission or there are exceptional and compelling reasons why this is necessary. Each case will be determined on its merits in consultation with the person concerned.

## **19. Appeals**

In the case of a premises licence, an appeal should be made to the magistrates' court for the area, Cardiff Magistrates' Court.

Entitlements to appeal for parties aggrieved by decisions of the licensing authority are set out in Schedule 5 to the Licensing Act 2003.

Details of other forms of redress can be accessed on the licensing pages at [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)

Officers of the Licensing Authority will make the decision as to whether a representation or objection is relevant, frivolous, vexatious or repetitious.

Prescribed fees are published on [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk). Further information is also published on the Council's website at [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)

## **20. Integrating Strategies and Equality Statement**

The Vale of Glamorgan's Statement of Licensing Policy, so far as is possible, is not intended to duplicate existing legislative and regulatory regimes that already place obligations on employers and operators e.g. The Health and Safety at Work Act 1974, The Environmental Protection Act 1990, Disability Discrimination Legislation, and The Regulatory Reform (Fire Safety) Order 2005.

Where a councillor who is a Member of the Licensing Committee is making or has made a representation regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.

The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention right. The licensing authority will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law

- Article 8 that everyone has the right to respect for his/her home and private life
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions.

The licensing authority through this Policy and the Vale of Glamorgan Council's Racial Equality Policy Statement, recognises that the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 places a legal obligation on the Licensing Authority to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of differing racial groups.

Under Section 17 of the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent, crime and disorder in their area. Therefore, the licensing authority will have particular regard to the likely impact of licensing on related crime and disorder in the Council's area particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, renewals and variations of conditions.

Further information on the Vale of Glamorgan Welsh Language standards can be accessed at

[https://www.valeofglamorgan.gov.uk/en/our\\_council/equalities/welsh-language-standards.aspx](https://www.valeofglamorgan.gov.uk/en/our_council/equalities/welsh-language-standards.aspx)

This policy is published in Welsh and is available in other formats on request.

Where the licensing authority makes a decision on an application it will provide reasons in writing and in other formats on request.

Accessibility enquiries should be addressed to the Licensing Section in the first instance.

## **21. Disclaimer**

Where extracts from the Licensing Act 2003 are reproduced, they are provided as an information guide only. They are not a full and authoritative statement of the new licensing law. In particular, it must be noted that, although the Council has made every effort to ensure that the information in these pages is correct, changes to the law and the implementation of specific regulations for licensing mean that the supporting information in these pages may be subject to change.