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## CENTRAL LICENSING SUB-COMMITTEE, 01.02.08

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**Present:** Councillors W.Gareth Roberts (Chairman); Dewi Llewelyn and Bill Lovelock

**Also present:** Gareth W Jones (Senior Administrative and Legal Manager ), Emyr Searell-Jones (Public Protection Senior Manager); Amlyn ab Iorwerth (Licensing Manager), and Barbara Owen (Committee Officer).

**Others invited to the meeting:**

**Representing the applicant: James Anderson (Popplestone Allen)**

**Objectors:** Susan Fitzgerald (Solicitor, Fraser Brown company, on behalf of Top Ten Bingo);

**Apologies:** Councillors Gwilym Williams and Ieuan Roberts

### 1. APPLICATION FOR PREMISES LICENCE – THE VICTORIA DOCK, CAERNARFON

Submitted – the report of the Licensing Manager on an application for a new Premises Licence made by Popplestone Allen solicitors on behalf of Victoria Bingo, Victoria Dock, Caernarfon. He reported that he had received a letter on behalf of the Police stating that they had no objections; a letter on behalf of the Fire Service noting the need to undertake an inquiry in accordance with the Service's Building Regulations before expressing an opinion on the application; a letter from Gwynedd Council's Planning Department without any observations; a letter on behalf of Caernarfon Town Council objecting to the proposal of a Bingo Hall; a letter from solicitors acting on behalf of Top Ten Bingo objecting to the application; and a number of letters from local residents and those which had invested in the development objecting to the application.

In relation to the above letters, the Senior Administrative and Legal Manager reported that Caernarfon Town Council objected to the application under the Gambling Act 2005 and therefore the letter should not be included in the hearing for a premises licence. In response to a question from the officer, the Fire Service officer stated that information was needed from the Planning Section to confirm that the site was suitable in order to undertake a Fire Assessment.

The following procedure was followed when considering the application:-

- i. members of the sub-committee were given an opportunity to ask questions of the Council's representative;
- ii. the applicant was given an opportunity to ask questions of the Council's representative;
- iii. the consultees were invited to support their observations;
- iv. the applicant was given an opportunity to expand upon her application and call any witnesses;
- v. members of the sub-committee were invited to ask questions of the applicant;
- vi. the Council representative was given an opportunity to ask questions of the applicant; and
- vii. the Council's representative and the applicant were given an opportunity to summarise the case.

Observations were submitted by a solicitor acting on behalf of Top Ten Bingo which operated a Bingo Hall in the vicinity of the Victoria Dock. The company objected to the application for many technical reasons in relation to:-

- Notifying the public – address/location was unclear; concern that the period had not been sufficient; the location of the notice did not comply with the Act.
- The Fire Service had not been able to undertake an assessment of the site.
- The floor plan lacked sufficient details.

The solicitor was of the opinion that the above reasons gave legal grounds for not considering the application, and confirmed that she would propose this on behalf of her client.

Concern was also expressed on behalf of the objectors as no room had been allocated for smokers, the doors opened inwards, and there were insufficient parking spaces given that the Bingo Hall would house approximately 600 people.

The solicitor acting on behalf of the applicant was given an opportunity to respond to the above points, and reported that all of the notices were placed in accordance with the guidelines of the Act, and that it was not appropriate to discuss the Fire Safety arrangements until the building was completed.

Bearing in mind the solicitor's observation, the members decided that it was not appropriate to consider the application as it was untimely, mainly as the application did not include plans that were detailed enough.

**RESOLVED not to consider the application of Victoria Bingo for a Premises Licence, as the members of the Sub-committee considered the application to be untimely, mainly as the application did not include a site plan that was detailed enough.**

The Senior Administrative and Legal Manager reported that a letter would be sent within seven days confirming the Sub-committee's decision. Everyone was notified of the right to appeal against the decision of the Sub-committee.

The meeting commenced at 11.00am and concluded at 12.50pm