
CENTRAL LICENSING SUB-COMMITTEE, 04.06.08

Present: Councillors J.R.Jones (Chairman); W.Tudor Owen; Gwilym Williams

Also present: Sion Huws (Propriety Officer), Amlyn ab Iorwerth (Licensing Manager) and Barbara Owen (Committee Officer).

Others invited to the Meeting:

Applicant: Mr James Goodman (Manager of the Centre); Mr Simon Dale (Designated Property Supervisor)

Objectors: Councillor June Marshall (on behalf of Bangor City Council); Dr. Mark Hancock; Ms Sheila M. Roberts; Mr Glyn H Jones (on behalf of Ms E. Roblyn); Ms Heather McLeay.

Local Member: Councillor J.W.Meredith, speaking on behalf of Ms N. Mullally

1. APPLICATION FOR A PREMISES LICENCE FOR THE MANAGEMENT CENTRE, BANGOR BUSINESS SCHOOL, BANGOR

Submitted - report of the Licensing Manager, providing details of the application by Mr James Goodman on behalf of the Management Centre, College Road, Bangor, for a Premises Licence in accordance with the Licensing Act 2003 to permit plays, films, live and recorded music, dancing, late night refreshments and the supply of alcohol, the hours varying, with the premises open to the public for 24 hours a day. It was reported that a response had been received from the Fire Service stating that there were no objections to the application and letters from Bangor City Council on behalf of several nearby residents objecting to the application on the grounds of the risk of public nuisance.

When considering the application, the following procedure was followed:-

An opportunity was given to members of the Sub-committee to ask questions of the Council's representative.

The applicant was given the opportunity to ask questions of the Council's representative.

Every Consultee was invited to support any written observations.

The applicant was given an opportunity to elaborate on his application and then to call witnesses.

Members of the Sub-committee were invited to ask questions of the applicant.

The Council's representative and the applicant were given an opportunity to summarise their case.

At the beginning of the meeting, the applicant reported that the hours and other details in the original application had been amended but these had not been included in the report. The Licensing Manager explained that the amended application had been submitted to the objectors and had been refused and therefore according to legal procedure, the original application still had to be considered but the applicant was free to submit amendments to the Sub-committee during the hearing.

An opportunity was given to the objectors to support the observations which were noted by letter and the following points were submitted:

- The Centre was located within a quiet residential area, where a number of elderly people and families with children resided, and there was also a residential home for older people located not far from the site.
- The Centre overlooked fields which were used mainly by residents of the City because of their pleasant location, tranquil atmosphere and wildlife.
- There was evidence that when outdoor entertainment was held, noise was carried quickly and widely over the area.
- There were no objections to the application to sell alcohol, only to the hours applied for and playing music outside the building.
- The community supported the enterprise and were eager to see it succeeding.
- Concern was expressed regarding the proposal to permit a third party to have responsibility for supplying alcohol and food to the public on special occasions.
- The event of the Summer Ball was used as an example, when it was impossible to have a conversation two hundred metres away because of the loud entertainment, but residents were tolerant because that event was only held once a year.
- Reference was made to European Parliament guidance which encouraged residents to safeguard tranquil spaces within densely populated areas because they were becoming scarce.
- Concern was expressed on behalf of members of Bangor City Council for establishing a dangerous precedent, should a 24 hour licence be approved. Although there was genuine support for the enterprise, again, residents would not wish to see it developing in the form of a hotel, and there was strong concern of the risk of it creating a public nuisance for nearby residents
- Reference was made to notices placed on the site and in the press to advertise the application, questioning whether they had been displayed according to the requirements of the Act.

In response to observations and questions, the applicant submitted the following observations:

- When the notices were placed on the site and the local paper (The Chronicle), the requirements of the Act had been followed.
- It was not proposed to manage the centre along similar lines to a public house or a nightclub.
- It was not proposed to hold late night events frequently – they would only occur occasionally.
- The Centre was managed by a private company on the basis of a business club and it was not proposed to be open to the public but rather for guests only.
- Currently there were 17 bedrooms with a scheme to add approximately 35 additional bedrooms in the future.
- The Manager was eager to co-operate with Environmental Health officers to establish an acceptable noise level in the equipment used.

In response to questions from members of the Panel, it was noted:

- 200 would be the maximum number of people allowed in the building, or 120 seated. There was room for 60 in the restaurant
- the clause in Sections L and M of the application, referring to the Summer Ball and statutory holidays, would be deleted
- training courses would be attended to ensure that children would be protected from harm.
- 16 parking spaces would be provided outside the building, with a further 34 outside the John Phillips Hall – with a bar to ensure there would be no unauthorised use of the site

- there would be some changes to the hours submitted in the original application, and these were discussed when the application was being determined.
- this was a service for residential users of the Centre, University staff and their guests rather than for the general public.

In response to specific points, the Licensing Manager and Propriety Officer reported:

- there was evidence of the procedure followed for informing the public of the application and it was the responsibility of the applicant, rather than Council officers, to follow the correct procedure. The Police were informed of every application and local Police checked that notices were in place and informed Council officers should that not be the case. Should the Police not make contact, it was assumed that everything was in place.
- a marquee would not be permitted as this had not been included on the plan

Members of the Sub-committee discussed the application, considered all the evidence submitted, and gave particular attention to the principles of the Act, namely:

- Preventing Crime and Disorder
- Public Safety;
- Public Nuisance Prevention, and
- Protecting Children from Harm.

RESOLVED to approve a Premises Licence for the Management Centre, Bangor Business School, College Road, Bangor with the following conditions:-

- a) Plays between the hours of 08.00 – 23.00
- b) Films between the hours of 08.00 – 24.00
- c) Live Music from 08.00 - 23.00 outdoors; 08.00 - 24.00 indoors
- d) Recorded music from 08.00 – 23.00 indoors only
- e) Dance performances from 08.00 – 23.00 outdoors; 08.00 – 24.00 outdoors
- f) Any provision similar to c), d) or e) above: from 08.00 – 23.00 outdoors; 08.00 – 24.00 indoors
- g) Provision for creating music from 08.00 – 24.00 indoors only
- h) Provision of facilities for dancing from 08.00 – 24.00
- i) Provision for entertainment similar to g) or h) above: from 08.00 – 24.00 indoors only
- j) Supply of refreshments from 23.00 – 24.00 outdoors; 23.00 – 01.00 indoors
- k) Sale of alcohol from 08.00 – 24.00 outdoors; 08.00 – 01.00 indoors
- l) Opening hours for the public from 08.00 – 01.30
- m) Details of noise levels to be agreed with Environmental Health officers
- n) The sale of alcohol restricted to residents of the Centre, University staff and their guests only

The Propriety Officer reported that a letter would be distributed to everyone who took part in the meeting, confirming the decision of the Sub-committee, and informing them of the right to appeal against the decision within three weeks of receipt of that letter. Also, he informed objectors of the right to ask for a review of the licence, should there be evidence that conditions of the licence were not kept.

The meeting commenced at 10.45am and concluded at 12.50pm