
CENTRAL LICENSING SUB-COMMITTEE, 12.11.08

Present: Councillors Ieuan Roberts, (Chairman); Dewi Llewelyn and Peter Read.

Also present: Gareth W. Jones (Senior Legal and Administrative Manager), Sion Huws, (Propriety Officer), Amlyn ab Iorwerth (Licensing Manager), Alwyn Thomas, (Licensing Enforcement Officer), and Ioan Hughes, (Committee Officer).

Others invited to the Meeting:

Representing the Police: Mr Ian Williams, Police Licensing Co-ordinator, Inspector Keith Ellis.

Representing the Licence Holder: Mr Richard Taylor, Gosschalks Solicitors.

Licence Holder's Local Manager: Mr Wyn Hughes.

Local Member: Councillor Bob Anderson.

Apologies: Councillor Gwilym Williams.

Use of the Welsh Language

The Chairman expressed disappointment in the fact that not much use had been made of the Welsh language in the agenda. He added that the Chief Inspector of North Wales had supported the language and that it was disappointing to see the police report submitted only in English.

1. APPLICATION FOR REVIEW OF PREMISES LICENCE FOR MORGAN LLOYD VAULTS, CASTLE SQUARE, CAERNARFON

Submitted – the report of the Licensing Manager at the request of the Police, to review the Premises Licence for Morgan Lloyd Vaults, Castle Square, Caernarfon.

Reference was made to the report and the recommendations of the police, and it was confirmed that the Council had consulted with the Trading Standards Unit of Gwynedd Council and Caernarfon Town Council.

The Senior Trading Standards Officer agreed with the suggestions which had been made by the Police. The Town Council supported the suggestion of temporarily revoking the licence for Morgan Lloyd Vaults.

The following procedure was followed when considering the application:

- i) A written report by the Licensing Section was submitted, with a recommendation;
- ii) The applicant had the opportunity to expand on the application;
- iii) Members of the Sub-committee had the opportunity to ask questions of the applicant;
- iv) Each consultee was invited to support any written observations;
- v) The licence holder or his/her representative was given an opportunity to respond to the observations
- vi) The applicant and the representative of the licence holder had an opportunity to summarise their case.

When presenting the case for the Police, the Licensing Co-ordinator explained that they had been in discussions with the licence holder, Enterprise Inns, and that they had reached an agreement regarding the conditions recommended by the Police.

Considering that the Police and the Licence Holder were in agreement, members of the Sub-committee resolved that there was no need to submit the written report of the Police, which had been provided when making the application to review the Premises Licence.

Originally, the Police wanted the Sub-committee to revoke the Premises Licence, or a temporary revocation in order to add several enforcement conditions. As a result of the discussions, they did not wish for these actions to be taken. However, as was the case when the application was submitted, they listed four conditions, namely:

- That the Designated Premises Supervisor would facilitate all Police visits to the pub and in particular would ensure complete co-operation from all members of staff;
- Strict compliance of all the conditions already set within the licence;
- The Licence Holder would ensure that they and their staff would be fully trained in the “challenge 21” principle, namely the requirement for everyone who appeared younger than 21 to have an identity card;
- The area where the customers from the Morgan Lloyd would use directly outside, was to be clearly identifiable by visible boundaries and whenever customers were allowed to drink outside the premises, that they would be supervised by trained staff at all times in order to prevent crime and disorder and ensure compliance with strict no drinking zones within the town centre.

After considering the situation further, the Police requested that the Sub-committee revised the licence to ensure that the Designated Premises Supervisor would ensure that they, and all members of staff would be fully trained in the “challenge 21” principle.

When responding to the observations, the Licence Holder thanked the Police for their co-operation and he confirmed that all the conditions noted were acceptable. He added that a Designated Premises Supervisor was now undergoing training and he requested the Sub-committee to allow a period of six weeks for the Licence Holder to complete all the necessary changes.

In response to this request, the Police Licensing Co-ordinator said that the Police would be eager for everything to be carried out to meet all the conditions before Christmas.

When discussing the application, specific consideration was given to three principles within the Act, namely:

- Prevention of Crime and Disorder
- Public Safety
- Public Nuisance Prevention

The Sub-committee considered that a period of six weeks to carry out the changes was too long, in particular when bearing in mind that this would lead to the Christmas celebrations. It was added that a Designated Premises Supervisor would have to be in charge of the public house throughout the period, and the company would have to appoint one from elsewhere if required.

It was agreed that a period of three weeks was reasonable to allow the Enterprise Inns to appoint a temporary Designated Premises Supervisor until the new, permanent DPS which had been appointed had completed the necessary training and had received the personal licence.

RESOLVED:

- i) That the Designated Premises Supervisor will facilitate all Police visits to the pub and in particular will ensure complete co-operation from all members of staff.**
- ii) Strict compliance of all the conditions already set within the licence.**
- iii) The Designated Premises Supervisor will ensure that they and their staff are fully trained in the “challenge 21” principle, namely the requirement for everyone who appears younger than 21 to have an identity card.**
- iv) The area where the customers from the Morgan Lloyd are to use directly outside is to be clearly identifiable by visible boundaries and whenever customers are allowed to drink outside the premises they are supervised by trained staff at all times in order to prevent crime and disorder and ensure compliance with strict no drinking zones within the town centre.**
- v) That the Police and the Licence Holder discuss and reach an agreement before 5 December, 2008, regarding the outside area where customers may drink.**

The Senior Legal and Administrative Manager reported that he would try to send a letter within three days, to confirm the Sub-committee's decision, and everyone was informed of the right to appeal against the Sub-committee's decision, within 21 days of receiving the letter.

The meeting commenced at 10:30am and concluded at 11:10am