
CENTRAL LICENSING SUB-COMMITTEE, 25-03-10

Present: Councillor Gwilym O. Williams (Chairman);
Councillors J.R. Jones, Dewi Llewelyn

Also present: Sion Huws (Propriety Officer); Amlyn ab Iorwerth (Licensing Manager), Geraint B. Edwards (Solicitor) and Gwyn Parry Williams (Committee Officer).

Others present at the Meeting:

Applicant: Mr David Williams (representing the applicant)

Representing the Police: Mr Ian Williams (Licensing Co-ordinator)

North Wales Fire and Rescue Service Representative: Mr Simon Talbot

Objectors: Mr John Tyrrell, Ms Gilly Harradance and Mr Jonathan Smith (solicitor on behalf of Cofi Roc)

Apologies: Councillor W. Roy Owen (local member)

1. APPLICATION FOR A PREMISES LICENCE – MARKET HALL, PALACE STREET, CAERNARFON

Submitted – the report of the Licensing Manager on behalf of Market Hall, Palace Street, Caernarfon for a premises licence to permit dramas, films, live music, recorded music and dance between 09.00 and 24.00, boxing or wrestling between 09.00 and 23.00, supply of hot food between 23.00 and 01.00, supply of alcohol between 09.00 and 01.00, with the premises open to the public between 08.00 and 01.30. These hours would be relevant to every day of the week.

He noted that a response had been received from the Police, Fire Service and the Environmental Health Department offering observations/conditions along with several letters objecting to the application. Caernarfon Town Council had no observations to offer on the application.

The officer drew attention to the fact that some confusion had arisen with the consultation dates on the notices advertising the application, namely that the notice which had been placed on the site invited observations by 5 March 2010 but that the notice which had appeared in the newspaper invited observations by 11 March 2010. He had discussed the matter with the Propriety Officer and it was decided to proceed with the application and see whether any responses would be received between 5 and 11 March 2010. He was of the opinion that no responses had been received during this period. However, the solicitor acting on behalf of Cofi Roc drew his attention to the fact that one letter had been delivered by hand to the Council's Licensing Department by the owner of a neighbouring property. However, he as Licensing Manager was not aware of the existence of this letter which had confirmed the original objection to the application and in light of this, the objector had not been invited to the committee. Members were asked for their opinion on this prior to proceeding with the matter.

The Propriety Officer noted that the fact that the letter of objection received during the period of 5 to 11 March 2010 had not been sent to members with the committee agenda and also that the objector had not received information about the date of the committee caused considerable concern to members regarding the propriety of proceeding with the application today.

The solicitor acting on behalf of Cofi Roc reported that he had received a letter from the objector referred to above, confirming that she had not received information about today's meeting and that she had heard about it from his client the previous day. Due to business commitments, it had not been possible for her to attend today's meeting. He noted that the licensing regulations required that any person who submitted observations on such an application received information about the date of the hearing within seven days of the date of the meeting. In fairness to the objector, her letter providing observations on the application should have been sent to members to the meeting agenda.

The applicant's representative confirmed that the date in the notice advertising the application which had appeared in the newspaper had inadvertently been changed from 5 March to 11 March 2010.

The applicant's representative, Police representative and Fire and Rescue representative along with the Licensing Manager and the objectors left the meeting in order to give the sub-committee members an opportunity to discuss which steps to take in light of the confusion caused regarding advertising the application.

RESOLVED

- a) In light of the fact that the letter of the objector referred to above was not sent to members with the committee agenda and that the objector was not aware of the hearing and wished to attend, it was agreed that it would not be appropriate to discuss the application today,**
- b) Due to lack of clarity regarding the different dates on the notices advertising the application, and in order to ensure that everyone who is eligible to give observations can do so, the application should be readvertised.**

The Propriety Officer reported that a letter would be sent to everyone in the coming days confirming the decision of the Sub-committee and notifying everyone of the appeals procedure against the decision of the Sub-committee.

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The meeting commenced at 10.30am and concluded at 11.15am.