
CENTRAL LICENSING SUB-COMMITTEE, 8.06.11

Present: Councillor Gwilym O. Williams (Chairman)
Councillors Dewi Llewelyn and W. Tudor Owen

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

1. APPLICATION FOR A PREMISES LICENCE – CLWB CANOL DRE, 11-13 HIGH STREET, CAERNARFON

Others invited to the meeting:

Representing Clwb Canol Dre, 11-13 High Street, Caernarfon: Mr Haydn Parry (Club President) and Mr D.J. Hughes

Representing the Police: Mr Ian Williams (Licensing Co-ordinator, North Wales Police) and Constable Delyth Bryan

Representing the Objectors: Mr Robert Hamilton, Mr Ben Hellfeld, Mrs Frances Morris, Mrs Louise Williamson, Mrs Susan Colclough, Mr R.J. Colclough, Mr Richard Bonner Pritchard.

Submitted - the report of the Licensing Manager providing details of an application on behalf of Clwb Canol Dre, 11-13 High Street, Caernarfon, for a premises licence to permit indoor sporting events, live and recorded music, dancing, provision of hot food and supply of alcohol between 10.30 and 01.00 Mondays to Saturdays and between 10.30 and 00.01 on Sundays, with the premises closing half an hour later. Also, an additional hour was requested to the above on public holidays and bank holidays. This licence would replace the club certificate.

It was reported, following the appropriate consultation period, that neither the Police nor the Environmental Health Department had objections to the application, subject to conditions. An e-mail had been received from the local member stating that because he had a licence for another premises in the town, he was not in a situation to submit his observations on this application. Letters had been received from nearby residents, objecting to the application. It was noted that one of the objectors had apologised since he could not attend the hearing.

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

- i. The applicant was invited to expand on the application
- ii. Members of the Sub-committee were given an opportunity to ask questions of the applicant
- iii. The licensee, or his representative, was invited to respond to the observations
- iv. Members of the Sub-committee were given an opportunity to ask questions of the licensee
- v. The applicant and licensee, or his representative, were given an opportunity to summarise their case

In supporting the application, the Club President informed the hearing that the club had no intention of providing food at the premises and in view of that he was willing to delete this clause from the application. For many years, the premises had been used as the Conservative Club but since approximately six months, it had been changed to Clwb Canol Dre. He noted that the membership of the club was currently approximately 200 and 75% of members were men and 25% were women. The average age of members was over 50 years of age but there were very few members under 30 years of age. To create some additional income for the club, parties were held for those celebrating 18th and 21st birthdays and also wedding parties etc. During the winter, the club was open from Mondays to Sundays and during the summer from Wednesdays to Sundays. This application for a licence was not requesting additional hours. He noted that he had been a member of the club for approximately 50 years and only one incident had occurred within the club during the period and that person had been banned from the club. There were no general problems regarding the management of the club. He confirmed that drinks would not be carried out of the club.

The consultees were invited to support any observations submitted by letter and Mr Ian Williams, Police Licensing Co-ordinator, reported that a club licensing certificate existed for the premises and the application under consideration was to change to a premises licence but it was not intended to change the hours. He noted that it was intended to continue running the club from the first floor of the building. He referred to his letter, dated 19 May 2011, to the Licensing Authority that noted that the Police at that time had no evidence to object to the application. However, after writing that letter, the Police's attention had been drawn to one incident outside the property during a 21st birthday party held on 13 May 2011. It had been quite a serious incident at the time, with several young people under the influence of alcohol creating disorder on the street outside the property. The matter had been discussed with a Senior Police Officer responsible for policing this area and considering that this was the only incident associated with this property, the Police were ready to collaborate with the applicant. Therefore, the incident reinforced the need to include the additional conditions on the licence referred to in their letter to the Licensing Authority. It was noted that the applicant agreed with the conditions. He emphasised that the door supervisors needed to be completely aware of their duties when parties were held at the premises. In addition to the conditions recommended by the Police, he was of the opinion that another condition should be imposed, namely that the premises should operate a Challenge 21 policy, 'that any person who appears to be under the age of 21 will be required to display a recognised proof of age document.' He was aware that the premises already operated a hand stamp system that meant that only those with a stamp on their hand were allowed to purchase alcohol. He noted also that there was a condition on the lease of the property that demanded that people should be asked to show proof of age. Caution was required with regard to fake proof of age cards and, therefore, it was advised that the premises should accept standard cards under the proof of age scheme, a photocard driving licence or a passport. With regard to the reference to bottles and glasses, it would be possible to include a condition to prevent club users from taking bottles and glasses outside the premises. The Police had no evidence that this took place.

The Environmental Health Officer was not present at the meeting but she had no objection to the application subject to imposing the recommended conditions on the licence regarding noise control at the premises.

All the objectors present took advantage of the opportunity to endorse the observations noted in writing and specifically referred to the following points -

- Noise and antisocial behaviour had increased substantially since the club was formed and this had a detrimental effect on the amenities of neighbouring residents. The noise created more problems at weekends, bank holidays and public holidays.
- Customers of the club were bringing bottles and glasses out of the building and were drinking in the street. Glasses were also left on window ledges of the houses.

- The windows of some of the adjoining properties had been damaged.
- Problems with young people vomiting on the street.
- Those attending the club left their rubbish in the street.

In response to some of the aforementioned points, the Club President informed the hearing that those attending the club were not permitted to take bottles and glasses outside the premises. He also noted that parties were held on Friday nights.

The relevant parties left the meeting and the application was discussed by Sub-committee members, considering all evidence submitted and giving specific attention to the principles of the act, namely:

- Crime and Disorder Prevention
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

RESOLVED to approve a premises licence for Clwb Canol Dre, 11-13 High Street, Caernarfon as follows -

- a) To permit indoor sporting events (paragraph C) between 10.30 and 01.00 Mondays to Saturdays and between 10.30 and 00.01 on Sundays.
- b) To permit live music (paragraph E); recorded music (paragraph F); Performance of dance (paragraph G); Anything of a similar description to E, F and G above (paragraph H); Facilities for playing music (paragraph I); Facilities for dancing (paragraph J); Provision of facilities for entertainment of a similar description to that falling within paragraphs I or J (paragraph K) and the supply of alcohol (paragraph M) between 10.30 and 1.00 Mondays to Saturdays and between 10.30 and 00.01 on Sundays. To permit an additional half an hour to these hours on Easter weekend, Christmas Day, Boxing Day and New Year's Eve.
- c) Opening hours to the public (paragraph O) between 10.30 and 1.30 Mondays to Saturdays and between 10.30 and 00.30 on Sundays.
- ch) That the steps described in paragraph P of the application are to be included as conditions of the licence.
- d) Ensure that there are no bottles, glasses or rubbish left outside the premises after closing times within a radius of 5 metres from the main entrance of the premises.
- Dd) Ensure that customers of the club do not take glass bottles or glasses outside the premises.
- e) A CCTV system will be installed and will work to such a standard that the Police and Local Authority can monitor both the interior and exterior of the premises.
- f) Lighting in the location must be of sufficient brightness and quality to identify persons within the location.
- ff) The CCTV system will record images and retain the images for 31 days.
- g) There must be sufficient members of trained staff available to download evidence at the request of the Police or an authorised officer.
- ng) In the event of a system malfunction, the DPS or PLH must immediately notify the licensing authority and police licensing department. Arrangements for repair of the system must be made without delay. Once rectified, the relevant departments must be notified when the system is operational.
- h) An authorised officer can at any time request a recording from the CCTV system. Failure to comply with this request will be regarded as a serious breach of this condition.
- i) CCTV warning signs shall be fitted in public areas of the premises.
- l) All recordings of incidents must be made secure for inspection by police.
- ll) The premises will be a member of Pubwatch and a representative will attend Pubwatch meetings in all initiatives. The premises will adhere to all directives issued by

the Pubwatch scheme, including compliance with Banning Orders issued against any individual.

m) Whenever 18th birthday parties are held at the premises, a minimum of two SIA registered door supervisors will be in attendance who will be fully briefed on their roles and responsibilities.

n) The Designated Premises Supervisor will keep a register, recognised by the Police and Local Authority, of all door staff employed at the premises. The register will include details of the start and finish times of the work, the name and SIA licence number of the person employed (including the name of the company that employs them, if relevant). The register to be kept on the premises, on a permanent basis, for inspection by the Police or Local Authority on request. After completing the register, it will be kept at the premises for at least a year from the completion date, and for the duration of that period, it will be available for inspection by the Police or Local Authority.

o) The premises will operate a "Challenge 21 Scheme" which means that any person who appears to be under the age of 21 will be required to display a recognised proof of age document.

p) To impose the following conditions outlined by the Environmental Health Officer -

i) The internal LAeq 15min sound level and the LAeq 15min sound level for the 31.5, 63 and 125Hz frequency third octave band frequencies shall not be increased within nearby residential properties (measured with windows at the dwellings open or closed) as a result of entertainment noise emitted from the licensed premises. For the purpose of this condition, LAeq is as defined in BS4142:1997.

ii) To prevent noise or vibration emanating from the premises, doors and windows at the premises shall be kept closed during regulated entertainment.

iii) Should Gwynedd Council obtain evidence following the publication of this licence that noise condition 1 is not being adhered to, the premises owner shall carry out the following -

- Undertake necessary noise insulation / abatement works to ensure that the noise condition is achieved; and / or
- Install a noise control device in the room(s) where entertainment is held. The device will be established so as to cut the electricity supply of any amplification system or to withstand an increase in the noise level above what has been established as the permitted maximum.

iv) Noise limiting devices, once set, shall not be reset or adjusted without consultation with the Pollution Environmental Health Officer, Gwynedd Council.

v) The lobby doors at the premises shall be kept closed except for access and egress.

vi) The disposal of waste bottles or cans into containers outside of the licensed building is prohibited between 22.00 and 08.00. Empty bottles shall be stored in a lidded skip / bin within the curtilage of the premises.

vii) Clear and legible notices shall be displayed at exits requesting patrons to leave the premises having regard to local residents, in particular emphasising the need to refrain from shouting, slamming vehicle doors or sounding vehicle horns.

viii) It is the duty of the premises' personal licence holder, designated premises supervisor and door supervisor to monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

ix) Unpleasant odours from the premises shall not cause a nuisance to nearby properties.

x) A ventilation and extraction system will be installed to prevent unpleasant odours. Such a system will be maintained regularly.

xi) Internal and external lighting provided for the purpose of customer and staff safety, and for the security of the premises shall be positioned so as not to cause nuisance to neighbouring or adjoining properties.

xii) Lighting provided externally to promote advertising of the premises or activities

associated with the premises shall be of an intensity so as not to cause nuisance to any neighbouring properties.

The Solicitor reported that he would aim to send a letter within five working days, informing the applicants of the Sub-committee's decision, and informing them of the right to appeal against the decision within 21 days of receiving that letter.

The meeting commenced at 2.15pm and concluded at 4.30pm