
CENTRAL LICENSING SUB-COMMITTEE, 21.03.12

Present: Councillor Evie M. Jones (Chair)
Councillors Peter Read, Ieuan Roberts

Also present: Siôn Huws (Propriety Officer), Amllyn ab Iorwerth (Licensing Manager), Gwenan M. Williams (Public Protection Manager) and Gwyn Parry Williams (Committee Officer).

1. APPLICATION TO REVIEW PREMISES LICENCE – VICTORIA HOTEL, SNOWDON STREET, PEN-Y-GROES, CAERNARFON

Others invited to the meeting:

Applicant: Chief Inspector Peter Gaffey (North Wales Police)

Others representing the Police: Mr Ian Williams (Licensing Co-ordinator, North Wales Police)

On behalf of the local residents: Rev. Deian Evans and Messers Ifan Glyn Jones and Elwyn Jones-Griffith

Apologies: Councillor Dyfed Edwards (local member), Mr Hywel Williams MP and Mr Alun Ffred Jones AM

Submitted – the report of the Licensing Manager providing details of the application submitted by North Wales Police to review the licence of Victoria Hotel, Snowdon Street, Pen-y-groes, Caernarfon. During the previous week, information had been received from the licensee that she would be surrendering the licence on 15 March 2012 and that consequently there would be no licence to review. However, the owner of the premises had contacted the Licensing Unit stating her willingness for the licence to be transferred to her name and that a licence therefore still existed and which could be the subject of a review. He noted that the owner lived in Australia, and although unable to be present she had corresponded with the police. Letters had been received from the Community Council, the Local AM, the Local MP, the local member, the Trem yr Wyddfa Tenants and Residents Association, Pen-y-groes Churches Council and nearby residents, supporting the review.

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.
- vii. The applicant and licensee, or his representative, were given an opportunity to summarise their case.

On behalf of the police, Mr Ian Williams (Police Licensing Co-ordinator) confirmed that the licence had been surrendered on 15 March 2012 and that the owner of the premises had been in touch with the Council's Licensing Unit stating her willingness for the licence to be transferred to her name, and all the relevant documentation had been received from her at the beginning of the week. She had also been in touch with the police stating her willingness to accept the conditions recommended by the police in the review, including closing the premises for three months. He noted that the problems in connection with the premises had been the result of poor management on behalf of the previous licensee. However, owing to these problems, he was of the opinion that the premises licence should be temporarily suspended for a maximum period of three months, and that the conditions listed in their application be included on the licence along with the conditions noted in the action plan that had been prepared at the Phase 2 meeting. The owner had also stated that she was eager and willing to cooperate fully with the police.

Some of the local residents present took advantage of the opportunity to reiterate the observations noted in letters, and referred specifically to the following points –

- That there had been problems in connection with the premises since it had been taken over last year from the former licensee.
- Had an effect on the amenities of the local residents and the community in general.
- Problems with some of the users of the premises drinking and smoking on the street
- That the feeling in the area was that the premises, which was currently an eyesore, should close down permanently.
- Agreed with the conditions recommended by the police but concerned regarding what would happen once the premises reopened.

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

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

RESOLVED

a) To suspend the premises licence for a period of three months.

b) To modify the conditions of the licence by adding the following conditions -

i) To permit the sale of alcohol, and recorded music, up to 23.00 daily (at present 00.00 Monday to Thursday, 01.00 Friday and Saturday and 23.30 Sunday) and to reduce the hours for live music to 23.00 daily (at present 00.00 Monday to Saturday and 23.30 Sunday). The premises would then be required to close at 23.30 daily.

ii) That the premises installs digital CCTV equipment which will cover all areas of the premises open to the public, and ensures the maintenance of the equipment and that it is always in proper working order. The system will include at least one camera that records clear images of the faces of all persons entering the premises. The system must record and store recordings for at least 31 days in a format which enables recovery upon request.

iii) At the request of any Police Officer, or anyone else representing North Wales Police, or any authorised member of the local authority, the staff of the premises shall immediately transfer the digital recorded images in the form of a disk, along with any software necessary for viewing, to the officer or the representative making the request. If it is not possible, for whatever reason, to transfer the images at the time of the request, the premises will send the images within 24 hours of receipt of the request to the named office of the authority concerned, which in the case of North Wales Police is Pen-y-groes Police Station.

iv) To include each action as indicated in the Phase 2 Action Plan on the premises licence adding “Smoking is not permitted outside the front of the premises”.

The Propriety Officer reported that he would aim to send a letter within five working days, informing the applicant of the Sub-committee's decision, and informing him of the right to appeal against the decision within 21 days of receipt of that letter.

2. APPLICATION TO VARY PREMISES LICENCE – ALBERT INN, 10 SEGONTIUM TERRACE, CAERNARFON

Others invited to the Meeting:

On behalf of Albert Inn, 10 Segontium Terrace, Caernarfon: Mr Mark Brown (solicitor on behalf of the licensee) and Mr Howard Mitchell (licensee)

Submitted – the report of the Public Protection Manager providing details of an application on behalf of Albert Inn, 10 Segontium Terrace, Caernarfon to vary a licence to permit extending the opening hours for the sale of alcohol, and recorded music, between 11.00 and 01.00 and opening hours to the public to between 11.00 and 01.30 on Fridays and Saturdays. He noted that the current permitted hours were: sale of alcohol, and recorded music, between 11.00 and 00.00 and opening hours to the public between 11.00 and 00.30 on Fridays and Saturdays.

It was reported that, following the appropriate consultation period, neither the Police, the Fire and Rescue Service nor the Planning Service had any comments to make on the application. Objections to the application had been received from Caernarfon Town Council and also from one of the nearby residents.

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

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

In support of the application, the solicitor on behalf of the licensee noted the following observations –

- That the main reason for the application to extend the hours was the need for the business to prosper.
- That the licensee had been at the premises for five years and did not intend to change the nature of the place from being a local neighbourhood pub.

- That some of the regular customers had requested that the hours be extended beyond midnight to save them having to move to another licensed premises in the town after that time. This would be advantageous to the business, which was facing problems at the moment due to the current economic climate, the availability of cheap beer in supermarkets and higher running costs.
- That neither the Police nor the Fire and Rescue Service had submitted observations on the application, which proved that the pub was well-managed. That there were no cases of nuisance or disorder there.
- He confirmed that the notice displayed on the premises providing details of the application for a licence had been positioned in a prominent place.
- That the pub was situated on a quiet street with very little traffic.
- That the licensee was trying to cooperate with nearby residents and there was no intention to extend the hours during the week.

The objectors were not present at the meeting to reiterate the observations that had been submitted by letter.

The Propriety Officer noted that, when the original application had been approved, standard conditions had been imposed at the time in relation to noise prevention etc. Unfortunately, they had not been included on the licence due to an administrative error and he provided details of those conditions to the sub-committee. It was proposed to include these conditions on the licence following the decision of the committee today. In response the licensee stated that he was aware of these conditions.

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

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

RESOLVED to approve the variation to the licence of the Albert Inn, 10 Segontium Terrace, Caernarfon, as follows -

- a) To permit recorded music (paragraph F) and the sale of alcohol (paragraph M) between 11.00 and 01.00 on Fridays and Saturdays.**
- b) To permit the premises to be open to the public (paragraph O) between 11.00 and 01.30 on Fridays and Saturdays.**
- c) To permit an additional hour on Bank Holidays, Christmas Eve, Boxing Day and New Year's Day relevant to the above paragraphs.**

The Propriety Officer reported that he would aim to send a letter within five working days, informing the applicant of the Sub-committee's decision, and informing him of the right to appeal against the decision within 21 days of receipt of that letter.

At the end of the meeting the Chair referred to the retirement of the Licensing Manager, Mr Amlyn ab Iorwerth at the end of this month. He thanked him for his service to the Council and wished him a happy retirement.

The meeting commenced at 10.30am and concluded at 12.30pm.