
CENTRAL LICENSING SUB-COMMITTEE, 31.07.13

Present: Cllr Eryl Jones-Williams (Chair), Cllr Ann Williams, Cllr Elfed Williams

Also present: Mr Gwyn Hughes (Clerk of Bangor City Council), PS483 Bill Coppack (North Wales Police), Mr Ian Williams (North Wales Police Licensing Coordinator), Sion Huws (Language and Compliance Manager), Gwenan M. Williams (Licensing Manager) and Lowri H. Evans (Member Support and Scrutiny Officer).

1. APPLICATION TO VARY A PREMISES LICENCE – Zam Zam Foods, 308 HIGH STREET, BANGOR

Others invited to the Meeting: Representing Zam Zam Foods, 308, High Street, Bangor: Mr Khaliq Noor (Licence holder)

Apologies: None to note.

Submitted – the report of the Licensing Manager giving details of the application by Zam Zam Foods, 308, High Street, Bangor to vary the premises licence to permit an extension of an additional hour and a half, seven days a week, for the licensed activity of providing late night refreshments. A request was also made for an additional hour to this on Christmas Eve and New Year's Eve. Details of the current hours and the proposed hours were provided.

Following the appropriate consultation period, observations and an objection to the application had been received from a nearby business owner and from Bangor City Council. North Wales Police had also submitted their objection initially, but following a discussion with the applicant, they had come to an agreement subject to specific conditions. No observations had been received from the Local Member.

Bangor City Council objected to the application because of concern that the licensed premises were close to residential housing where a number of elderly residents lived. They also objected on the grounds of crime and disorder, the likely increase in litter on the street and an increase in people and cars congregating in the area late at night and early in the morning. An objection from the owner of a nearby business reflected the same concerns.

The Police stated that the applicant had agreed to limit the hours of licensable activity to 3:00am Sunday to Thursday and 3:30 on Fridays and Saturdays. The Police's agreement to the approval of the application was also subject to the applicant agreeing to the additional conditions, with a particular emphasis on two of those conditions, namely:

- a) In relation to CCTV, the licence holder should ensure that at least one member of staff has received appropriate training and is available to present and download evidence at the request of the Police or an authorised officer during the shop's opening hours.
- b) The licence holder should employ door supervisors for the terminal hour of licensable activity on Thursday, Friday and Saturday evenings.

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. 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 licence holder informed the sub-committee that he agreed with the conditions recommended by the Police. The applicant had made a further request to be allowed to remain open until 5am as a grocery shop. He submitted a letter from the Regulatory Department highlighting his right to do this due to the square foot measurement of his shop. The Police's recommendation was that the shop's opening hours should reflect the hours noted on the licence. This ensured consistency and fairness for all the businesses.

The Chairman noted that the sub-committee must focus on the licensing procedure here, and not on planning conditions. The application to be considered by the committee was that to extend the opening hours of Zam Zam Foods to provide late night refreshments.

The relevant parties left the meeting and the application was discussed by the members of the Sub-committee, who considered all the evidence submitted and specifically addressed the principles of the act, namely –

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

The members were of the opinion that the application should be approved.

RESOLVED

To approve the variation of the premises licence of Zam Zam Foods, 308, High Street, Bangor, as follows –

Permit the sale of late night refreshments (paragraph I) between 23.00 and 03.00 the following day from Sunday to Thursday, and between 23.00 and 03:30 the following day on Friday and Saturday. Permit an additional hour to these times on Christmas Eve and New Year's Eve.

Permit the premises to be open to the public (paragraph L) between 23.00 and 03.00 the following day from Sunday to Thursday, and between 23.00 and 03:30 the following day on Friday and Saturday. Permit an additional hour to these times on Christmas Eve and New Year's Eve.

ii) To accept all the Police's recommendations as listed below:

- a) **That a digital CCTV system will be installed and will work to the satisfaction of the Police and Local Authority monitoring both the interior and exterior of the premises.**
 - b) **In the case of the interior of the premises there will be sufficient cameras to record images of all areas available to the public, except for the toilets.**
 - c) **Lighting in the location must be of sufficient brightness and quality to identify persons within the building.**
 - d) **The CCTV system will record and retain colour images of all times when members of the public are on the premises, for a minimum of 31 days.**
 - e) **Images will be surrendered on request of the Police or local authority at the time the request is made and the premises will ensure they keep sufficient software available to comply with this condition. If unable to comply with a request under this condition the premises must understand they will be liable to have the premises licence reviewed.**
 - f) **There must be a minimum of one trained member of staff available to download evidence at the request of the police or an authorised officer when the premises are open.**
 - g) **Signs will be installed and displayed clearly in public areas of the building warning that a CCTV system is in operation.**
 - h) **Recordings of incidents must be kept secure for inspection by the Police.**
 - i) **The Designated Premises Supervisor will maintain a register, approved by the Police and Local Authority, of all door staff employed on the premises. The register will include details of the times each person working as door staff start and finish duty, the name and SIA licence number of the person employed, including the name of the company that employs them, if relevant.**
 - j) **The register will remain permanently on the premises and will be made available for inspection on request by the Police or Local Authority. On completion of the register, it will remain on the premises for a period of at least one year from the date it was completed, and for that period of time it will be available for inspection by the Police or Local Authority.**
 - k) **These premises will employ a minimum of one SIA registered door supervisor for the terminal hour of licensable activity on Thursday, Friday and Saturday evenings.**
- iii) **The Licensing Sub-committee advises the licence holder to contact the Regulatory Department with regard to operating as a grocer. Advises that licensing and planning differences should be highlighted to the applicant, and that he should have a discussion with his solicitor.**
 - iv) **The Licensing Sub-committee can not justify the shop being open between 3:00 and 5:00am Sunday to Thursday, and between 3:30 and 5:00am Friday to Saturday – 1 hour and 1½ hour beyond the opening hours on the licence for the provision of hot food.**
 - v) **That the licence holder installs clear and legible signs inside and outside the shop asking customers not to congregate inside or outside the shop.**

The Solicitor 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 his right to appeal against the decision within 21 days of receiving that letter.

The meeting commenced at 11.20am and concluded at 12.45pm.