
CENTRAL LICENSING SUB-COMMITTEE, 30.09.13

Present: Cllr Peter Read (Chairman), Cllr Eryl Jones-Williams, Cllr W.Tudor Owen

Also present: 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 – UNIVERSITY PLAICE, HOLYHEAD ROAD, BANGOR

Others invited to the Meeting: On behalf of University Plaiice, Holyhead Road, Bangor: Mr Mehmet Ali Usal (Licence Holder) and Miss Nia Haf Davies.

Local Members: Councillors June Marshall and Mair Rowlands.

Apologies: None to note.

Submitted – the report of the Licensing Manager giving details of the application by University Plaiice, Holyhead Road, Bangor to vary the premises licence to permit an extension of an additional hour, between 23.00 and 03.30 on Fridays and Saturdays, for the licensed activity of providing late night refreshments. Details of the current hours and the proposed hours were provided.

Following the appropriate consultation period, observations and objections to the application had been received from Local Members, Bangor City Council and nearby residents. North Wales Police had no objection but it was recommended that conditions be imposed on the licence following agreement with the applicant in relation to CCTV and door supervisors. The Fire and Rescue Service did not object to the application.

The objections to the application were based on the licensing objectives of preventing crime and disorder and public nuisance. It was noted that the premises were located in a residential area, and close to Britannia Square where elderly and vulnerable people resided.

The Police's perspective was that it was appropriate for the licences of all premises selling late night refreshments in Bangor to be equal in terms of the hours of licensable activities, in order to promote the licensing objectives. It was noted that the Police were requesting that conditions should be imposed on the licence with regard to CCTV and Door Supervisors. It was also noted that the Police acknowledged that Upper Bangor was a residential area; and that the applicant had consequently agreed to only extend the hours on Friday and Saturday nights.

It was enquired whether noise complaints emanating from the property had been received. It was noted that no information had been received about noise complaints by the Public Protection Unit.

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 licence holder.
- vi. Members of the Sub-committee were given an opportunity to ask questions of the consultees.

The applicant was given an opportunity to summarise his case. He informed the sub-committee that he agreed with the conditions that the Police had recommended. He emphasised that the main purpose of his application was to secure consistency and fairness amongst businesses in Bangor and Upper Bangor – justice had to prevail.

The objectors present at the meeting took advantage to elaborate on their objection and they reiterated the observations that had been submitted by letter.

The following points were noted:

- they objected to the application because of public nuisance and antisocial behaviour that would be created in a residential area
- local members were greatly concerned about the implications of the application especially as a number of older more vulnerable residents lived in flats nearby and the effect that approving the application would have on their standard of living
- the likely increase in litter on the street, gardens and footpaths
- people congregating outside the property until the early hours of the morning – this would lead to an increase in noise and antisocial behaviour
- lack of Police resources to deal with the disorder
- it was important to differentiate between residential areas and commercial areas
- It was the Council's duty to reduce crime and respect the well-being of residents and the committee should consider each application on its own merits.

The relevant parties left the meeting and the application was discussed by 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 varying the premises licence of UNIVERSITY PLAICE, HOLYHEAD RD., Bangor as follows:

- **To approve an extension of an additional hour, between 23.00 and 03.30 on Fridays and Saturdays for the licensable activities of providing late night refreshments.**
- **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 to 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 that those responsible for 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 on Thursday, Friday and Saturday evenings for the final hour of licensable activity under this Licence.

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.

2. APPLICATION TO VARY A PREMISES LICENCE – KING'S ARMS, 206 HIGH STREET, BANGOR

Others invited to the Meeting: On behalf of the King's Arms: Harry Evans (licence holder) and Norman Georgenson

Local Member: Not present.

Apologies: None to note.

Submitted – the report of the Licensing Manager detailing the application of the King's Arms, 206 High Street, Bangor, LL57 1NY, from H. Evans Bangor Ltd, 6 Llys Cadwaladr, Maesgeirchen, Bangor.

The application was submitted for an extension to the hours of licensable activities which included the sale of alcohol and recorded music and for the additional right to have live music on the premises. A request was also made for an extension of opening hours of the premises to the public. The premises were located amongst a terrace of businesses and shops on the High Street in Bangor. The applicant was not requesting any extension to the closing hours; rather, a request was made for the right to open at 1pm instead of 5pm. Details of the current hours and the proposed hours were provided.

Following the appropriate consultation period, observations and objections to the application had been received from nearby business owners. The application was objected to on the

grounds of the four licensing objectives, namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

It was noted by the objectors that the premises were in the centre of the High Street in Bangor, in the main shopping area, and that the current hours of the licence did not create any problems as the premises did not open until 5pm. It was also noted that historical problems were associated with the premises when the licence was under the management of a different company/individuals. At that time, the premises used to open in the afternoon and there were several problems with unacceptable behaviour outside the licensed premises during the afternoon. Apart from the High Street in front of the licensed premises, there was no area for customers to convene to smoke.

North Wales Police had no objection but it was recommended that conditions be imposed on the licence following agreement with the applicant, in relation to CCTV and door supervisors. No observations had come to hand from the Local Members or Bangor City Council. The Fire and Rescue Service did not object to the application.

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 licence holder.
- 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.

The licence holder informed the sub-committee that he agreed with the Police's recommended conditions and he added that he had no intention of arranging for live music to be played on the premises during the day. He explained that he was attempting to maintain an appropriate atmosphere for shoppers during the new hours by offering tea, coffee, sandwiches etc for customers. He added that the King's Arms was the only pub in Bangor without a licence to open at 1pm and that he had no connection with the former licence holder of the premises.

The objectors present at the meeting took advantage to elaborate on their objection and they reiterated the observations that had been submitted by letter.

The following points were noted:

- Concern regarding the lack of a designated area for customers to smoke in inclement weather. The customers made use of nearby business accesses as shelters.
- An increase in the number of people congregating on the high street outside the premises – this was the narrowest area on the street.
- Concern about offensive language and unacceptable behaviour towards shoppers.

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 the King's Arms, 206 High Street, Bangor, as follows:

- **To permit the licence holder to open at 1pm rather than 5pm, seven days a week.**
- **To accept all the Police's recommendations as listed below:**
 - l) **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.**
 - m) **The register will remain permanently on the premises and will be made available for inspection on request by the Police or Local Authority. 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 the Local Authority.**
 - n) **These premises will employ at least one door supervisor registered with the Security Industry Authority (SIA) from 21.00 until the business closes every Thursday, Friday and Saturday night, unless the Designated Premises Supervisor has received permission in writing from the Police that such staff need not be employed on these evenings and that the Designated Premises Supervisor and the Police agree that there is no need.**
- **Not to play live music between 1pm and 5pm.**
- **Staff of the pub to ensure that customers smoke within the designated area in front of the building – install a barrier to prevent people from wandering.**
- **Staff of the pub to ensure that smokers do not disturb shoppers and owners of nearby businesses.**
- **To install an ash tray in the designated area for smokers along with installing a sign to promote good behaviour.**
- **To encourage the licence holder to construct a shelter to protect smokers from inclement weather.**
- **Suggest that the licence holder considers door supervisors between 1pm and 5pm.**

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 2.00pm and concluded at 5.00pm.