



Gwasanaeth Democraidd
Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Cyfarfod / Meeting

IS-BWYLLGOR TRWYDDEDU CANOLOG
CENTRAL LICENSING SUB-COMMITTEE

Dyddiad ac Amser / Date and Time

DYDD GWENER, 22 CHWEFOR, 2013

FRIDAY, 22 FEBRUARY, 2013

Lleoliad / Location:

**SIAMBR ARFON/YSTAFELL GLYDER FAWR,
SWYDDFEYDD Y CYNGOR,
PENRALLT,
CAERNARFON**

am /at 11.30am.

(Aelodau'r Is-bwyllgor yn unig i gyfarfod ger Star Kebab, 323, Stryd Fawr, Bangor am 9.30am)

(Sub-committee members only to meet near the Star Kebab, 323, High Street, Bangor at 9.30am)

Pwynt Cyswllt / Contact Point

GWYN PARRY WILLIAMS

(01286) 679665

gwynparrywilliams@gwynedd.gov.uk

Dosbarthwyd/Distributed: 14/02/13

IS-BWYLLGOR TRWYDDEDU
LICENSING SUB-COMMITTEE

Aelodaeth/Membership (3)

Y Cynghorwyr / Councillors

W. Tudor Owen (Cadeirydd/Chairman)

Chris Hughes

Ann Williams

Elfed Williams (wrth gefn/reserve)

Aelodau Lleol / Local Members

Cynghorwyr/Councillors

Huw Edwards
(cais/application 4)

Gwynfor Edwards
(cais/application 5)

Eirwyn Williams
(cais/application 6)

AGENDA

1. APOLOGIES

To receive any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

3. URGENT ITEMS

To note any items that are a matter of urgency in the view of the Chairman for consideration.

**4. 11.30am APPLICATION FOR A PREMISES LICENCE – LIFESTYLE EXPRESS, 21
FFORDD ELIDIR, MAESINCLA, CAERNARFON**

To consider the above application (copy herewith – **blue** paper)

**5. 1.30pm APPLICATION TO REVIEW PREMISES LICENCE – STAR KEBAB, 323, HIGH
STREET, BANGOR**

To consider the above application (copy herewith – **gold** paper)

**6. 3.00pm APPLICATION TO VARY PREMISES LICENCE – CADWALADER'S ICE CREAM
CAFE, CASTLE STREET, CRICCIETH**

To consider the above application (copy herewith – **pink** paper)

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE (ARFON)
DATE:	22 FEBRUARY 2013
TITLE:	APPLICATION FOR A PREMISES LICENCE – LIFESTYLE EXPRESS, 21 FFORDD ELIDIR, MAESINCLA, CAERNARFON
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

APPLICATION

An application is appended for a premises licence for Lifestyle Express, 21 Ffordd Elidir, Maesincla, Caernarfon LL55 1DR by Mr Raja Shajanur, 10 Vaynol Street, Caernarfon, LL55 2RL. The applicant is applying for a licence to sell alcohol to be consumed off the premises from 07:00 to 21:00 Monday to Saturday and from 09:00 to 20:00 on Sundays. The proposed opening hours of the business comply with the hours for the sale of alcohol.

The Police discussed the application with the applicant at the beginning of the consultation period and has sought the applicant's agreement to accept the conditions on the licence in relation to the installation and use of a CCTV system. Otherwise, the Police has no objections to the application.

CONSULTATIONS

The application was consulted upon and the responses received were as follows -

RESPONSES	OBSERVATIONS
Local member	No observations
Caernarfon Town Council	E-mail – objection
Police	E-mail – observations and no objection
Neighbouring residents	17 letters – objections
Fire Service	A letter – observations, no objections

In addition to the above, a petition was received with the names and addresses of neighbouring residents objecting to this application. In accordance with the relevant guidelines of the Licensing Act 2003 a petition can not be considered as a valid response to an application for a licence. See enclosed full details of the observations received.

SUMMARY OF THE OBSERVATIONS AND THE GROUNDS FOR OBJECTIONS

Residents

Object to the application on the grounds of the following licensing objectives:

- Crime and disorder prevention
- Prevention of public nuisance
- Protection of children from harm

Caernarfon Town Council Members

Object on the grounds of the licensing objectives of:

- Crime and disorder prevention
- Prevention of public nuisance

RECOMMENDATION

The Committee is requested to consider the application in accordance with the Licensing Act 2003.

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE (ARFON)
DATE:	22 FEBRUARY 2013
TITLE:	APPLICATION TO REVIEW A PREMISES LICENCE – STAR KEBAB, 323 HIGH STREET, BANGOR
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

APPLICATION

An application is appended to review the premises licence of Star Kebab, 323 High Street, Bangor, LL57 1NY from Inspector Simon Barrasford, North Wales Police. The application was submitted in relation to the four licensing objectives, namely:

- Crime and Disorder Prevention
- Public Safety
- Public Nuisance Prevention
- Protection of children from harm

The application is submitted due to the continued problems mainly involving crime and disorder on the premises and consistent breach of conditions in particular in relation to the closing hours on the premises' late night refreshment licence.

The premises has already been subject to a review by the Police in November 2011; and the Sub-committee resolved to approve a review of the licence on grounds of evidence submitted by the Police on 12 January 2012. A copy of the review application is included in Appendix A to the current review application made by the Police.

In January 2012, the Sub-committee resolved to reduce the opening hours and licensed activity hours as follows -

Sun / Thurs - 23.00 to 02:00
Friday/Saturday - 23.00 to 02:30

In addition to the above, the conditions in relation to maintaining a CCTV system on the premises were changed and conditions were added in relation to the presence of door supervisors and a door supervisors' register.

The licence holder appealed against the decision of the Sub-committee which meant that it was not possible to implement the new hours until such time as the Court's decision on the appeal case was known.

On the day of the appeal case on 28 August 2012 the Court was notified that the licence holder was withdrawing his appeal which meant that the Sub-committee's decision became effective immediately.

On 15 and 16 September 2012; the Police witnessed the premises being open beyond their licensed hours and the offence of a breach of licence conditions was reported by the Police in accordance with the requirements of section 136 of the Licensing Act 2003. The licence holder was required to appear at Caernarfon Magistrates' Court on 19 November and he pleaded guilty to the offences.

The Police's application expands upon the specific offences which are the basis of the evidence for this review. There are now 22 occurrences of crime and disorder linked to this premises. It is noted that the premises is also responsible for over 80% of the violent incidents at late night refreshment premises in Bangor.

Some of the crime and disorder incidents took place during a weekend in December 2012. At the time, the licence holder was acting in accordance with an extension to opening hours approved through Temporary Notices by the Sub-committee on 29/11/12.

Evidence is also submitted by the Police of non-compliance with the licence conditions of providing door supervisors after 23:00 on Thursdays to Sundays and keeping a register of door supervisors. Occasions have been noted of non-compliance with these conditions.

The Police also noted that it is possible to see from the CCTV evidence submitted to the Committee to support this application, that there was non-compliance with several other conditions on the premises licence. Schedule 2 of the Police's application expands upon the details seen on the CCTV coverage.

POLICE RECOMMENDATION

The Sub-committee is requested to use the powers authorised to it to suspend the premises licence for a period of three months or any period considered appropriate by the Sub-committee. The Police's opinion is that giving a specific suspension would allow the licence holder an opportunity to take steps to resolve the lack of control observed by the Police on the premises.

CONSULTATION

No observations on the Police's applications were received during the relevant period until 4 February when this report was completed.

RECOMMENDATION

The Committee is requested to consider the application in accordance with the Licensing Act 2003.

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE (ARFON)
DATE:	22 FEBRUARY 2013
TITLE:	APPLICATION FOR A VARIATION OF PREMISES LICENCE – CADWALADER’S ICE CREAM CAFÉ, CASTLE STREET, CRICIETH
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

APPLICATION

An application is appended to vary the premises licence for Cadwalader’s Ice Cream Café, by Jenny Fry, Licensing Consultant acting on behalf of Cadwalader’s (Ice Cream) Limited.

The application is submitted to allow for the sale of alcohol on the premises between 10.00 and 21.30, seven days a week. There is no application to change the opening hours of the premises; namely between 10:00 and 22:00 daily.

It is explained in the application that the premises generally trades as a café/coffee shop. It is noted that the intention to sell alcohol is ancillary only to the main use (the sale of food and drink) and that it is intended to offer coffee or desserts which contain liqueur, spirits, wine and specialist beer.

CONSULTATION

There was a consultation on the application and one letter of objection has been received from a neighbouring resident.

The objection is on grounds that the nature of the business already undermines the licensing objective of preventing public nuisance and that the situation would become worse should the application be approved.

The objector complains about the noise, litter, customers’ lack of respect and problems due to customers parking in front of the objector’s property preventing access.

See the report for the contents of the letter of objection.

An e-mail was received from Councillor Eirwyn Williams stating that he has no objections to the application.

An e-mail was received from an officer in the Council’s Public Protection Unit stating that she has no observations in relation to the application.

RECOMMENDATION

The Committee is requested to consider the application in accordance with the Licensing Act 2003.