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## CENTRAL LICENSING SUB-COMMITTEE, 04.07.13

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**Present:** Councillor Eryl Jones-Williams (Chairman)  
Councillors Annwen Hughes and Angela Russell

**Also present:** Geraint B. Edwards (Solicitor), Gwenan M. Williams (Licensing Manager), Gwyn Parry Williams and Lowri H. Evans (Member Support and Scrutiny Officers).

### 1. APPLICATION FOR A VARIATION OF PREMISES LICENCE – THE HARP INN, 80 – 82 HIGH STREET, BANGOR

#### Others invited to the Meeting:

**Representing The Harp Inn, 80-82 High Street, Bangor:** Mr Bethan Brown (Licence holder) and Mr James Brown.

Apologies: Ms Ffion Muscroft (Environmental Health Officer) and Mr Ian Williams (Licensing Co-ordinator, North Wales Police)

Submitted – the report of the Licensing Manager, providing details of the application on behalf of the Harp Inn, 80-82 High Street, Bangor, for a variation of premises licence to approve an extension of an additional hour, Thursday evenings until, and including, Saturday evenings for the licensable activities of supplying alcohol and playing of recorded music until 02.00. An extension to the closing hours was also requested on those days up to 02.30. She gave details of the current hours and the proposed hours. In addition to the application for extension of hours, permission was requested to delete some of the conditions in Appendix 2 of the Current Licence which were consistent with the Operating Schedule of the licence as follows -

- a) To inspect the toilets on a regular basis.
- b) To have a pest control agreement in place.
- c) To dispose of standard glasses over time, exchanging them for toughened glasses.
- ch) To permit children in the dining room up until 19.00 only.
- d) To provide a smoke-free room for families.

It was reported that following the appropriate consultation period, no comments had been received from the local member. Bangor City Council objected to the application because of concern regarding the location of the licensed premises in close proximity to residential properties and specifically to houses of older people. The Police had no objection to the application but it was recommended that conditions should be imposed on the licence following agreement with the applicant in relation to CCTV, door supervisors and membership of the Pubwatch scheme. There was no objection either by the Public Protection Department but it was noted that one complaint had been received in 2012 in relation to noise emanating from the premises although there was no specific evidence to support the allegations. It was recommended that noise conditions be included on the premises licence as those imposed on the current licence.

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.
- v. The applicant or his representative was 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 and the Public Protection Department. He noted that the CCTV system had already been installed at the premises and the premises were also a member of the Pubwatch scheme. He referred to the fact that it was the Police who had suggested that he submit the application in question.

There were no representatives from Bangor City Council present at the meeting to elaborate on their objection.

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

Members were of the opinion that the application should be approved because it would, along with the proposed conditions imposed by the Police and Public Protection Department, promote the licensing aims.

#### **RESOLVED**

- i) To approve the variation of the premises licence of The Harp Inn, 80-82 High Street, Bangor as follows -**
  - a) To approve the supply of alcohol under paragraph M between 10.00 and 01.00 on Mondays to Wednesdays; between 10.00 and 02.00 on Thursdays to Saturdays and between 11.00 and 23.00 on Sundays.**
  - b) To approve recorded music under paragraph F between 11.00 and 01.00 on Mondays to Wednesdays; between 11.00 and 02.00 on Thursdays to Saturdays and between 11.00 and 22.30 on Sundays.**
  - c) To permit the premises to be open to the public under paragraph O between 10.00 and 01.00 on Mondays to Wednesdays; between 10.00 and 2.30 on Thursdays to Saturdays and between 11.00 and 22.00 on Sundays.**
  - ch) To change the conditions of the licence in accordance with what is noted in paragraph P of the application.**
  - d) A digital 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.**
  - dd) In the case of the interior of the premises, there will be sufficient cameras installed**

to record images of the whole area available to the public except for the toilets.

e) Lighting in the location must be of sufficient brightness and quality to identify persons within the building.

f) 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.

ff) Images will be surrendered at the 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.

g) 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.

ng) Signs will be installed and displayed clearly in public areas of the building drawing attention to the fact that the CCTV system is operational.

h) That recordings of incidents must be kept secure for inspection by the Police.

i) The Designated Premises Supervisor will keep a recognised register 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.

l) 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.

ll) 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 evening, 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.

m) The premises will be a member of the Pubwatch scheme and a representative will attend Pubwatch meetings and take part in all initiatives by the scheme. The premises will adhere to all directives issued by the Pubwatch scheme, including compliance with Banning Orders issued against any individual.

n) To impose the following conditions outlined by the Public Protection 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 the LAeq sound level is as defined in BS4142:1997.

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

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

- Carry out 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 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.

vi) 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.

vii) 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.

b) To send a letter to Bangor City Council expressing dismay that a representative did not attend the meeting and to draw attention to the fact that the hearing had to be held following their objection.

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 their right to appeal against the decision within 21 days of receiving that letter.

Additional matters

**a) Application for a premises licence – Toft's Dining Room, High Street, Abersoch**

Submitted – the report of the Licensing Manager, stating that an application for a premises licence had been received from the above premises for the sale of alcohol in the restaurant. Llanengan Community Council and the Local Member had no objection to the application but one objection had been received on the grounds of planning matters and these matters were discussed with the Planning Officers but they had agreed that there was no basis to the concerns as noted by the objector. Consequently, the matter was discussed with the Local Member and it was explained that the application could be approved as there was no basis to the objection because planning issues were not relevant to licensing issues. Based on this, the relevant officer decided to approve the application subject to confirmation from this sub-committee.

**RESOLVED to confirm the steps taken by officers to approve the application for a premises licence.**

**b) Application for a premises licence – Penrhyn Stores, Fairbourne**

Submitted – the report of the Licensing Manager, stating that an application for a premises licence had been received from the above premises for the sale of alcohol in the premises used as an amusement arcade and a small café. Five objections to the application had been received, including the Local Member, on the grounds that there were plenty of places in the village where alcohol was sold. In terms of licensing matters, this objection was insufficient for not approving the licence. A mediation meeting had been held on 13 June 2013 with the objectors and the applicant when four of the objectors had agreed to withdraw their objections because the applicant had agreed to reduce the hours by one hour as this would be more appropriate for the location. Based on this, the relevant officer decided to approve the application subject to confirmation from this sub-committee. However, one objector continued to be dissatisfied regarding granting the licence but he had not been present at the mediation meeting and the grounds of the objection were not relevant to licensing issues.

**RESOLVED to confirm the steps taken by officers to approve the application for a premises licence.**

The meeting commenced at 1.00pm and concluded at 1.40pm.