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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 IAU, 28fed o DACHWEDD 2013

THURSDAY, 28th NOVEMBER, 2013

Lleoliad / Location:

YSTAFELL GLYDER FAWR ROOM
SWYDDFEYDD Y CYNGOR / COUNCIL OFFICES

PENRALLT

CAERNARFON

am /at 2:00pm

Pwynt Cyswllt / Contact Point

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Dosbarthwyd/Distributed: 20.11.13

IS-BWYLLGOR TRWYDDEDU
LICENSING SUB-COMMITTEE

Aelodaeth / Membership (3)

Y Cynghorwyr / Councillors

W Tudor Owen (Cadeirydd/Chairman)

Chris Hughes

Gethin Glyn Williams

Huw Edwards (wrth gefn)

Aelod Lleol / Local Member

Cynghorydd/Councillor

June Marshall

Mair Rowlands

RHAGLEN

1. **CROESO ac YMDDIHEURIADAU**

Derbyn unrhyw ymddiheuriadau am absenoldeb.

2. **DATGAN BUDDIANT PERSONOL**

Derbyn unrhyw ddatganiad o fuddiant personol.

3. **MATERION BRYD**

Nodi unrhyw eitemau sy'n fater bryd ym marn y Cadeirydd fel y gellir eu hystyried.

4. **CAIS AM AMRYWIAD TRWYDDED EIDDO:**

BELLA TAKEAWAY, 8 Ffordd Caergybi, Bangor Uchaf, LL57 2EG

Ystyried y cais uchod
(papur glas)

AGENDA

1. WELCOME and 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 is a matter of urgency in the view of the Chairman for consideration.

4. APPLICATION TO VARY A PREMISES LICENCE:

BELLA TAKEAWAY, 8, HOLYHEAD ROAD, BANGOR, LL57 2EG

To consider the above application
(Blue paper)

TREFN MEWN GWRANDAWIADAU I WYRO TRWYDDED

1. Adroddiad ysgrifenedig gan yr Adain Trwyddedu gydag argymhelliad.
2. Gall aelodau'r Is-bwyllgor ofyn cwestiynau i gynrychiolydd y Cyngor.
3. Ar ddisgresiwn y Cadeirydd gall yr ymgeisydd neu ei gynrychiolydd ofyn cwestiynau i gynrychiolydd y Cyngor.
4. Gall yr ymgeisydd neu ei gynrychiolydd ymhelaethu ar ei gais ac yna galw tystion
5. Gall aelodau'r Is-bwyllgor ofyn cwestiynau i'r ymgeisydd neu ei gynrychiolydd
6. Gwahoddiad i bob ymgynghorai gefnogi sylwadau ysgrifenedig
7. Gall aelodau'r Is-bwyllgor ofyn cwestiynau i'r ymgynghorai.
8. Ar ddisgresiwn y Cadeirydd, gall cynrychiolydd y Cyngor a'r ymgeisydd neu ei gynrychiolydd grynhoi eu hachos.

Atgoffir pawb o'r pedwar egwyddor o'r Ddeddf Trwyddedu 2003 fydd angen ei ystyried, sef:

- 1. Rhwystro Trosedd ac Anrhefn;**
- 2. Diogelwch y Cyhoedd;**
- 3. Rhwystro Niwsans Cyhoeddus; ac**
- 4. Amddiffyn plant rhag niwed:**

PROCEDURES FOR LICENSING VARIATION HEARINGS

1. A written report will be presented by the Licensing Section (with recommendation).
2. Members of the Sub-committee may ask questions of the Council's representative.
3. At the Chairman's discretion the applicant and/or his representative may ask questions of the Council's representative.
4. The applicant and/or his representative may expand upon the application and call witnesses
5. Members of the Sub-committee may ask questions of the applicant and/or his representative
6. There will be an invitation for each consultee to support any written observations
7. Members of the Sub-committee may ask questions of the consultees.
8. At the Chairman's discretion the Council's representative and the applicant or his representative may summarise their case.

All are reminded of the four principles of the Licensing Act 2003 to be considered in all deliberations, namely:

- 1) Crime and Disorder Prevention;**
- 2) Public Safety;**
- 3) Public Nuisance Prevention; and**
- 4) Protection of Children from Harm.**

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| PWYLLGOR: | IS -BWYLLGOR TRWYDDEDU CANOLOG |
| DYDDIAD: | 23 HYDREF 2013 |
| TEITL: | CAIS I AMRYWIO TRWYDDED EIDDO - BELLA TAKEAWAY, Ffordd Caergybi, Bangor |
| PWRPAS: | ER PENDERFYNIAD |
| AWDUR: | PENNAETH ADRAN RHEOLEIDDIO |

CAIS

Atodir cais i amrywio trwydded eiddo Bella Takeaway, 8 Ffordd Caergybi, Bangor uchaf, LL57 2EG oddi wrth deilydd y drwydded , Mr Talal El – Arab, 20 Rhosfryn, Bangor LL57 2DL. Cyflwynir y cais am ymestyniad ar yr oriau gweithgareddau trwyddedig safonol. Lleolir yr eiddo ym Mangor Uchaf, ac fe ddarparir lluniaeth hwyr y nos i'w fwyta oddi ar yr eiddo.

Argymhellir oriau gweithgaredd trwyddedig ac agor fel a ganlyn –

| | TRWYDDED GYFREDOL | TRWYDDED ARFAETHEDIG |
|--------------------|-------------------------------------|-------------------------------------|
| Dyddiau | Oriau darparu lluniaeth hwyr | Oriau darparu lluniaeth hwyr |
| Sul/Mercher | 23:00 – 02:30 | 23:00 – 02:30 |
| Iau | 23:00 – 02:30 | 23:00 – 03:00 |
| Gwen/Sad | 23:00 - 02:30 | 23:00 – 03:30 |

YMGYNGHORIADAU

Ymgynghorwyd ar y cais a derbyniwyd ymatebion fel a ganlyn –

| YMATEBION | SYLWADAU |
|--------------------------------------|---------------------------------------|
| Aelodau lleol | 2 e bost - gwrthwynebiad |
| Aelodau unigol a Cyngor Dinas Bangor | 4 e-bost - gwrthwynebiad |
| Preswylwyr cyfagos | Llythyr - gwrthwynebiad |
| Heddlu Gogledd Cymru | 2 e Bost - amodau , dim gwrthwynebiad |
| Gwasanaeth Tan ac Achub | Llythyr - dim gwrthwynebiad |

CRYNODEB O'R SYLWADAU A DDERBYNIWYD

Aelodau Lleol

Derbyniwyd e bost yn gwrthwynebu gan ddau o aelodau lleol , ar sail yr amcan trwyddedu o atal niwsans cyhoeddus.

Cyngor Dinas Bangor

Derbyniwyd 3 e bost gan gynghorwyr unigol ac un e bost gan Glerc y Cyngor yn gwrthwynebu'r cais ar sail yr amcanion trwyddedu o atal trosedd ac anrhefn a niwsans cyhoeddus

Preswlydd cyfagos

Mae'r preswlydd yn byw yn agos iawn i'r eiddo ac yn pryderu fod yr ymestyniad mewn oriau yn mynd i danseilio'r amcanion trwyddedu o atal trosedd ac anrhefn a niwsans cyhoeddus; a chyfrannu tuag at yr aflonyddwch sydd ar gynnydd ym Mangor Uchaf.

Heddlu Gogledd Cymru

Nid yw'r Heddlu yn gwrthwynebu'r cais am ymestyniad oriau. Safbwynt yr Heddlu yw bod yn briodol i holl drwyddedau eiddo gwerthu lluniaeth hwyr y nos ym Mangor fod yn gyfartal o ran oriau gweithgaredd trwyddedig, er mwyn hyrwyddo'r amcanion trwyddedu. Nodir fod yr Heddlu yn gofyn am gynnwys amodau ar y drwydded parthed TCC a Goruchwylwyr Drysau. Nodir yn ogystal fod yr Heddlu yn cydnabod fod Bangor Uchaf yn ardal breswyl; a bod yr ymgeisydd wedi cytuno i ymestyn yr oriau ar nos Iau, nos Wener a nos Sadwrn yn unig oherwydd hyn.

Gweler manylion llawn y gwrthwynebiadau ynghlwm a'r adroddiad.

ARGYMHELLIAD

Gofynnir i'r Is-bwyllgor ystyried y cais yn unol â gofynion y Ddeddf Trwyddedu 2003.

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|-------------------|---|
| COMMITTEE: | CENTRAL LICENSING SUB-COMMITTEE |
| DATE: | 23 OCTOBER 2013 |
| TITLE: | APPLICATION TO VARY A PREMISES LICENCE – BELLA TAKEAWAY, HOLYHEAD ROAD, BANGOR |
| PURPOSE: | FOR A DECISION |
| AUTHOR: | HEAD OF REGULATORY DEPARTMENT |

APPLICATION

Attached is an application to vary the premises licence of Bella Takeaway, 8 Holyhead Road, Upper Bangor LL57 2EG from the licence holder, Mr Talal El – Arab, 20 Rhosfryn, Bangor LL57 2DL. The application is submitted for an extension of the hours of standard licensable activities. The premises are located in Upper Bangor and late night refreshments are provided to be consumed off the premises.

Hours for licensed activities and opening are recommended as follows –

| | CURRENT LICENCE | PROPOSED LICENCE |
|-----------------|---|---|
| Days | Hours of late night refreshments provision | Hours of late night refreshments provision |
| Sun/Wed | 23:00 – 02:30 | 23:00 – 02:30 |
| Thursday | 23:00 – 02:30 | 23:00 – 03:00 |
| Fri /Sat | 23:00 - 02:30 | 23:00 – 03:30 |

CONSULTATIONS

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

| RESPONSES | OBSERVATIONS |
|--|--------------------------------------|
| Local members | 2 e-mails – objection |
| Individual members and Bangor City Council | 4 e-mails – objection |
| Neighbouring residents | A letter – objection |
| North Wales Police | 2 e-mails – conditions, no objection |
| Fire and Rescue Service | A letter – no objection |

SUMMARY OF OBSERVATIONS RECEIVED

Local Members

An e-mail was received from two local members objecting to the application based on the licensing objective of preventing public nuisance.

Bangor City Council

Two e-mails were received from 3 individual councillors and one from the Council's Clerk objecting to the application on the grounds of the licensing objectives of preventing crime and disorder and public nuisance.

Neighbouring resident

The resident lives very close to the premises and is concerned that the extension of hours will undermine the licensing objectives of preventing crime and disorder and public nuisance; and will contribute to the increasing disturbance in Upper Bangor.

North Wales Police

The Police do not object to the application for an extension of hours. The viewpoint of the Police is that it is 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 is noted that the Police are requesting that conditions are imposed on the licence with regard to CCTV and Door Supervisors. It is also noted that the Police acknowledge that Upper Bangor is a residential area; and that the applicant has consequently agreed to only extend the hours on Thursday, Friday and Saturday nights.

See full details of the objections attached to the report.

RECOMMENDATION

The Sub-committee is requested to consider the application in accordance with the Licensing Act 2003.