

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	17 DECEMBER 2013
TITLE:	APPLICATION TO VARY A PREMISES LICENCE – LATE SHOP, 13 HOLYHEAD ROAD, BANGOR
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

BACKGROUND - THE RE – SUBMISSION OF THE APPLCATION

Attached is an application to vary the premises licence of Late Shop, 13 Holyhead Road, Upper Bangor, LL57 2EG from the licence holder, Melanie C Jones.

You will recall that this Sub – Committee decided at a hearing held on the 8th of November 2013 that it would not be possible to hear this application , or make a determination on it because evidence was submitted during the hearing that the application had not been advertised correctly.

In order for the Sub-committee to be able to hear the application, it must be submitted in accordance with the requirements of the Licensing Act 2003 and associated regulations. One of the requirements is that advance notification is given of an application.

In this matter, notice of the application was given in the Chronicle on 12 September 2013. However the notice was defective in that it did not mention that the application was in relation to varying the licensable activity of sale of alcohol.

Due to this defect no proper notice of the application had been given. As it had not been properly notified the Sub-committee had no jurisdiction to consider the application, let alone decide on whether to accept or reject it.

The applicant and those making representations on the application were notified on the 19th of November 2013. A copy of the letter is attached to this report.

Following the Sub Committee meeting, the application was re – submitted by the licence holder on the 12th of November; and it can be confirmed that the notice was presented correctly, in accordance with the requirements of the Licensing Act 2003 and relevant regulations. (see a copy of the notice attached to this report)

APPLICATION

The application is submitted for an extension of the hours of standard licensable activities of providing late night refreshments and selling alcohol to be consumed off the premises.

See details in the application form regarding the steps the applicant intends to take to ensure compliance with the licensing objectives.

Hours of licensed activities 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 – 02:00	23:00 – 02:30
Thursday	23:00 - 02:00	23:00 – 03:00
Fri - Sat	23:00 - 02:00	23:00 - 03:30
	Hours of selling alcohol to be consumed off the premises	Hours of selling alcohol to be consumed off the premises
Sun - Wed	08:00 – 02:00	08:00 – 02:30
Thursday	08:00 - 02:00	08:00 – 03:00

Fri - Sat	08:00 - 02:00	08:00 - 03:30
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Note that the current and proposed opening hours for the premises are 24 hours a day, 7 days a week.

CONSULTATIONS

The application was consulted upon and by the 4th of December, the following responses were received –

RESPONSES	REPRESENTATIONS
Local members	2 e-mails – objection
Bangor City Council	1 e mail - objection
North Wales Police	2 e-mails – conditions, no objection

It should be noted that the consultation period for the application following its re-submission ended on the 12/12/13 – and it is possible that other representations on the application will have been received by the date of this hearing.

SUMMARY OF REPRESENTATIONS RECEIVED

Local Members – Gwynedd Council

An e-mail was received from two local members objecting to the application, mainly on the grounds of the licensing objective of preventing public nuisance because of the possibility of an increase in litter and noise. It is noted that the premises is located within a residential area. Concerns were also expressed that an extension to the hours would lead to an increase in crime and disorder.

Bangor City Council

Three e-mails were received from 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. It was noted that the proposed hours would lead to an increase in crime and disorder, as well as an increase in nuisance, noise and litter on the street.

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 request that conditions be 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 the weekend.

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.