
CENTRAL LICENSING SUB COMMITTEE 21/12/15

Present:

COUNCILLORS: W. Tudor Owen, Ann Williams and Elfed Williams

OFFICERS: Geraint Brython Edwards (Solicitor), Lowri Haf Evans (Members and Scrutiny Support Officer), Sheryl Le Bon Jones (Operational Systems Manager - Public Protection), Gwenan Mai Roberts (Public Protection Manager - Environment) and Ffion Muscroft (Public Protection Officer)

1. APOLOGIES

None to note

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. APPLICATION TO VARY A PREMISES LICENCE – THE LOUNGE, 342 HIGH STREET, BANGOR

On behalf of the premises: Mrs Susan Roberts (applicant), Mr Chris O'Neil (agent)

The Chairman, Councillor W. Tudor Owen, welcomed everyone to the meeting. The panel and the officers were introduced to everyone present. It was announced that everybody had up to 10 minutes to present direct observations on the case

The report and recommendation of the Licensing Section.

- a) Submitted – the report of the Licensing Manager detailing the application for a premises licence for The Lounge, 342, High Street, Bangor elaborating that the application was for a lounge bar with a dancing area. It was noted that the applicant had included appropriate steps to promote the four licensing objectives as part of the application. It was highlighted that a premises licence had existed for the premises since 2005 and it had expired in August 2014.

Following a consultation period, it was noted that North Wales Police did not object to the application, but wished for the CCTV to be installed at the premises to be subject to specific CCTV conditions. It was noted that the Public Protection Service did not object to the application, but recommended a reduction in the hours of recorded and live music as well as including fixed standard conditions on the licence to manage noise levels and prevent public

nuisance. An objection to the application had been received from the owner of adjoining flats due to noise problems, music vibration and the sound of voices emanating from the smoking area outside. It was noted that Bangor City Council had no objection to the application and that the Fire Service had not provided observations.

b) In considering the application, the following procedure was followed:-

- Members of the Sub-committee and the applicant were given an opportunity to ask questions of the Licensing Manager.
- The applicant was invited to expand on the application.
- Consultees were given an opportunity to submit their observations.
- The licensee, or his representative, was invited to respond to the observations.
- Members of the Sub-committee were given an opportunity to ask questions of the licensee.
- Members of the Sub-committee were given an opportunity to ask questions of the consultees.

c) In response to a question regarding how the hours of the application compared with the hours of the previous licence, it was noted that there was very little change between the two. In response to the opening hours of similar establishments nearby, it was noted that closing hours on the weekends was 3:00am.

ch) When elaborating on the application, the agent on behalf of the applicant noted that he was happy with what had been submitted and confirmed that the applicant had agreed to the CCTV conditions of North Wales Police.

Additional observations of the applicant's intention;

- Bangor City's night-time economy had changed, therefore, there was a need to respond to the demand, compete with others to earn a living.
- The premises would join the National Pub Watch scheme.
- It would be ensured that the four licensing objectives would be prioritised.
- There would be no access after 1am - voluntary recommendation
- The observations of the police had been implemented
- There would be CCTV cameras watching every area within the property
- Willingness to collaborate with the police to provide recorded information

In addition to the above observations, the agent noted that there was no basis for Public Protection's complaint and that he strongly objected to the recommendations. It was argued that the conditions were unfair and that there was no consistent evidence of noise issues on the premises. In terms of noise prevention signs, it was argued that this was more than what was required.

In response to a letter of complaint from the owner of nearby flats regarding noise, it was argued that it was a complaint from a third party, and therefore, the letter had no status. The tenants themselves had not complained, and therefore, it was suggested to disregard the letter as it did

not have a status.

d) In response to the application, the Public Protection Service, which was concerned about the hours of live and recorded music applied for, noted the following observations:

- Providing observations on an application was a statutory practice - no objection had been submitted as the department had not received evidence of noise impact
- The observations of the owner of nearby flats referred to noise complaints, and therefore, confirmed noise concerns
- The noise conditions presented were standard conditions and were being proposed for all licences within residential areas. This ensured consistency and fairness for the industry of Bangor's night-time economy.
- It was noted that no complaint had been received since the temporary licence period, but it was argued that no complaint had to be received before standard conditions were proposed / imposed. The conditions were being proposed as a preventative action.

In response to a question regarding standard conditions, it was noted that Mirage had received standard conditions.

dd) The observations of North Wales Police, the owner of nearby flats and Bangor City Council were acknowledged.

e) On behalf of the applicant, an agent presented the following conclusions about the application;

- The hours of the premises were not different to any similar premises in Bangor.
- Voluntary conditions had been recommended
- Understood the need for standard conditions and therefore, willing to consider i, v and vi
- It was argued that no noise complaints had been received from neighbouring residents who were local to the area
- A designated area had been prepared for smoking

f) The relevant parties left the meeting.

The members of the Sub-committee discussed the application, considered all the evidence submitted, and gave particular attention to the principles of the Licensing Act 2003, namely

- Crime and Disorder
- Public Safety
- Preventing Public Nuisance
- Protection of Children from Harm

The Sub-committee was willing to approve the licence in line with the application subject to the CCTV conditions of North Wales Police.

RESOLVED to approve the application for a premises licence, and a licence is granted in line with the application and subject to the following additional conditions:

- 1. People were not permitted to access the premises after 1am (this will be incorporated as a condition in part M of the Operating Schedule)**
- 2. The standard conditions recommended by the Police in relation to CCTV will be incorporated in the licence.**

The Solicitor reported that the decision would be confirmed formally in a letter sent to everyone present. He also notified that they had the right to appeal the decision within 21 days of receiving the letter.

The meeting commenced at 1.00 pm and concluded at 3.20 pm

CHAIRMAN