



Complete Agenda

Democratic Services
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CENTRAL LICENSING COMMITTEE

Date and Time

MONDAY, 2ND DECEMBER, 2019

(TO FOLLOW ON FROM THE GENERAL LICENSING COMMITTEE)

Location

**Siambwr Hywel Dda, Council Offices,
Caernarfon, Gwynedd. LL55 1SH**

Contact Point

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(DISTRIBUTED Friday, 22 November 2019)

CENTRAL LICENSING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (8)

Councillors

Steve Collings
Dafydd Owen
Peter Read
Vacant Seat - Plaid Cymru

Annwen Hughes
Edgar Wyn Owen
Elfed Williams
Gareth Jones

Independent (4)

Councillors

John Brynmor Hughes
Jason Wayne Parry

Eryl Jones-Williams
Angela Russell

Llais Gwynedd (1)

Councillor
Gareth Williams

Individual Member (2)

Councillor Roy Owen

Vacant Seat - Individual Member

Ex-officio Members

Chair and Vice-Chair of the Council

A G E N D A

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. MINUTES

4

The Chairman shall propose that the minutes of the meeting of this Committee, held on 9th September 2019 be signed as a true record.

5. LICENSING SUB COMMITTEE MINUTES

5 - 7

To submit, for information, minutes of the Central Licensing Sub-committee meeting held on the following dates.

- 20.6.19

Agenda Item 4

CENTRAL LICENSING COMMITTEE, 09.09.19

Present: Councillors Steve Collings, Annwen Hughes, Gareth Jones, Eryl Jones-Williams, Edgar Wyn Owen, Dafydd Owen, Roy Owen, Jason Wayne Parry, Angela Russell, Elfed W. Williams (Chair) and Gareth Williams

Also in Attendance: Gareth Jones (Assistant Head - Planning and Environment), Gwenan Mai Roberts (Licensing Manager), and Lowri Haf Evans (Member Support Officer)

Others invited: Councillor Gareth Griffiths, Cabinet Member for the Environment

1. APOLOGIES

Apologies were received from Councillors John Brynmor Hughes and Peter Read.

Councillor W. Roy Owen was welcomed as a new member of the Central Licensing Committee.

2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

3. URGENT ITEMS

None to note

4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of a meeting of this Committee, that took place on 3 June 2019, as a true record.

5. MINUTES OF THE LICENSING SUB-COMMITTEES

Accepted, for information, the minutes of the Sub-committee held on 03.06.19

The Licensing Manager reported, for information, that an appeal had been lodged by members of the public against the decision to approve the licence of Ceilwart Bungalow, North Promenade, Barmouth.

The meeting commenced at 10.25am and concluded at 10.35am.

CENTRAL LICENSING SUB-COMMITTEE 20.06.19

Present: **Councillors:** Elfed Williams (Chair), Edgar Owen and Jason Wayne Parry.

Officers: Siôn Huws (Solicitor), Alun Roberts (Public Protection Officer) and
 Lowri H Evans (Member Support Officer).

1. **APOLOGIES**

None to note

2. **DECLARATION OF PERSONAL INTEREST**

None to note.

3. **URGENT ITEMS**

None to note

4. **APPLICATION FOR PREMISES LICENCE - Tŷ Coffi, 23a High Street, Bala, Gwynedd**

On behalf of the premises: Mrs Linda Williams (Applicant) and Mrs Rachel Williams
(Applicant's Representative and Manager of Plas yn Dre,
Bala)
Mared Llwyd (Public Protection Enforcement Officer)

a) **The Licensing Department's Report**

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for Tŷ Coffi, 23a High Street, Bala. The application had been made in relation to playing live and recorded music and indoor and outdoor dance performances; supply of alcohol on the premises only. The intention was to run the premises as a coffee shop and family café.

Attention was drawn to the details of the licensed activities and the proposed hours in the report. It was noted that Licensing Authority officers had sufficient evidence that the application had been submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations.

Reference was made to the measures recommended by the applicant to promote the licensing objectives along with the responses received during the consultation period.

It was noted that one letter of objection had been received from the Public Protection Unit due to concerns regarding noise control and public nuisance. It was highlighted that a compromise had been accepted by the applicant who had agreed not to hold any entertainment outside the premises and to limit the licence to acoustic entertainment only inside the premises. The officer confirmed that this was acceptable.

In considering the application, the following procedure was adhered to:-

- Members of the Sub-committee and the applicant were given an opportunity to ask questions to the Licensing Manager.
- The applicant was invited to expand on the application

- Consultees were given an opportunity to present their observations
- The licensee, or his/her representative, was invited to respond to the observations
- Members of the Sub-committee were given an opportunity to ask questions to the licensee.
- Members of the Sub-committee were given an opportunity to ask questions to the consultees

b) In expanding on the application, the applicant noted that she was happy with what had been presented

She added the following observations:

- That she was willing not to host music events outside and would apply for a temporary licence if the need arose.
- That only acoustic music would be played indoors and therefore this would reduce nuisance.
- That Tŷ Coffi and Plas yn Dre were part of the same company.
- That a number of residents lived in close proximity and above the premises who were tenants to the company and therefore they did not want to disturb them with noise.
- That guests stayed at Plas yn Dre (next door to the premises) and therefore they did not want any noise to disturb them either.
- That she agreed with the condition to keep the doors and windows closed when music /entertainment is playing.
- It was agreed to receive deliveries of goods and to clear bottles / refuse at specific times.

In response to a question regarding the number of residents who lived above the premises, it was confirmed that there were six flats above the property and eight persons resided there.

c) The applicant and her representative withdrew from the room while the Sub-committee members discussed the application.

ch) In reaching their decision, the Sub-committee considered the application form along with written comments submitted by interested parties, the Licensing Officer's report, as well as the verbal comments from the applicant's representative at the hearing. The Council's Licensing Policy and the Home Office guidelines were also considered. All considerations were weighed up against the licensing objectives under the Licensing Act 2003, namely:

- i. Crime and Disorder prevention
- ii. Public nuisance prevention
- iii. Ensuring public safety
- iv. Protection of children from harm

RESOLVED to approve the application

The opening hours were confirmed and the matters listed in the Operating Schedule were included as conditions on the licence. It was also confirmed that live music would be limited to acoustic music only and the doors and windows would be closed during any entertainment. It was also confirmed that the meaning of references to 'appropriate times' in the application in paragraph M (d) Vi) Public Nuisance Prevention was that activities would not take place between 22:00 hours and 08:00 hours. The officer confirmed on behalf of the Public Protection Unit that this was acceptable.

Consideration was given to the objection received from the Public Protection Unit, Gwynedd Council as a result of public nuisance concerns. It was considered that the premises was located in a very populated area with residential property above, and there was concern regarding the lack of noise control.

No evidence had been submitted that the licence would undermine the objective of preventing public nuisance and under the circumstances the Sub-committee was satisfied that the application was in accordance with the licensing objectives.

The Solicitor reported that the decision would be confirmed formally by letter and 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 10.35am and concluded at 11.00am.