
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 A 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 10.35 am and concluded at 11.00 am

CHAIRMAN