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## CENTRAL LICENSING SUB COMMITTEE 20/09/19

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**Present:**

**Councillors:** Elfed Williams (Chair), Edgar Owen and Dafydd Owen

**Officers:** Geraint B Edwards (Solicitor), Alun Roberts (Public Protection Enforcement 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**

**– Yr Hwb, Ysgubor Isaf, Lôn Cariadon, Bala, Gwynedd**

**On behalf of the premises:** Ms Zoe Rachel Hansford Smith (Applicant)

**Others invited:** Mared Llwyd (Public Protection Enforcement Officer)  
Mr Ian Williams, (North Wales Police)

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

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for Yr Hwb, Ysgubor Isaf, Lôn Cariadon, Bala. The application was made in relation to café buildings which include a garden/outside seating area, an outdoor activities centre, a soft play area and events centre. The intention is to sell alcohol on the premises, show films and dramas, have recorded and live music and dance performances.

Attention was drawn to the details of the licensed activities and the proposed hours in the report. It was noted that the 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 highlighted that these objectives would be included on the licence.

It was noted that two observations had been received, one by the Public Protection Unit based on concerns that allowing entertainment in the outdoor areas of the premises would create a noise nuisance for local residents, and one by North Wales Police recommending that the applicant installs CCTV on the premises.

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 of 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 of the licensee.
- Members of the Sub-committee were given an opportunity to ask questions of 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:

- She intended to install a closed circuit television system
- It was intended to hold a food festival / beer festival / a market for farm produce on the premises together with film showings and theatre productions
- It was intended to trial live music on Sunday afternoons
- Should an event outside the licensed hours be organised, she would apply for a temporary licence.

- c) Exercising his right to speak, an officer from the Police confirmed that the Police did not object to the application and that no complaints had been made to the Police following events on the site. He added that conditions had been proposed to the applicant and that they would need to be formalised. They had proposed a condition relating to the installation of CCTV on the premises as well as operating the Challenge 25 scheme. It was noted that the applicant had agreed to accept those conditions on the licence.

- ch) Exercising her right to speak, Gwynedd Council's Public Protection Officer stated that a compromise had been reached with the applicant following a request by the Department to reduce the hours of all regulated entertainment outside the premises. It was agreed that the hours be amended to 9:00 - 19:30 (Monday to Friday). Following a compromise, it was confirmed that the Unit had no objection to the application, but they did recommend imposing noise conditions on the licence.

- d) The applicant withdrew from the room whilst the Sub-committee members discussed the application.

- dd) In reaching its decision, the Sub-committee considered the application form submitted by the applicant, written observations submitted by interested parties, the Licensing Officer's report, as well as the verbal comments from the applicant 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**

- e) It was considered that the comments by the Police and Public Protection were not in objection to the application, but that they rather recommended that additional conditions be imposed in relation to CCTV, the Challenge 25 scheme and noise control. These conditions were proposed in order to promote the licensing objectives of preventing crime and disorder, protecting children from harm and preventing public nuisance. The applicant had confirmed that she agreed with these recommendations as well as the revising of the licence to restrict outdoor entertainment to 09:00 - 19:00 every day.

The Sub-committee was satisfied that the application as amended, with the inclusion of the proposed conditions by the Police and the Gwynedd Public Protection Unit, was in line with the licensing objectives.

The Solicitor reported that the decision would be confirmed formally by letter and sent to everyone present.

**5. APPLICATION FOR A PREMISES LICENCE**

**– Yr Hen Gwrt, Caernarfon**

**On behalf of the premises:** Ms Moira Hartley (applicant)

**Others Invited:** Mr Ian Williams, (North Wales Police)

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

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for Yr Hen Lys, Pen Deitsh, Caernarfon. The applicant had been made for the purpose of selling alcohol on and off the premises; showing films and plays; recorded and live music, any other entertainment and late-night refreshments.

Attention was drawn to the details of the licensed activities and the proposed hours in the report. It was noted that the 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 highlighted that these objectives would be included on the licence.

It was noted that two observations had been received, one by North Wales Police recommending that the applicant installs a CCTV system on the premises and

uses door supervisors, and one by the Fire Service.

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 of 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 of the licensee.
- Members of the Sub-committee were given an opportunity to ask questions of 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:

- She intended to install a closed circuit television system
- She accepted the Police's recommendation to employ door supervisors for individual events only
- A site visit with the Fire Service and the Council's Estates Officer had been beneficial
- Further discussions were required regarding the lighting of the escape route
- That furniture would be placed on the street to attract customers to the building

- c) Exercising his right to speak, an officer from the Police confirmed that the Police had no objection to the application. He added that conditions had been proposed to the applicant and that they would need to be formalised. They had proposed a condition relating to the installation of CCTV on the premises as well as the use of door supervisors. It was highlighted that the applicant had stated in section M(b) of the application, 'Licensed door supervisors on duty for all events'. The Police were of the view that door supervisors would not be required for all events, considering the nature of the events that would be held on the premises. Consequently, the applicant would be required to assess individual events before deciding whether door supervisors were needed. The following condition was proposed, 'Each event will be risk assessed to establish whether door supervisors are required'. It was suggested that a condition relating to operating the Challenge 25 scheme rather than Challenge 21 be imposed on the licence. It was confirmed that the applicant had agreed to accept those conditions on the licence.

- ch) It was reported that the original response by the Fire Service, received on 16 August, stated that the premises did not comply with fire precautions; specifically because the emergency escape route at the rear of the building led to a locked gate behind the Council's Headquarters building. Following a site survey with the applicant and the Council's Estates Officer on 21 August, confirmation had been received that the Fire Service were withdrawing their objections to the application. The Estates Officer had agreed that changes would be made to a fence panel so that it could be easily opened without a key. This would ensure a clear escape route in the event of a fire emergency.

In response to the Members' concern about the escape route, the applicant noted

that it was intended to hold further discussions regarding the lighting of the path that is located behind the Council buildings.

- d) The applicant withdrew from the room whilst the Sub-committee members discussed the application.
- dd) In reaching its decision, the Sub-committee considered the application form submitted by the applicant, written observations submitted by interested parties, the Licensing Officer's report, as well as the verbal comments from the applicant 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
  - v.

**RESOLVED to approve the application**

It was considered that the observations by the Police were not in objection to the application, but that they rather recommended that additional conditions be imposed in relation to CCTV, the Challenge 25 scheme and the use of door supervisors. These conditions were proposed in order to promote the licensing objectives of preventing crime and disorder, and the protection of children from harm and it was confirmed that the applicant agreed to them. The observations of the North Wales Fire Service were not considered at the meeting, as they had been withdrawn.

The Sub-committee was satisfied that the licence application as amended, with the inclusion of the proposed conditions by North Wales Police, was in line with the licensing objectives.

The Solicitor reported that the decision would be confirmed formally by letter and sent to everyone present.

The meeting commenced at 2.50 pm and concluded at 4.00 pm

**CHAIRMAN**