
CENTRAL LICENSING SUB-COMMITTEE 02.09.15

Present: Cllr Tudor Owen, Cllr Angela Russell, Cllr Elfed Williams

Also in attendance: Siôn Huws (Senior Solicitor), Sheryl Le Bon Jones (Public Protection Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer)

1. WELCOME

Everyone was welcomed to the meeting by the Chairman, Cllr Tudor Owen. The panel and the officers were introduced to everyone present. It was announced that everybody had up to 10 minutes to share their observations. It was also noted that the Members had visited the site.

2. DECLARATION OF PERSONAL INTEREST

Nothing to note.

3. APPLICATION TO VARY A PREMISES LICENCE – BELLE VUE, HOLYHEAD ROAD, BANGOR

On behalf of the premises: Mr Christopher Jere, Bethany Shooman

Local Member: Cllr June Marshall

Others in attendance: Mr Ian Williams (North Wales Police), Mrs Arfona Davies (Upper Bangor Association / Local Resident)

Apologies: Mr Jim Hughes (Fire Service)

The report and recommendation of the Licensing Section.

- a) Submitted – the report of the Licensing Manager providing details of Mr Christopher Jere's application for a premises licence for Belle Vue, Holyhead Road, Bangor. In accordance with the application form, the nature of the proposed variation was to extend the premises' licensable area to include the outbuildings in the beer garden to operate as a bar, and that the alcohol supply hours in the beer garden were the same as that of the public house. In addition, it was proposed to reduce the opening hours of the establishment from 08:00 - 01:30 Monday to Sunday to 09:00 - 01:30 Monday to Sunday.

Reference was made to the fact that the applicant had included appropriate steps to promote the four licensing objectives as part of his application.

Following a consultation period, it was noted that observations from North Wales Police noted that they did not object to the application, but proposed that the CCTV installed on the premises was subject to specific CCTV conditions. One objection to the application was received from a local resident, where it was suggested that the applicant failed to display the notice in a prominent position on the premises, and on the grounds of the licensing objectives of Public Safety and Preventing Public Nuisance. It was added that a Licensing Enforcement Officer had visited the premises on 7 July 2015 to check that the notice had been displayed in accordance with the regulations. The Licensing Authority was satisfied that the notices complied with regulations.

- 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 the report the Licensing Manager was asked for the definition of a 'beer garden'. It was noted that the beer garden was part of the premises and was within the boundary and had been included on the current licence, but that the application involved using the building in the garden to sell beer. In terms of the use of a smoking area, it was noted that there was alternative legislation for this. In addition, it was confirmed that the applicant had displayed a notice on the premises for the appropriate period of 28 days.
- ch) In elaborating on the application, the applicant noted that he was happy with what had been submitted and confirmed that operational CCTV had been installed in the building in accordance with Police requirements. It was noted that it was an application to formalise the use of the outhouse to for the sale of alcohol, rather than having to apply for a temporary licence to host events.
- d) Following a site visit, the applicant was asked what his intention was in terms of managing the gate at the rear of the premises. The applicant noted that the gate would only be open in emergencies, but that it was not possible to lock it. CCTV had now been installed outside and therefore it would be possible to monitor the gate. It was also noted, should the application be approved, that it would enable a member of staff to be outside in the garden to monitor the gate. It was added that the car park was locked at 6:30pm.

In response to a concern that people went out to the front of the building to smoke and drink, the applicant noted that CCTV had been installed near the bar to monitor this. He noted that he was very willing to improve this situation, and, if the bar in the garden was approved, the hope was to encourage people to use the garden rather than the front of the building.

- dd) In response to the application, Mr Ian Williams noted on behalf of the Police that they did not have much evidence to refuse the application. It was added that Belle Vue had made 10 applications for temporary licences during 2014/2015 and 8 applications this year so far. The applicant's intention was to not have to pay for a temporary licence for every temporary event. In terms of calls to the Police, it was noted that six events had been recorded - three crimes of theft and damage and three were general calls for support from the premises. No noise complaints had been recorded.

In terms of the CCTV condition, it was noted that it was a general condition to ensure consistency with other users. He was aware that a new system had been installed in the premises and that the applicant had complied with conditions. It was added that 16 cameras had been installed, but there was no programme to monitor that these were use. It was emphasised, if the condition had been imposed on the contract, there was an expectation for the equipment to be operational.

In response to the police's observation, the applicant noted that the Police regularly used the premises' CCTV as the location of the public house was prominent in Upper Bangor.

- e) In response to the application, a Local Resident (who objected to the application) noted the following observations:
- A planning application was necessary due to new use
 - Needed to prevent use of outside area to reduce the number of smokers
 - Needed to control the number who were allowed to use the beer garden
 - Public Safety needed to be considered
 - Increase in noise pollution
 - Plenty of public houses in Upper Bangor offered entertainment
 - Neither the Police nor Gwynedd Council had control over the situation

The Local Member was permitted to submit observations although he had not submitted written observations.

In response to the application, a Local Member (who objected to the application on the grounds of noise pollution) noted the following observations:

- Improvements to the area had been made
- Natural application for music to enjoy the outdoor area
- Difficult to control noise levels
- Other public houses with beer gardens had a condition that live / recorded music was not to be played simply because the garden was within a residential area.

In response to a Local Member's observation, the Licensing Manager noted that music rights already existed on the premises' current licence. Regarding an observation about controlling numbers in the beer garden, it was noted that the Fire Service had not submitted an objection to the application. In terms of noise complaints, it was noted that they needed to be referred to the Environmental Health Service.

- f) When summarising his application, the applicant noted that he was aware that families and older adults lived in the area and that they had invited Members of the Upper Bangor Association to discuss their plans. They did not want to be labelled as anti-social innkeepers and were seeking, within reason, to conform to local residents' requirements. It was reported that there was no intention to play loud noises - it was likely that acoustic music would be played, and that the beer garden was relatively sheltered. The panel was reminded that no objection had been received from direct neighbours.
- ff) 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 application in line with the Police's recommendations regarding CCTV. There were no grounds to the evidence or complaints, and it was suggested that noise complaints for the future would be passed on to the appropriate service. Well wishes were expressed to the applicant with the new initiative.

RESOLVED to approve the application for a premises licence in accordance with the objectives of the Licensing Act 2003 together with ensuring that CCTV is installed within the premises in line with specific CCTV conditions

The Solicitor reported that the decision would be confirmed formally by 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 2:00pm and concluded at 3:00pm.