
CENTRAL LICENSING SUB-COMMITTEE, 26.10.07

Present: Councillor J.R.Jones (Chair);
Councillors E. Morgan Jones and Tomos Evans

Also present: Gareth W.Jones (Senior Manager Administration and Legal), Amlyn ab Iorwerth (Licensing Manager) and Barbara Owen (Committee Officer).

Others Invited to the meeting:

Representing the Police: Mr Ian Williams (Police Licensing Co-ordinator)
Sergeant Dewi Jones.

Applicants: Mr Brian Mosley; Mrs Sandra Mosley; Mr. Robin Jones, Solicitor.

Apologies: Apologies were received from Einir Wyn, Llanengan Community Clerk

1. APPLICATION FOR A VARIATION OF THE ABERSOCH POWER BOAT CLUB

The report of the Licensing Manager was presented on the application of the Abersoch Power Boat Club, for a variation of the existing licence from a Club Licence to a Premises Licence which will mean the right to run the premises in a different way. At present, there is no need for an Identified Premises Supervisor, but the premises are run by the committee in the interests of its members. The application is to serve alcohol until 00.00hour every night, provide live and recorded music until 23.30 every night and until 00.30hours on New Year's Eve, and to be open until 00.30 every night and until 01.30hours on New Year's Eve.

The Licensing Manager reported receiving a response from the Police and also the Fire Service recommending conditions, letters from the local member and on behalf of Llanengan Community Council, both supporting the application but suggesting conditions, and a number of letters from local residents opposing the application on the basis of loud music, noise as customers leave the club, and anti-social behaviour late at night and in the early hours of the morning.

When considering the application, the following procedure was followed:

- i. an opportunity was given to members of the sub-committee to ask questions of the Council's representative;
- ii. an opportunity was given to the applicant to ask questions of the Council's representative;
- iii. the Police were invited to support their written observations and an opportunity was given to the applicant and members of the sub-committee to ask questions;
- iv. the consultees were provided the opportunity to support their observations;
- v. an opportunity was provided for the applicant to elaborate on the application and to call any witnesses;
- vi. members of the sub-committee were invited to ask questions of the applicant;
- vii. an opportunity was provided for the Council's representative to ask questions of the applicant; and
- viii. an opportunity was provided for the Council's representative and the applicant to summarise the case;

The applicant's solicitor reported on changes within the details of the application, that is the hours of opening the premises on Sunday had changed from 11.00 until 00.00, and the hours for the supply of alcohol on Sunday had changed from 11.00 until 23.30; the details regarding the provision of music and dancing (sections E, F and J of the application) be restricted to 12 occasions a year only, and that the application for the supply of alcohol (section M in the application) be restricted to the inside of the building only rather than inside and outside as noted.

In presenting the facts on behalf of the Police, the Police Licensing Co-ordinator reported on the reason for referring the application to the attention of the Committee, which was that the police had been called to the premises because of difficulties on several occasions in the past but they had not seen any improvement in the situation at all. He referred to a recent incident when a vehicle was stolen from the 'Land and Sea' car park by a customer of the Power Boat Club, with evidence from a close circuit camera and from customers of the Club, but there was no evidence available to the police from those present at the Club at the time.

The consultees who were present were given the opportunity to present comments to support the reasons noted by them by letter, and evidence was received from the following:

Councillor R.H.Wyn Williams, local member for Abersoch
Councillor Yvonne Lloyd-Jones, as the local member of the Community Council
Mrs E. Hiorns-Morgan
Mrs Iola Thomas

who voiced their concerns regarding:

- extreme noise and no control when customers leave the Club
- anti-social behaviour from customers such as:
 - throwing litter into adjoining gardens;
 - noise from taxis picking up customers outside the Club;
 - glasses and cans being carried outside the Club and thrown on the road and into hedges;
 - parking cars in private spaces
 - shouting until 2 or 3 a.m. as customers wait for taxis
 - bass sound of music carrying over into the house of residents living 100 yards from the Club
 - fighting and swearing on leaving the Club
- evidence of bed and breakfast business customers curtailing their holiday because of the disturbance
- the whole giving Abersoch a bad name as a holiday resort

Advice was given by the Senior Legal Officer that comments made in two letters from the owners of a house and a flat near the locality of the Club could not be considered because there was no evidence that the authors lived there.

In presenting comments, the applicant noted:

- that he intended to change the nature of the Club completely from now on, with plans to run it as a Bistro, and that the place was to be closed from November 5th for 5 months, except for special occasions to celebrate a wedding or a birthday and New Year's Eve
- that it is not intended to attract young customers from now on and no music evenings that appeal especially to the young will be arranged as in the past.
- that customers from other places contribute to the noise outside 'Land and Sea' while waiting for taxis
- that the present membership of the Club comes to an end on March 1st, and it is intended to create a new membership from then on
- that he is willing to accept a review of the noise from the Environmental Health Officer

- that there have been no problems thus far regarding carrying drinks from the decking area to the outside of the building
- that he agrees to inform the public of special events 14 days beforehand
- that the present licence is revoked if the application is permitted

The application was discussed in the light of all the comments presented, paying attention to the principles of the Licensing Act.

IT WAS DECIDED after careful consideration of the application for a Premises Licence of the four principles of the Licensing Act 2003:

- 1. Prevention of Crime and Disorder;**
- 2. Public Safety;**
- 3. Public Nuisance Prevention; and**
- 4. Protecting Children from harm;**

to grant the application for a Licence to the Power Boat Club, Abersoch under the following conditions:

- a) permission for the building to be open from 11.00 until 00.30 from Monday to Saturday; from 11.00 until 00.00hours on Sunday; and from 11.00 until 01.30 on New Year's Eve.**
- b) permission to supply alcohol from 11.00 until 00.00hours from Monday to Saturday; from 11.00 until 23.30 on Sunday; from 11.00 until 01.00 on New Year's Eve.**
- c) no alcohol to be drunk outside the building after 21.30**
- d) permission to offer provision for playing live and recorded music and music for dancing on twelve occasions only per year, including New Year's Eve during the hours noted in b) above.**
- e) that information about every event in d) above is given to the Police at least 14 days before the event**
- f) two licensed door supervisors to be on duty during the twelve events noted in d) above**
- g) conditions 2,3 and 5 as noted by the Police**
- h) conditions as noted by the Fire Service**
- i) revoke the present Club Licence**

Thanking the members for their consideration, the applicant's Solicitor reported that an event had been arranged on the premises the following night, October 27, and he asked for permission to hold it under the old licence. The members of the Sub-Committee agreed to this.

The meeting commenced at 2.30pm and ended at 4.15pm.