

---

## CENTRAL LICENSING SUB-COMMITTEE, 12.08.08

---

**Present:** Councillor W.Tudor Owen (Chairman);  
Councillors J.R.Jones and Ieuan Roberts

**Also present:** Gareth W Jones (Senior Legal and Administrative Manager); Amllyn ab Iorwerth (Licensing Manager) and Eirian Roberts (Committee Officer).

**Others invited to the Meeting:**

**Representing the Police:** Sergeant Bill Coppack and Mr Ian Williams (North Wales Police)

**Applicant:** Mr Patrick S. Barry; Mr Tudur Owen (Solicitor on behalf of Mr Barry)

**Objectors:** M.A.G.Davies (resident);

**Local Members:** Councillors June Marshall and Keith Marshall

### 1. APPLICATION TO VARY PREMISES LICENCE - PATRICK'S BAR, HOLYHEAD ROAD, BANGOR

Submitted – the report of the Licensing Manager, providing information on an application by the owner of Patrick's Bar, Holyhead Road, Bangor, to extend the hours of the original licence to permit live music and to provide facilities for making music until 00:00 every day, recorded music until 01:00 every day, to permit the sale of alcohol until 02:30 with the premises being open every day until 03:00.

The Sub-committee was asked to consider the application and the observations received in accordance with the Licensing Act 2003.

It was reported that the application was consulted upon in accordance with the usual procedure and that the following responses had been received:-

Police	- observations including concerns
Fire	- no observations
City Council	- letter of objection
Local Councillors	- letters of objections
Local Residents	- letter of objection

It was explained, following a meeting between the applicant and the police, that it was agreed that the application be amended as follows:-

Section E – live music – from 19:00 to 00:00 on Thursday, Friday, Saturday and Sunday nights along with the night of St. Patrick's Day only;

Section F – recorded music – from 11:00 to 00:00 on Thursday, Friday, Saturday and Sunday nights along with the night of St. Patrick's Day only;

Section I – provision of facilities for making music – from 10:00 to 00:00 on Thursday, Friday, Saturday and Sunday nights along with the night of St. Patrick's Day only;

Section M – supply of alcohol – no addition to the existing hours;

Section O – hours premises are open to the public – no addition to the existing hours.

However, the police had been subsequently informed by the applicant that he had changed his mind in relation to the agreement to vary the hours and despite the fact that he was prepared to accept the amendments regarding the regulated entertainment in Sections E, F and I, he wished to adhere to his original application to supply alcohol until 02:30 daily (Section M) and that the premises be open to the public until 03:00 daily (Section O).

Consequently, the application was deferred at the previous meeting of the Sub-committee held on 30 June, whilst new notices were displayed on the property for a statutory period of three weeks.

It was noted that further letters had been received objecting to the application outside the initial period and copies of these letters were distributed to members.

The following procedure was followed when the application was considered:-

- (i) Members of the Sub-committee were given an opportunity to ask questions of the Council's representative.
- (ii) The applicant and his representative were given an opportunity to ask questions of the Council's representative.
- (iii) The applicant and his representative were given an opportunity to expand upon the application.
- (iv) Members of the Sub-committee were given an opportunity to ask questions of the applicant and his representative.
- (v) Each consultee was invited to support any written observations.
- (vi) Members of the Sub-committee were given an opportunity to ask questions of the consultees.
- (vii) The Licence Holder and his representative were invited to respond.
- (viii) Members of the Sub-committee were given an opportunity to ask questions of the Licence Holder and his representative.
- (ix) The Council's representative and the applicant and his representative were given an opportunity to summarise their case.

Letters of objection were received from the manager of a Religious Book Shop, from four residents of Victoria Street and from Ann Williams on behalf of the residents of Upper Bangor, along with letters previously received from the Chairman of the Upper Bangor Society. The Sub-committee considered all the correspondence.

The applicant's representative stated the reasons for having recorded music and facilities for making music until 00:00, for the supply of alcohol until 02:30 and being open to the public until 03:00. It was confirmed that an agreement had been reached with the North Wales Police Authority under paragraphs E, F and I and that the extended hours under paragraphs M and O be restricted to Wednesdays, Thursdays, Fridays and Saturdays.

The applicant stated that approximately 80% of his customers were students and that they tended to go out late at night and stay out late on some evenings.

North Wales Police was represented by Mr Ian Williams, Licensing Co-ordinator, and Sergeant Bill Coppack who provided evidence that 114 incidents of misbehaviour and violent behaviour had been noted in Upper Bangor in the past twelve months. Of these, twenty-six had occurred after 01:00. Nevertheless, none of these incidents were directly associated with Patrick's Bar and Sergeant Coppack confirmed that the applicant ran an orderly premises. He explained that no public house sold alcohol after 01:00, but that University Plaice had a licence to sell refreshments until 02:30 and to remain open to the public until 02:45. Mr Ian Williams stated that North Wales Police had been called out to Patrick's Bar on three occasions in 2008.

Councillor Keith Marshall, local member, thanked North Wales Police for keeping a detailed record of the incidents. Nevertheless, he felt that many incidents had gone unrecorded and that extending the opening hours would lead to more noise and disruptive behaviour. Letters received from Mrs. M.A.G. Davies and Bangor City Council had been omitted from the correspondence and the Licensing Manager apologised for this. Mrs. Davies's letter was read out at the hearing and she was given an opportunity to expand upon its content. There was no objection from the applicant's representative. As a local member of Bangor City Council, Councillor Keith Marshall stated the Council's concerns in relation to noise and nuisance and to the potential of setting a precedent in extending the opening hours.

Councillor June Marshall, local member, thanked North Wales Police for their presentation and she stated considerable concern as some residents were unaware of the hearing. She said that the students themselves did not want to be disturbed late at night and she also stated concern about extending the opening hours.

In response to various concerns, the applicant's representative stated that the figures given by North Wales Police were unclear so as to support the opening hours. Very few incidents were directly associated to Patrick's Bar and the Police themselves had stated that the applicant ran an orderly premises.

In response to a question received from the Sub-committee, the applicant noted that he controlled customers who smoked outside the premises by reminding them of their responsibilities and by use of signage. He also stated that he did not allow customers to enter the premises after 23:30. The applicant's representative stated that the argument seemed relevant to public nuisance rather than to crime and disorder and he noted that no student had objected.

A member suggested that it would not be practicably possible to implement a procedure of preventing customers who had gone out to smoke from returning into the premises after 23:30. He also stated concern about the fact that the applicant himself was the registered doorman because it was not practical for him to act as a doorman and look after the bar. To this end, he referred to the existing premises licence that noted that registered doormen would be on the premises after 21:00 every night.

The applicant and his representative, the Licensing Manager, local members, the objectors and police representatives left the meeting and the application was discussed by members of the Sub-committee and consideration was given to the four principles of the Licensing Act 2003, namely:-

- (i) Public Nuisance Prevention
- (ii) Crime and Disorder Prevention
- (iii) Public Safety

- (iv) Protection of Children from Harm

**RESOLVED**

- (a) To approve the application to vary the licence of Patrick's Bar, Bangor, subject to the following conditions:-**
- (i) to permit live music, recorded music and facilities for making music until 00:00 from Monday to Sunday;**
  - (ii) to permit the supply of alcohol until 01:30 on Wednesday, Thursday, Friday and Saturday nights and until 01:00 (as existing) on Sunday, Monday and Tuesday nights.**
  - (iii) to permit the premises to be open to the public until 02:00 on Wednesday, Thursday, Friday and Saturday nights and until 01:30 (as existing) on Sunday, Monday and Tuesday nights.**
- (b) That the applicant contacts the Licensing Manager in order to reach an agreement relating to obtaining registered doormen on the premises after 21:00 in order to ensure that no person enters the premises after 23:30.**

The Chairman noted that the Sub-committee's decision was not unanimous.

It was reported that a letter would be distributed within the week informing the applicant of the Sub-committee's decision and noting the conditions. The applicant was also informed of his right to appeal against the decision of the Sub-committee.

The meeting commenced at 10.00am and concluded at 11.40am.