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**CENTRAL LICENSING SUB-COMMITTEE, 16-12-09**

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**Present:** Councillor Eryl Jones-Williams (Chairman);  
Councillors Louise Hughes and Evie M. Jones

**Also present:** Sion Huws (Propriety Officer), Amlyn ab Iorwerth, (Licensing Manager), Heilyn Williams (Licensing Officer) and Gwyn Parry Williams (Committee Officer)

Speedy Recovery:

A speedy recovery was wished to Barbara Owen, Committee Officer who had received hospital treatment recently.

**Others present at the meeting:**

**Applicant:** Mrs Caroline Mynard (owner) and Mr Paul Cartwright (friend)

**Objectors:** Messrs David I. Grayston, Noel Williams and Mrs Katherine Wilson

**Apologies:** Councillors Alun W. Evans and Anne Ll. Jones (local members)

**1. APPLICATION FOR A PREMISES LICENCE - FOND MEMORIES GUEST HOUSE, PLAS BACH, FFORDD NEIFION, TYWYN**

Submitted – the report of the Licensing Officer on behalf of Fond Memories Guest House, Plas Bach, Ffordd Neifion, Tywyn, for a premises licence to allow recorded music between 17.00h and 0.00h, the supply of alcohol between 11.00h and 00.00h with the premises open between 08.00h and 00.30h – all day every day of the year.

The officer reported that neither the Police or the Environmental Health Department had any objections to the application. The Fire Service or the Council's Trading Standards Department had no observations. The observations of the Planning Department confirmed that the premises had no planning permission for the use of the property as a guest house. Considering this, it could not be assessed what the impact of this type of use would have on the amenities of neighbouring houses and traffic/parking. Consequently, the application for a licence was currently objected. Letters had been received from some of the neighbouring residents noting their objection to details of the application. A letter from the applicant distributed at the meeting provided a further explanation on some aspects of the application and a letter supporting the application.

When considering the application, the following procedure was followed:-

1. Members of the Sub-committee were given an opportunity to ask questions of the Council's representative.
2. The applicant was invited to ask questions of the Council's representative.
3. Every consultee was given an invitation to support any written observations.

4. The applicant was given an opportunity to expand upon his application and then call witnesses.
5. Members of the Sub-committee were given an opportunity to ask questions of the applicant.
6. The Council's representative was invited to ask questions of the applicant.

The Council's representative and the applicant were given opportunities to summarise their case.

All the objectors present took advantage of the opportunity to endorse the observations noted in letters and specifically referring to the following points:

- Recorded music – this would have an adverse effect on the amenities of neighbouring houses and many retired people lived in this part of the town.
- Opening hours – concern regarding the premises being open until 12.30am – closing the premises at 10.30pm would be more acceptable.
- Alcohol – concern that noise emanating from the premises late at night if the sale of alcohol up to midnight was approved. It was noted also that guests should not be permitted to consume alcohol in the garden.
- Parking – lack of parking provision associated with the premises.

In relation to recorded music, the Propriety Officer informed the committee that a licence was not required if it was background music only.

The applicant responded to the above-mentioned points by noting -

- a) Background music by using CDs would be provided for guests whilst consuming meals and this music would not have an adverse effect on the amenities of residents of nearby houses.
- b) On the application form, the closing time for the premises had been noted as 12.30am for New Year celebrations. Otherwise, it was proposed to finish serving meals at approximately 9.00pm and finish the sale of alcohol at 10.30pm.
- c) Alcohol would be supplied to guests and for private functions only, within the premises only and the consumption of alcohol in the garden would not be permitted.
- ch) No parking problems could be foreseen as provision was available nearby.

As no licence was required for the background music, members asked the applicant if she was therefore withdrawing her application for recorded music. The applicant confirmed that to be the case.

The applicant, the Licensing officers and objectors left the meeting and the application was discussed by Sub-committee members, considering all evidence submitted and giving specific attention to the principles of the act, namely:

- Crime and Disorder Prevention
- Public Safety
- Public Nuisance Prevention.
- Protection of Children from Harm

Therefore, following careful consideration of the application and taking into account all the evidence received and after considering the licensing objectives, the sub-committee **decided to grant the premises licence for the dining room at the premises as follows:**

- a) **To permit the supply of alcohol, under paragraph M, from 11.00 to 23.00 hours, Monday to Sunday, on condition that alcohol is only supplied to bed and breakfast**

**guests staying at the premises and those attending private functions held at the premises.**

**b) The Premises to be open to the public under paragraph O from 08.00 hours until 23.00hours, Monday to Sunday. For the avoidance of doubt, this applies to those attending private functions and not to guests staying at the premises.**

**c) Noise to be kept to a minimum when leaving the premises, with polite notices to be displayed in the premises advising those visiting or staying at the premises to be mindful of neighbouring residents.**

The Propriety Officer reported that a letter would be sent within five working days informing the applicant of the decision of the Sub-committee, with a copy to those individuals that had made observations and it was explained that any party would have the right to appeal against the decision of the sub-committee within 21 days of receipt of that letter.

The meeting commenced at 11.30am and concluded at 12.15pm.