
CENTRAL LICENSING SUB-COMMITTEE, 06.07.11

Present: Councillor Evie M. Jones (Chairman)
Councillors W. Tudor Owen, Ieuan Roberts

Also present: Geraint B. Edwards (Solicitor), Amlyn ab Iorwerth (Licensing Manager) and Gwyn Parry Williams (Committee Officer).

1. APPLICATION TO VARY THE PREMISES LICENCE - GREEK TAVERNA, 12-14 HOLYHEAD ROAD, BANGOR

Others invited to the meeting:

On behalf of Greek Taverna, 12-14 Holyhead Road, Bangor: Mr Vasilis Politis (Applicant)

Representing the Police: Mr Ian Williams (Licensing Co-ordinator, North Wales Police)

Representing the objectors: Mr John Martin (Bangor City Council)

Apologies: Councillors June and Keith Marshall (local members)

Submitted – the report of the Licensing Manager, providing details of the application on behalf of the Greek Taverna, 12-14 Holyhead Road, Bangor, to vary the premises licence to extend the permitted hours for recorded music, dancing, provision of hot food and sale of alcohol between 11.00 and 02.00 every day of the week, with the premises open to the public between 08.00 and 02.30 every day of the week.

It was reported, following the appropriate consultation period, that the police had no objection to the application, subject to conditions. The North Wales Fire and Rescue Service and Trading Standards Section had no observations on the application. The Environmental Health Section objected to part of the application and suggested imposing conditions on the licence. Bangor City Council objected to the application and letters had been received from some of the neighbouring residents objecting to the application.

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

- i. Members of the Sub-committee and the applicant were given an opportunity to ask questions of the Licensing Manager
- ii. The applicant was invited to expand on the application
- iii. Consultees were given an opportunity to support their observations.
- iv. The licensee, or his representative, was invited to respond to the observations.
- v. Members of the Sub-committee were given an opportunity to ask questions of the licensee
- vi. Members of the Sub-committee were given an opportunity to ask questions of the consultees

- vii The applicant or his representative were given an opportunity to summarise their case.

In support of the application, the applicant informed the committee that the application had been submitted because on some occasions when musical evenings were held at the premises there was a demand from customers to carry on beyond the existing permitted hours, namely 01.00. The application was to extend the hours until 02.00 every day of the week but he anticipated that there would be no need for him to open until that time every day of the week depending on the number of customers.

The consultees were invited to support any observations submitted by letter and Ian Williams, Licensing Co-ordinator, North Wales Police, reported that he did not have sufficient evidence to object to the application. However, he had evidence of two complaints received in March 2011 when a DJ was performing at the premises. That occasion had been held under a temporary event notice that had been granted at that time for the premises to open until 02.00. He referred also to a complaint received on 1 April 2011 regarding the noise levels emanating from the premises late at night. He was aware of another complaint that had been referred for the attention of the Environmental Health Section on 4 June 2011 and this had again been when a DJ had been performing at the premises. He noted that the applicant had agreed that DJ evenings would not be held in the premises again. Following a discussion with the applicant, he suggested including additional conditions on the licence that were referred to in his letter dated 21 June 2011 to the Licensing Authority. The applicant had no objection to these conditions.

The Environmental Health Officer was not present at the meeting but observations had been received from her in writing that noted that although the applicant had agreed not to hold DJ evenings, she objected to the request for recorded music outside the premises, namely paragraph F of the application. There was no objection to music being played within the premises or to play acoustic music outside and she recommended that additional conditions regarding noise management should be imposed on the licence.

The objector present took advantage of the opportunity to endorse the observations noted by letter and specifically referred to the following points -

- Opening the premises until 02.30 would increase noise and disturbance in the area caused by people and vehicles coming to and going from the premises late at night and early in the morning.
- It would affect the amenities of residents of Holyhead Road and would create incidents of crime and disorder and would encourage antisocial behaviour by individuals affected by excessive drinking.

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

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

RESOLVED to approve the variation to the licence of the Greek Taverna, 12-14 Holyhead Road, Bangor, as follows -

a) To approve recorded music (paragraph F); dancing performances (paragraph G); provision of facilities for playing music (paragraph I); facilities for dancing (paragraph J) and the sale of alcohol (paragraph M), between the hours of 11.00 and 2.30 every day of the week.

- b) To approve the provision of late night refreshment (paragraph L), between 23.00 and 02.00 every day of the week.
- c) To approve the hours for the premises to be open to the public under paragraph O between 08.00 and 02.30 every day of the week.
- ch) Any person exercising a security activity (as defined by paragraph 2(1) of Schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority. Such an individual will be employed at the premises from 22.00 hours onwards until the close of business every Friday and Saturday.
- d) The Designated Premises Supervisor will keep a register, recognised by the Police and Local Authority, of all door staff employed at the premises. The register will include details of the start and finish times of the work, the name and SIA licence number of the person employed (including the name of the company that employs them, if relevant). The register to be kept on the premises, on a permanent basis, for inspection by the Police or Local Authority on request. After completing the register, it will be kept at the premises for at least a year from the completion date, and for the duration of that period, it will be available for inspection by the Police or the Local Authority.
- dd) To impose the following conditions outlined by the Environmental Health Officer -
- i) The internal LAeq 15min sound level and the LAeq 15min sound level for the 31.5, 63 and 125Hz frequency third octave band frequencies shall not be increased within nearby residential properties (measured with windows at the dwellings open or closed) as a result of entertainment noise emitted from the licensed premises. For the purpose of this condition, LAeq is as defined in BS4142:1997.
 - ii) To prevent noise or vibration emanating from the premises, doors and windows at the premises shall be kept closed during regulated entertainment.
 - iii) Should Gwynedd Council obtain evidence following the publication of this licence that noise condition (i) is not being adhered to, the premises owner shall carry out the following -
 - Undertake necessary noise insulation / abatement works to ensure that the noise condition is achieved; and / or
 - Install a noise control device in the room(s) where entertainment is held. The device will be established so as to cut the electricity supply of any amplification system or to withstand an increase in the noise level above what has been established as the permitted maximum.
 - iv) Noise limiting devices, once set, shall not be reset or adjusted without consultation with the Pollution Environmental Health Officer, Gwynedd Council.
 - v) The lobby doors at the premises shall be kept closed except for access and egress.
 - vi) The disposal of waste bottles and cans into containers outside of the building subject to the licence is prohibited between 22.00 – 08.00. Empty bottles shall be stored in a lidded skip / bin within the curtilage of the premises.
 - vii) Clear and legible notices shall be displayed at exits requesting patrons to leave the premises having regard to local residents, in particular emphasising the need to refrain from shouting, slamming vehicle doors or sounding vehicle horns.
 - viii) It is the duty of the premises' personal licence holder, designated premises supervisor and door supervisor to monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
 - ix) Acoustic music only will be permitted outside the premises.
 - x) Nuisance odours from licensed premises shall not cause a nuisance to nearby properties.
 - xi) A ventilation and extraction system will be installed to prevent unpleasant odours. Such a system will be maintained regularly.
 - xii) Internal and external lighting provided for the purpose of customer and staff safety, and for the security of the premises shall be positioned so as not to cause nuisance to neighbouring or adjoining properties.

xiii) Lighting provided externally to promote advertising of the premises or activities associated with the premises shall be of an intensity so as not to cause nuisance to any neighbouring properties.

The Solicitor reported that he would aim to send a letter within five working days, informing the applicants of the Sub-committee's decision, and informing them of the right to appeal against the decision within 21 days of receiving that letter.

The meeting commenced at 10.30am and concluded at 11.20am.