
CENTRAL LICENSING SUB-COMMITTEE, 23.04.12

Present: Councillor Evie Morgan Jones (Chairman)
Councillors Ieuan Roberts, Gwilym O. Williams.

Also present: Geraint B. Edwards (Solicitor), Gwenan M. Williams (Licensing Manager), Moira Duell-Parri (Environmental Health Officer for the second application) and Gwyn Parry Williams (Committee Officer).

1. APPLICATION FOR A PREMISES LICENCE – COST CUTTER, 346-350, HIGH STREET, BANGOR

Others invited to the Meeting:

Representing Cost Cutter, 346-350, High Street, Bangor: Mr Mangal Shoker (Applicant)

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

Representing the objectors: Councillors Jean Forsyth and Mrs Mari Llwyd Roberts

Representing Bangor City Council: Councillor Dewi Llewelyn

Submitted – the report of the Licensing Manager giving details of an application on behalf of Cost Cutter, 346-350, High Street, Bangor for a premises licence to permit the sale of alcohol for consumption off the premises between 06.00 and 03.00, seven days a week, with the premises open to the public 24 hours a day, seven days a week. He noted that the police had discussed the application with the applicant at the beginning of the consultation period and that they had objected to the intention to sell alcohol until 03.00. In light of this, the applicant agreed to amend the application to sell alcohol until 22.30 only each day. However, the police asked the applicant to limit the hours to sell alcohol further to 22.00 each day on the grounds that the sales would perhaps undermine the licensing objective of preventing crime and disorder.

It was reported that, following the appropriate consultation period, the Police had observations on the application but the Fire and Rescue Service and the Planning Service had no objection. No observations had been received from the local member or the Public Protection Service. Bangor City Council and a member from the neighbouring ward 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. The Applicant was invited to expand on the application.
- ii. Members of the Sub-committee were given an opportunity to ask questions of the applicant.
- iii. The licensee, or his representative, was invited to respond to the observations.
- iv. Members of the Sub-committee were given an opportunity to ask questions of the licensee.
- v. The Applicant and licensee, or his representative, were given an opportunity to

summarise their case.

In supporting the application, the applicant noted that gaining a licence to sell alcohol to be consumed off the premises was crucial to ensure the success of his business. It was intended to employ up to 12 members of staff associated with the business and substantial expenditure was to be undertaken on the building in order to bring it up to the necessary standards. He was willing to reduce the hours to sell alcohol to 22.00 each day and he was also willing to retain CCTV footage and hand them to the Police on request.

The consultees were invited to support any observations received via letter and Mr Ian Williams, Licensing Co-ordinator, North Wales Police reported that the sale of alcohol should end no later than 22.00 each day as it would undermine the licensing objective of preventing crime and disruption. Permitting the sale of alcohol for consumption off the premises until 03.00 each day would certainly lead to an increase in crime and disorder in that part of the high street. The application was discussed with the applicant and he agreed to amend the application to permit the sale of alcohol until 22.30 each day but the police continued to be of the opinion that alcohol should not be sold after 22.00 each day and the applicant agreed to that. He also asked for a condition to be included on the licence regarding the use of CCTV cameras. He also suggested that a condition should be included on the licence so that the Challenge 21 scheme was obligatory on the premises.

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

- The resident lived around 35 yards from this property and she was concerned that the establishment would be open for 24 hours each day, seven days a week.
- The local residents were already being affected by noise from other similar properties late at night.
- It would be unreasonable to sell alcohol from 06.00 as it would be a way of buying and drinking alcohol early in the morning and thus creating a nuisance for the local residents.
- The hours to sell alcohol should be reduced to between 08.00 and 22.00 each day, seven days a week to conform with the hours of other similar establishment in the city.
- Several other properties in this part of the high street were selling late night refreshments to eat out and that approving a licence to sell alcohol late at night would attract customers from these establishments to buy and drink alcohol late at night causing people to vomit on the street.
- More information was needed regarding the positioning of the CCTV cameras.
- Bangor City Council opposed the application to sell alcohol until 03.00 each day, seven days a week.
- Selling food through a 'hatch' late at night was likely to create noise in the street and affect the amenities of the neighbouring residents.

In response to some of the observations noted above, the applicant noted that he was willing to reduce the hours to sell alcohol to 08.00. Regarding the positioning of the CCTV cameras, he noted that it was intended to place three cameras at the front of the building, two or three at the back and the remainder within the shop's retail area.

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
- Public Nuisance Prevention

- Protection of Children from Harm

RESOLVED to approve the premises licence for Cost Cutter, 346-350, High Street, Bangor, as follows -

- a) To approve the sale of alcohol to be consumed off the premises under paragraph M between 08.00 and 22.00, seven days a week.**
- b) To approve the hours for the premises to be open to the public under paragraph O for 24 hours a day, seven days a week.**
- c) That the steps described in paragraph P of the application are to be included as conditions of the licence including the Challenge 21 Scheme.**
- ch) Digital CCTV coverage to monitor all areas open to the public including all entrances/exits (excluding inside the toilets). CCTV footage to be retained for 31 days and to be handed to the Police, or any other relevant, responsible authority on request. If unable to comply at the time, then the relevant footage to be taken to the nearest office of that authority (in this case, Bangor Police Station) as soon as practicable, and in any case within 48 hours.**

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

2. APPLICATION FOR A PREMISES LICENCE – ZAM ZAM, 308, HIGH STREET, BANGOR

Others invited to the Meeting:

Representing Zam Zam, 308, High Street, Bangor: Mr Khaliq Noor (Applicant)

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

Representing the objectors: Councillor Jean Forsyth and Mr Shojjad Ali

Representing Bangor City Council: Councillor Dewi Llewelyn

Submitted – the report of the Licensing Manager giving details of an application on behalf of Zam Zam, 308, High Street, Bangor for a premises licence to sell late night refreshments to be consumed off the premises between 23.00 and 03.00 with the property open to the public between 09.00 and 03.45, seven days a week. He noted that the applicant was currently running a grocer shop.

It was reported that, following the appropriate consultation period, the Police had observations on the application but the Fire and Rescue Service did not have objections. No observations had been received from the local member. Objections had been received from Bangor City Council, the member from the neighbouring ward, the Planning Services and the Public Protection Service and letters had been received from some of the neighbouring residents also objecting to the application.

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

- (i) The Applicant was invited to expand on the application.
- (ii) Members of the Sub-committee were given an opportunity to ask questions of the applicant

- (iii) The licensee, or his representative, was invited to respond to the observations
- (iv) Members of the Sub-committee were given an opportunity to ask questions of the licensee.
- (v) The applicant and licensee, or his representative, were given an opportunity to summarise their case

In supporting the application, the applicant notified the Committee that fresh food was not being prepared on the premises, but rather ready-made food was sold from a food cabinet in the corner of the property. Therefore, the food was not being cooked on the premises but rather the food was heated in the microwave. He noted that he was willing to reduce the hours to sell late night refreshments to 02.00 or 02.30.

The consultees were invited to support any observations submitted by letter and Ian Williams, Licensing Co-ordinator, North Wales Police, reported that the Police did not have sufficient evidence to object to the application. However, following a meeting with the applicant he was of the opinion that the sale of late night refreshments and the opening hours to the public should end at 02.30 each day, which would bring this property in line in terms of hours to the majority of the other similar establishments in Bangor. He also asked for a condition to be included on the license regarding the use of CCTV cameras.

The Environmental Health Officer informed the committee that she opposed the application on the grounds that what was requested would change the current business significantly. She noted that the property was currently a grocery shop. She also stated her concern about the closing time that was requested namely 03.45. She drew attention to the fact that the applicant had removed the ventilation system that was being released to the high street and this had improved the situation in terms of noise. She referred to the problems with rubbish in that part of the high street, and that the applicant had not noted what could be done to reduce the problem associated with his property. She also noted problems with anti-social behaviour in this part of the city. She also drew attention to the fact that planning permission had not been given for the provision to sell late night refreshments to be consumed off the premises from the property and consequently there had been no opportunity to place conditions on any consent.

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

- That the resident lived around 150 yards from the property and that approving the application would increase the noise in that part of the high street and affect the amenities of neighbouring residents and houses.
- That there were already enough similar establishments in that part of the city and approving more of that type of provision would affect the character and amenities of the high street.
- That the application should be refused because of the possible increase in public nuisance and crime and disorder.
- That Bangor City Council was very concerned that another establishment of that type intended to open late at night in that part of the high street.
- That the applicant had not responded sufficiently to some questions about public nuisance regarding refuse disposal and that therefore the application should be refused.
- That the property should receive planning permission before the commencement of this provision.
- That it would place more pressure on the police to supervise that part of the city.

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
- Public Nuisance Prevention
- Protection of Children from Harm

RESOLVED to approve a licence for Zam Zam, 308, High Street, Bangor, as follows -

a) To approve the sale of late night refreshments to be consumed off the premises under paragraph L between 23.00 and 02.00, seven days a week.

b) To approve the hours for the premises to be open to the public under paragraph O between 09.00 and 02.00 seven days a week.

c) That the steps described in paragraph P of the application are to be included as conditions of the licence.

ch) Digital CCTV coverage to monitor all areas open to the public including all entrances/exits (excluding inside the toilets). CCTV footage to be retained for 31 days and to be handed to the Police, or any other relevant, responsible authority on request. If unable to comply at the time, then the relevant footage to be taken to the nearest office of that authority (in this case, Bangor Police Station) as soon as practicable, and in any case within 48 hours.

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

3. APPLICATION FOR A PREMISES LICENCE – ACADEMI, ROBINSON BUILDING, DEINIOL ROAD, BANGOR

Others invited to the Meeting:

On behalf of Academi, Robinson Building, Deiniol Road, Bangor: Mrs Cheryl Wright (Applicant) and Messrs Ashley James, Skip Belton and L. Dickinson

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

Representing the objectors: Mrs M.A. G Davies

Local Members: Councillors June Marshall and Keith Marshall

Before considering the application, the Chairman noted that the applicant had not contacted the Fire and Rescue Service nor the Public Protection Service about the application. In response, the Chairman informed the applicant that they had not been consulted because the application requested an extension of the hours only. However, the police had been consulted.

The Council's Solicitor informed the Committee that the Licensing Act noted that the applicant needed to contact the Fire and Rescue Service and the Public Protection Service on the application and consequently it was necessary to defer the application's consideration for the time being.

The solicitor representing the applicant apologised for the confusion and said that steps would now be taken to contact these bodies in order to receive their observations on the application. He asked when the sub-committee would be likely to consider the application further.

The Council's Solicitor further informed him that the local government elections would be held on 3 May 2012 and consequently, along with the fact that it would take time to establish the committees following the election, it would not be possible to consider the application until July 2012.

RESOLVED in light of the above, to defer the application's consideration to another date to be set.

4. APPLICATION FOR PREMISES LICENSE – RAOB CADER IDRIS CLUB, BARMOUTH

Submitted – the report of the Licensing Manager, noting that an application had been received to transfer a licence from being a club certificate licence to a premises licence for the property above. He noted that an objection to the application had been received from a local resident and following a discussion with the resident he had agreed to withdraw his objection. Observations were also received from the Fire and Rescue Service who expressed concern about the fire precautions in the property but later on an officer from the service undertook a further inspection of the property and he was pleased with the situation there. A written confirmation had been received from the Fire and Rescue Service and the local resident noting that they were withdrawing their objection. Consequently, the licence was granted.

RESOLVED to accept the report.

The meeting commenced at 11.00am and concluded at 2.30pm.