



**Gwasanaeth Democraidd**  
**Democratic Service**  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

Cyfarfod / Meeting

**IS-BWYLLGOR TRWYDDEDU CANOLOG**  
**CENTRAL LICENSING SUB-COMMITTEE**

Dyddiad ac Amser / Date and Time

**DYDD GWENER, 16eg o FAI 2014**

**FRIDAY, 16<sup>th</sup> of MAY 2014**

Lleoliad / Location:

**SIAMBR HYWEL DDA**  
**SWYDDFEYDD Y CYNGOR / COUNCIL OFFICES**  
**CAERNARFON**

**10:00am**

Pwynt Cyswllt / Contact Point

**LOWRI HAF EVANS (01286) 679 878**

**lowrihafevans@gwynedd.gov.uk**

*Dosbarthwyd/Distributed: 12.5.14*

**IS-BWYLLGOR TRWYDDEDU**  
**LICENSING SUB-COMMITTEE**

**Aelodaeth / Membership (3)**

Y Cynghorwyr / Councillors

Tudor Owen (Cadeirydd/Chairman)

Louise Hughes

Llywarch Bowen Jones

Dilwyn Lloyd (wrth gefn)

**Aelod Lleol / Local Member**

Cynghorwyr/Councillors

June Marshall

Mair Rowlands

# **AGENDA**

**1. WELCOME and APOLOGIES**

To receive any apologies for absence.

**2. DECLARATION OF PERSONAL INTEREST**

To receive any declaration of personal interest.

**3. URGENT ITEMS**

To note any items that is a matter of urgency in the view of the Chairman for consideration.

**4. APPLICATION TO VARY A PREMISES LICENCE:**

**LATE SHOP, 13 HOLYHEAD ROAD, UPPER BANGOR , LL57 2EG**

To consider the above application  
(Blue paper)

## **TREFN MEWN GWRANDAWIADAU I WYRO TRWYDDED**

1. Adroddiad ysgrifenedig gan yr Adain Trwyddedu gydag argymhelliad.
2. Gall aelodau'r Is-bwyllgor ofyn cwestiynau i gynrychiolydd y Cyngor.
3. Ar ddisgresiwn y Cadeirydd gall yr ymgeisydd neu ei gynrychiolydd ofyn cwestiynau i gynrychiolydd y Cyngor.
4. Gall yr ymgeisydd neu ei gynrychiolydd ymhelaethu ar ei gais ac yna galw tystion
5. Gall aelodau'r Is-bwyllgor ofyn cwestiynau i'r ymgeisydd neu ei gynrychiolydd
6. Gwahoddiad i bob ymgynghorai gefnogi sylwadau ysgrifenedig
7. Gall aelodau'r Is-bwyllgor ofyn cwestiynau i'r ymgynghorai.
8. Ar ddisgresiwn y Cadeirydd, gall cynrychiolydd y Cyngor a'r ymgeisydd neu ei gynrychiolydd grynhoi eu hachos.

Atgoffir pawb o'r pedwar egwyddor o'r Ddeddf Trwyddedu 2003 fydd angen ei ystyried, sef:

- 1. Rhwystro Trosedd ac Anrhefn;**
- 2. Diogelwch y Cyhoedd;**
- 3. Rhwystro Niwsans Cyhoeddus; ac**
- 4. Amddiffyn plant rhag niwed:**

## **PROCEDURES FOR LICENSING VARIATION HEARINGS**

1. A written report will be presented by the Licensing Section (with recommendation).
2. Members of the Sub-committee may ask questions of the Council's representative.
3. At the Chairman's discretion the applicant and/or his representative may ask questions of the Council's representative.
4. The applicant and/or his representative may expand upon the application and call witnesses
5. Members of the Sub-committee may ask questions of the applicant and/or his representative
6. There will be an invitation for each consultee to support any written observations
7. Members of the Sub-committee may ask questions of the consultees.
8. At the Chairman's discretion the Council's representative and the applicant or his representative may summarise their case.

All are reminded of the four principles of the Licensing Act 2003 to be considered in all deliberations, namely:

- 1) Crime and Disorder Prevention;**
- 2) Public Safety;**
- 3) Public Nuisance Prevention; and**
- 4) Protection of Children from Harm.**

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING SUB-COMMITTEE</b>
<b>DATE:</b>	<b>16 MAY 2014</b>
<b>TITLE:</b>	<b>APPLICATION TO VARY A PREMISES LICENCE – LATE SHOP, 13 HOLYHEAD ROAD, BANGOR</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF REGULATORY DEPARTMENT</b>

## **BACKGROUND - THE RE – SUBMISSION OF THE APPLCATION**

Attached is an application to vary the premises licence of Late Shop, 13 Holyhead Road, Upper Bangor, LL57 2EG from the licence holder, Melanie C Jones.

You will recall that this Sub – Committee decided at a hearing held on the 8<sup>th</sup> of November 2013 that it would not be possible to hear this application , or make a determination on it because evidence was submitted during the hearing that the application had not been advertised correctly.

At a subsequent hearing on the 17<sup>th</sup> of December, the Sub – committee concluded that it would not be possible to make a decision on the application following it’s re-submission as there was no evidence that the application had been advertised in a local paper during the consultation period for the application.

In order for the Sub-committee to be able to hear the application, it must be submitted in accordance with the requirements of the Licensing Act 2003 and associated regulations. One of the requirements is that the application is advertised in a local paper, for a period of 10 working days commencing the day after the application is received by the Licensing Authority.

In this matter, notice of the application was given in the Chronicle on 12<sup>th</sup> of December 2013; which is outside the appropriate consultation period for the application.

Due to this defect the application had not been duly advertised. The Sub Committee had no jurisdiction to consider the application on the 17th of December , let alone decide on whether to accept or reject it.

The applicant and those making representations on the application were notified on the 18<sup>th</sup> of December 2013. A copy of the letter is attached to this report.

Following the Sub Committee meeting, the application was re – submitted again by the licence holder on the 28<sup>th</sup> of March 2014; and it can be confirmed that the notice was advertised and presented correctly, in accordance with the requirements of the Licensing Act 2003 and relevant regulations. ( see a copy of the notice attached to this report)

## **APPLICATION**

The application is submitted for an extension of the hours of standard licensable activities of providing late night refreshments and selling alcohol to be consumed off the premises.

See details in the application form regarding the steps the applicant intends to take to ensure compliance with the licensing objectives.

Hours of licensed activities are recommended as follows –

	<b>CURRENT LICENCE</b>	<b>PROPOSED LICENCE</b>
Days	<b>Hours of late night refreshments provision</b>	<b>Hours of late night refreshments provision</b>
Sun - Wed	23:00 – 02:00	23:00 – 02:30
Thursday	23:00 - 02:00	23:00 – 03:00
Fri - Sat	23:00 - 02:00	23:00 - 03:30
	<b>Hours of selling alcohol to be consumed off the premises</b>	<b>Hours of selling alcohol to be consumed off the premises</b>
Sun - Wed	08:00 – 02:00	08:00 – 02:30
Thursday	08:00 - 02:00	08:00 – 03:00
Fri - Sat	08:00 - 02:00	08:00 - 03:30

**Note** that the current and proposed opening hours for the premises are 24 hours a day, 7 days a week.

## **CONSULTATIONS**

The application was consulted upon and by the 4<sup>th</sup> of December, the following responses were received –

<b>RESPONSES</b>	<b>REPRESENTATIONS</b>
Local members	2 e-mails – objection
Bangor City Council	1 e mail - objection
Individual member, Bangor City Council	1 e mail - objection
Local resident	Letter - objection
North Wales Police	1 e-mail – conditions, no objection
Fire and Rescue Service	1 letter - no objection

## **SUMMARY OF REPRESENTATIONS RECEIVED**

### **Local Members – Gwynedd Council**

An e-mail was received from two local members objecting to the application, mainly on the grounds of the licensing objective of preventing public nuisance because of the possibility of an increase in litter and noise. It is noted that the premises is located within a residential area. Concerns were also expressed that an extension to the hours would lead to an increase in crime and disorder.

### **Bangor City Council**

Three e-mails were received from individual councillors and one from the Council's Clerk objecting to the application on the grounds of the licensing objectives of preventing crime and disorder and public nuisance. It was noted that the proposed hours would lead to an increase in crime and disorder, as well as an increase in nuisance, noise and litter on the street.

### **North Wales Police**

The Police do not object to the application for an extension of hours. The viewpoint of the Police is that it is appropriate for the licences of all premises selling late night refreshments in Bangor to be equal in terms of the hours of licensable activities, in order to promote the licensing objectives. It is noted that the Police request that conditions be imposed on the licence with regard to CCTV and

Door Supervisors. It is also noted that the Police acknowledge that Upper Bangor is a residential area; and that the applicant has consequently agreed to only extend the hours on the weekend.

**Local resident**

A letter was received objecting on the grounds of public nuisance.

See full details of the representations attached to the report.

**RECOMMENDATION**

The Sub-committee is requested to consider the application in accordance with the Licensing Act 2003.