



# Complete Agenda

Democratic Services  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

Meeting

**CENTRAL LICENSING COMMITTEE**

Date and Time

**MONDAY, 19TH JUNE, 2017**

**\*TO FOLLOW ON FROM THE GENERAL LICENSING COMMITTEE**

Location

**Siambwr Hywel Dda, Council Offices, Caernarfon, Gwynedd, LL55 1SH**

Contact Point

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(DISTRIBUTED Friday, 9 June 2017)

# **CENTRAL LICENSING COMMITTEE**

## **MEMBERSHIP (15)**

### **Plaid Cymru (8)**

Councillors

Annwen Daniels  
Annwen Hughes  
Edgar Wyn Owen  
Peter Read

Steve Collings  
Dafydd Owen  
Rheinallt Puw  
Elfed Williams

### **Independent (5)**

Councillors

John Brynmor Hughes  
Eryl Jones-Williams  
Dewi Wyn Roberts

Louise Hughes  
Jason Wayne Parry

### **Llais Gwynedd (1)**

Councillor Gareth Williams

### **Lib / Lab (1)**

Councillor Sion W. Jones

### **Ex-officio Members**

Chair and Vice-Chair of the Council

# **A G E N D A**

**1. ELECT CHAIR**

To elect a Chairman for 2017/18

**2. ELECT VICE CHAIR**

To elect a vice Chair for 2017/18

**3. APOLOGIES**

To receive any apologies for absence.

**4. DECLARATION OF PERSONAL INTEREST**

To receive any declaration of personal interest.

**5. URGENT ITEMS**

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

**6. MINUTES**

4 - 6

The Chairman shall propose that the minutes of the meeting of this Committee, held on 6.3.17 be signed as a true record.

**7. LICENSING SUB COMMITTEE MINUTES**

7 - 16

To submit, for information, minutes of the Central Licensing Sub-committee meeting held on the following dates –

- i. 20.3.17
- ii. 10.4.17

# Agenda Item 6

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## CENTRAL LICENSING COMMITTEE 06.03.17

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**Present:** Councillors Annwen Daniels, Anwen Davies, Annwen Hughes, John Brynmor Hughes, Louise Hughes, Eryl Jones-Williams, Tudor Owen (Chair) Angela Russell, Ann Williams, Elfed W. Williams, John Wyn Williams and R. H. Wyn Williams

**Also in Attendance:** Gareth Jones (Senior Planning and Environment Manager), Gwenan Mai Roberts (Licensing Manager), Geraint B. Edwards (Solicitor), Cheryl Morgan (Observing) and Lowri Haf Evans (Member Support Officer)

### 1. APOLOGIES

Apologies were received from Councillors Dilwyn Morgan and Peter Read.

### 2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 3. URGENT ITEMS

None to note

### 4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of the previous meeting of this committee, that took place on 12 December 2016, as a true record subject to noting that Councillor Annwen Hughes was present.

### 5. REVIEW OF STATEMENT OF GAMBLING POLICY

A draft Gambling Policy Statement was presented to the Members for consideration and approval before conducting a public consultation in accordance with the 2005 Gambling Act. The main purposes of the Gambling Act, along with the requirements of the Gambling Commission, were highlighted for gambling operators to assess the local risks to the licensing objectives that arose as a result of providing gambling facilities as well as having policies, procedures and risk measures to mitigate those risks.

It was noted that the draft Policy had been prepared in consultation with the North Wales Licensing Group, with the aim of ensuring consistency across the region. It was reiterated that Gwynedd had submitted the format and the other Councils of North Wales had adopted it. This was accepted as positive information.

It was reported that the consultation period would continue for 12 weeks, with the Licensing Authority addressing the responses received. After completing the process, the final draft Statement would be re-submitted to the Licensing Committee, who would recommend that the Full Council adopt it (this was required under Section 154 of the 2005 Gambling Act).

During the ensuing discussion the following points were highlighted by individual Members:

- Concern of endless gambling promotion adverts on the television was highlighted
- Access to gambling services was too easy
- Companies encouraged people to buy lottery tickets by simplifying the internet payment process
- The vulnerable community must be considered - lack of spending money
- Gambling machines in public houses - needed to avoid these in family dining areas / out of reach of children
- The Health Board needed to be part of the consultation

In response to an observation regarding the concerns highlighted, it was noted that the management of television advertisements was beyond the remit the Licensing Committee and the Licensing Authority and that the Gambling Commission was responsible for the regulating.

It was suggested that a letter be sent to the Commission, Arfon and Dwyfor and Meirionnydd Assembly Members, and the local Members of Parliament, to express the Committee's concerns on easy access to gambling services. It was highlighted that the Committee had a duty of care to highlight this in order to protect vulnerable individuals.

In response to a question regarding using officers to carry out random inspections in betting shops, it was noted that inspections would not be carried out unless a risk assessment had been conducted, or evidence had been submitted that there were concerns / complaints on the location / shop. It was confirmed that there was a purchase test on items such as tobacco and alcohol, but not on betting items. It was highlighted that the reason for this was because it was not a statutory requirement, but should the Committee decide that this was beneficial, reasons for not doing so were not anticipated.

In response to an observation regarding the timing of the submission of a draft statement to the Committee before the election, and that the Committee's membership was likely to change by the period of receiving the final statement, it was noted that every Authority across North Wales had agreed to submit the statement within the same period.

**RESOLVED unanimously, to approve the draft Gambling Policy Statement in accordance with the 2005 Gambling Act for public consultation, and the following observations were proposed:**

- **the Licensing Authority to draft a letter in the Chair's name, and send it to the Gambling Commission to express the Committee's concern on the**
  - **overuse of betting advertisements**
  - **companies encouraging people to bet, and**
  - **access to gambling services being too easy.****A copy of the letter to be sent to Assembly Members (Arfon and Dwyfor Meirionnydd) and the local Members of Parliament; to the Members that represented Gwynedd Council on the North Wales Police and Crime Panel and to the Chief Officers of the North Wales Licensing Authorities.**
- **the Licensing Authority to discuss the best methods of drawing attention to the public consultation with Gwynedd Council's Communications Department - encourage use of social media.**

The meeting commenced at 10.00am and concluded at 10.55am.

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## CENTRAL LICENSING SUB-COMMITTEE 20.03.17

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**Present:**                **Councillors:** Tudor Owen (Chair), Angela Russell and R. H. Wyn Williams

**Officers:** Geraint Brython Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), Cheryl Morgan (Licensing Officer - observing) and Lowri H. Evans (Member Support Officer).

### 1.        **APOLOGIES**

Apologies were received from Cllr Siân W Hughes (Local Member), the Fire Authority, Richard and Christine Archbell and Rhodri and Vanessa Williams

### 2.        **DECLARATION OF PERSONAL INTEREST**

None to note.

### 3.        **URGENT ITEMS**

None to note

### 4.        **APPLICATION FOR PREMISES LICENCE - Caffi Porthdinllaen, Morfa Nefyn**

The panel and the officers were introduced to everyone that was present and it was announced that everyone had up to 5 minutes to share their observations on the application.

**On behalf of the premises:**                Mr James Munday (applicant) and Mrs Wena P Williams

Others invited:                                Mr Ian Williams (North Wales Police)

Mr Peter Jones, Mrs Hazel Pielow, Mr T Gareth Gruffydd,  
Mr Idris Williams, Mrs Shan Gruffydd, Mr Tony Connelly,  
Mrs Dolwen Williams

#### a)        **The report and recommendation of the Licensing Section**

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for Caffi Porthdinllaen, Lôn Golff, Morfa Nefyn in relation to the supply of alcohol on and off the premises from midday until 11pm, every day, and to play recorded music on the premises. A provision to deliver food orders off the premises will be offered and ordering alcohol as part of the food order will be part of the offer. It was highlighted that the premises was currently used as a café that was open until late afternoon, with an outside area for customers.

Attention was drawn to the proposed hours in the report. It was noted that the Licensing Authority had sufficient evidence for the application to be submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations.

Reference was made to measures recommended by the applicant to promote the licensing objectives along with the responses that were received during the consultation period.

It was noted that 20 letters / e-mails had been received, with 19 objecting to the application based on the licensing objectives. Attention was drawn to the objections received from the

Local Member, Nefyn Town Council, and local residents in the report. It was highlighted that some of the objections included concerns about the parking provision, parking problems along the narrow road as well as an increase in traffic. No response has been received from the Transportation Unit to these concerns.

In response to comments about anti-social incidents and noise concerns, it was noted that the Environmental Health and Safety Service had neither received formal complaints regarding this nor complaints on the impact of late night lighting and waste disposal. An Officer representing the Police noted that no anti-social incidents had been recorded by them.

- b) In considering the application, the following procedure was followed:
- Members of the Sub-committee and the applicant were given an opportunity to ask questions of the Licensing Manager.
  - The applicant was invited to expand on the application.
  - Consultees were given an opportunity to submit their observations.
  - The licensee, or his representative, was invited to respond to the observations.
  - Members of the Sub-committee were given an opportunity to ask questions of the licensee.
  - Members of the Sub-committee were given an opportunity to ask questions of the consultees.
- c) In expanding on the application, the applicant noted that he was happy with what had been submitted and reiterated the following observations:
- There was no intention of opening the café / restaurant any later than 9pm (specific events only)
  - There was no intention of running the café / restaurant as a public house - it was a restaurant with a family atmosphere
  - The intention in applying for a licence was to offer alcohol with food and for alcohol to be sold off premises with food orders only
  - He had held discussions with an Senior Environmental Health Officer and had agreed on six conditions that were recommended to control noise
  - There was no intention of having audio units outside the premises
  - A planning application had been submitted, which included seven parking spaces and a turning area - the application had not been approved, but the plan responded to national standards. (He also highlighted that he had access rights to boundary fields should there be a need to extend).
  - It was hoped that the Council would re-paint double yellow lines on the road
  - He had already discussed the food delivery system with a Police Officer
  - There was no intention of selling cheap wines and operate as a licensed shop
  - The premises, although it appeared to be a wooden hut, had been insulated to the same standard as a normal house - he would be happy for the Environmental Health Unit to monitor and check this
  - Only recorded music would be played at the premises
  - He had had a conversation with the Local Member to discuss her concerns regarding the application.

Recent comments were presented and read by the Local Member as a result of this discussion.

The noise conditions that were recommended by the Senior Environmental Health Officer were read out by the Licensing Manager.

The consultees present at the meeting took advantage of the opportunity to elaborate on their objections to approve the licence and they reiterated the observations that had been submitted by letter.

- Noise levels would rise during special events
- The road past the café was narrow - concerns that there would be accidents
- The nearby fields needed to be drained before they could be used for parking
- Needed to ensure that the building complied with planning conditions, e.g. toilet provision
- Needed to ensure that customers would leave at 9:30pm without alcohol
- Concern that noise would carry from the decking area and outside toilets - the café boundary abutted residents' houses
- Too many places selling alcohol in the village
- Parking was a concern - it was a very dangerous area. Which measures would be taken?
- There was a need to be sensible when considering noise concerns

- ch) Letters received stating an objection to the application by David and Hayley Slater, John Wainwright, Christine Archbell, S. H. Hall, Virginia Kay, Jayne Burrell, Derek Hollinrake, Rogel Ellwood, Andy Spencer, and Wyn and Bethan Hughes, were acknowledged
- d) A representative from the Police noted that North Wales Police had no evidence that would enable the refusal of the application. Since the café had come into existence (2007), no complaint had been submitted. He noted that he had discussed the application with Mr Munday and that suggestions and conditions had been recommended. In terms of sending alcohol out with food, it was highlighted that it would be possible for the Police to implement a test purchase to ensure that Challenge 25 was being implemented. It was recommended that the residents present noise pollution complaints so that it would be possible to act on them.
- dd) In summarising his application, the applicant highlighted his willingness to work with the local community and the residents. He noted that he was attempting to improve and adapt the café as a restaurant. He reiterated that he would be willing to work with the Transportation Unit, and the Environmental Health Officer, should noise complaints be submitted.
- e) In considering the application, all the evidence submitted was considered, giving particular attention to the principles of the Licensing Act 2003
- Crime and Disorder
  - Public Safety
  - Preventing Public Nuisance
  - Protection of Children from Harm

### **RESOLVED to approve the application**

1. Supply of alcohol will be permitted, to be consumed on and off the premises, from Monday to Sunday between 09:00 and 23:00.
2. Recorded music will be permitted inside only, Monday to Sunday, between 08:00 and 21:00.
3. Opening hours for the public are from Monday to Sunday, between 08:00 and 23:30.
4. The issues included in section M of the application were included as conditions on the licence.
5. To add a condition that CCTV clips are kept for at least 28 days and are available at the request of the Licensing Authority and the Police.
6. To add noise control conditions as suggested by the Environmental Health Officer and agreed

7. To add a condition that the policy for spreading customers at the end of a night is planned and adhered to
8. To add a condition that the Police are informed within 14 days prior to holding a late night party on the premises, i.e. after 21:00.

Specific consideration was given to the following comments and concerns:

#### Anti-social behaviour

The written comments of the local member, Councillor Siân Hughes, were considered, stating that there had been incidents of anti-social behaviour in the car park opposite to the premises in the past. Concern was also expressed regarding an increase in anti-social behaviour from Virginia Kay and Jayne Burrell.

Although the Sub-committee had accepted that there had been incidents of anti-social behaviour in the past and that it could be relevant to the licensing objective of preventing crime and disorder, no details were received regarding dates, numbers, length or the source of the incidents. With no information, it was not possible for the Sub-committee to come to a conclusion whether the historical problems were sufficiently serious that they represented a problem relating to crime and disorder that could be attributed to the premises, and it was not a basis on which to anticipate an increase in the problem should the licence be approved.

In accordance with the requirements of the Home Office, the Sub-committee had to consider the comments from the Police before coming to a conclusion whether a crime and disorder problem was likely to arise should the licence be approved. The Police confirmed that they did not oppose to the application as there was no history of anti-social behaviour involved with the premises that was sufficiently serious that it represented a crime and disorder problem. As a result, the Sub-committee was satisfied that the application was in accordance with the licensing objectives of preventing crime and disorder.

#### Noise problems

Concerns were expressed by a number of people that approving the licence would mean an increase in noise - the hut's unsuitable design for playing loud music, the noise of bottles, people and cars.

The Sub-committee accepted that the noise concerns were appropriate ones and they could, in principle, be relevant to the licensing objective of preventing public nuisance.

However, the Sub-committee was of the opinion that the comments were hypothetical and there was no basis to past evidence that the noise problems were tantamount to public nuisance. It was highlighted that, if the noise problems were tantamount to public nuisance, the Sub-committee would have expected Environmental Health to have received complaints.

The Sub-committee were advised by the Solicitor on what was considered to be a public nuisance under law. (Public nuisance was not tantamount to inconvenience. Public nuisance was defined as what happens as a result of an act that was not permitted by law or a failure to complete a legal duty, "...if the effect of the act or omission is to endanger the life, health, property or comfort of the public, or to obstruct the public in the exercise or enjoyment of rights common to all Her Majesty's subjects." Reference was made to the case of the National Coal Board v Thorne [1976] 1 WLR 543: A public nuisance [is] an act or omission which materially affects the material comfort and quality of life..." Reference was also made to R v Rimmington [2005] UKHL 63 about the "...requirement of common injury", i.e. that a substantial proportion of the public must be affected. It not enough that harm has been caused to specific individuals.

In these circumstances, the Sub-committee was not satisfied with the quality of the evidence that the noise problem deriving from the premises reached the legal definition of "public nuisance".

#### Light pollution

The local member and Mrs Burrell submitted concern that approving the application would lead to light pollution.

It was acknowledged that light pollution could be relevant to the objective of preventing public nuisance. However, no evidence was received that additional lights would have a serious impact or have a likely impact on public health.

#### Waste problem

The local member submitted concern that approving the application would produce more waste.

As with noise and lighting, it was acknowledged that waste could be relevant to the objective of preventing public nuisance. However, without any evidence to hand of the likely levels of waste that would be produced should the licence be approved, the Sub-committee was in no situation to consider that refusing the licence would create further waste problems.

#### Traffic / parking

Comments and concerns were submitted by the Town Council, the local member, Mr and Mrs Gruffydd, Mr Wainwright, Mrs Archbell, Mrs Burrell, Derek Hollinrake, Hazel Pielow and Andy Spencer that approving the licence would lead to an increase in traffic and a need for parking that would pose a risk to public safety.

It was accepted that these concerns were relevant to the licensing objective of protecting public safety. However, the Sub-committee was not convinced that there was evidence of a significant increase in traffic to or from the premises as a result of approving the licence. It was noted that no comments were submitted by the Police or Gwynedd council Highways Department expressing concern for road safety. As a result, the Sub-committee was satisfied that the application would not cause harm to public safety.

#### Protection of children from harm

Mrs Burrell presented comments expressing concern that changing the premises from being a family-oriented café to a premise that sold alcohol would be harmful to children. The Sub-committee did not agree with this statement as it was very common by now for public houses and other licensed places to be open for families, including children. The Sub-committee was satisfied that the applicant intended to take appropriate steps that would safeguard children from any harm, e.g. prevent under-age drinking through the 'Challenge 25' policy.

Irrelevant matters - Some comments / concerns were disregarded on the grounds that they were irrelevant to the licensing objectives.

Various concerns were raised regarding the building's planning status. It was noted that the original permission for the café had been earmarked for an individual; with a condition that the building be demolished and restored for agricultural use when the individual vacated the building. It was also noted that the proposed opening times were longer than the seasonal hours, from April to October, which had been approved in the planning permission. It was also

noted that the toilet was outside the main building. It was highlighted that these were planning matters and therefore irrelevant to the licensing objectives.

The comment that there was sufficient provision of licensed activities in the area was also disregarded. It was highlighted that the Licensing Act 2003 noted that local provision was not a relevant consideration under alcohol and entertainment licensing law. Concern was expressed that approving the licence would lead to a reduction in the prices of nearby property - this was not a relevant matter to any of the licensing objectives and the comment was disregarded.

The Sub-committee was satisfied that the application was in accordance with the licensing objectives and it was resolved to approve the licence.

It was noted that the licence was approved under the Licensing Act 2003 and the applicant would need to make an application to amend the planning permission for the premises in order to use it outside the hours approved under planning conditions.

The meeting commenced at 10.40am and concluded at 1.00pm

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## CENTRAL LICENSING SUB-COMMITTEE 10.04.17

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**Present:**            **Councillors** : Eryl Jones-Williams (Chairman), Annwen Daniels and Louise Hughes

**Officers:**     Geraint Brython Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), and Lowri H Evans (Member Support Officer).

### 1.     **APOLOGIES**

An apology had been received from The Fire Authority and Councillor Annwen Hughes.

### 2.     **DECLARATION OF PERSONAL INTEREST**

None to note.

### 3.     **URGENT ITEMS**

None to note

### 4.     **APPLICATION FOR PREMISES LICENCE -**

The panel and the officers were introduced to everyone that was present and it was announced that everyone had up to 10 minutes to share their observations on the application.

**On behalf of the premises:** Mr Brian Welts (CTM Brand Events), Mr Will Johnson (CTM Brand Events) and Ms Nicola Meadley (Brand Event Ltd)

Others invited:                     Mr Ian Williams (North Wales Police)  
     Mr Euron Thomas (Senior Environmental Health Officer, Public Protection - Gwynedd Council)  
     Councillor Elwyn Edwards - Local Member

#### a)     **The report and recommendation of the Licensing Section**

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for Snowdonia Outdoor Festival, Gwern Hefin Farm, Llanycil, Bala, from Brand Events TM Limited, 4, Vencourt Place, London.

The application was in respect of the supply of alcohol, recorded music, live music, the performance of dance, the showing of films and dramas, any other entertainment and the provision of late night refreshment on Friday, Saturday and Sunday. It was highlighted that the festival would be held on the premises annually over one weekend should the licence be approved.

Attention was drawn to the proposed hours in the report. It was noted that the Officers of the Licensing Authority had sufficient evidence that the application had been submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations.

Reference was made to measures recommended by the applicant to promote the licensing objectives along with the responses that had been received during the consultation period.

It was noted that five letters / e-mails had been received objecting to the application on the basis of preventing public nuisance and public safety. Attention was drawn to the comments and recommendations presented by the Police, Fire and Rescue Service, Snowdonia National Park Planning Authority, Gwynedd Council's Environmental Health Officer and Gwynedd Council's Food, Health and Safety Unit's Officer.

It was reiterated that the organisers had been in contact with the respondents to try to resolve the concerns and it was noted that the live music would end at 22:30; that a security fence would surround the site with supervision to ensure that anyone attending the festival would not trespass on nearby property. It was highlighted that since the report had been published, four out of five of the objectors had officially withdrawn their comments following reconciliation discussions with the applicant.

It was confirmed that the Health and Safety Officer was satisfied that the Events Management Plan had been completed and the Senior Environmental Health Officer added that a number of discussions had taken place on noise matters and an appropriate noise conditions contract had been included in the application.

The Chairman noted that the report was comprehensive and everyone was thanked for working together to resolve the concerns. In response to a comment about why Rhiwlas Fields were not available for the event (a site which was accustomed to holding large events), the Local Member highlighted that the fields were not available due to a change in agricultural methods.

- b) In considering the application, the following procedure was followed:-
- Members of the Sub-committee and the applicant were given an opportunity to ask questions of the Licensing Manager.
  - The applicant was invited to expand on the application
  - Consultees were given an opportunity to submit their observations
  - The licensee, or his representative, was invited to respond to the observations
  - Members of the Sub-committee were given an opportunity to ask questions of the licensee.
  - Members of the Sub-committee were given an opportunity to ask questions of the consultees.
- c) In expanding on the application, the applicants noted that they were happy with what had been submitted and reiterated the following observations:
- They were working with specialists to ensure that traffic concerns were met
  - Speed would be restricted to 30mph as far as possible
  - No objections had been received from the Transport Unit
  - A bus would be provided by a local company to transport people from the town to the site
  - There was a suitable foot and cycle path route to reach the site
  - They confirmed that live music would end at 22:45 rather than 23:00

In response to a question regarding light disruption, it was noted that low security lights would be on the site throughout the night, but the floodlights would be switched off once people had left the site.

In response to a comment about visitors to the Festival gathering in the underground tunnel from the car park to the site, it was highlighted that stewards would be available to facilitate the system at busy times. The need to ensure that the surface area of the walkways were smooth was reiterated. It was confirmed that stewards would always be available in the car parks with radio contact to respond to any problems that may arise.

- ch) The letter that had been received stating an objection to the application from Mr Ivor Jones was acknowledged - the other objections had been officially withdrawn.
- d) The Officer to the Police noted that North Wales Police had no evidence that would enable them to object the application. The following main observations were noted:
- The management plan had already been presented - this was welcomed
  - The application was thorough - had been presented well
  - They had contacted the Cumbria Authority to enquire how the company had run the Festival there
  - Discussions had already been held with the area's Chief Inspector about arrangements.

In response to a question regarding the possibility of gathering in the underground tunnel, the officer confirmed that he would ensure that this concern would be discussed in the security meeting.

- dd) The Senior Environmental Health Officer noted that the Department had no concerns about noise nuisance as a noise control plan had been included with the application and that music would end at 22:45 (which was very early compared to other applications). It was highlighted that noise was not the event's focus. It was reiterated that detailed discussions had taken place with noise specialists and that the conditions had been accepted. Noise levels would be monitored on four different sites throughout the Festival and reports would be presented to the Environment Unit. It was noted that the application was of a high standard and that this was to be welcomed together with receiving documents beforehand.
- e) In accepting an invitation from the Chairman to present his comments, the Local Member noted that he had attended a meeting with the applicant and that he had congratulated them on the detailed report. In response to a question regarding use of the Welsh language, the applicant noted their intention to work with the Ceidiog company to promote the Welsh language and had arranged to translate the Festival's details on their website. Every press release would be bilingual. In response to a question regarding using local organisations to support the venture, it was noted that discussions had already been held with a number of local organisations, the tourism office and representatives from the town's traders and in regards to food providers, an invite would be given to local providers in the first place.

The Councillor expressed that he was happy with the responses and that he had no objection to the venture.

- f) When considering the application, all the evidence submitted was considered, and particular attention was given to the principles of the Licensing Act 2003
- Crime and Disorder
  - Public Safety
  - Preventing Public Nuisance
  - Protection of Children from Harm

**RESOLVED to approve the application subject to the additional conditions:**

The licence was issued as follows:

- Approve the sale of alcohol to be consumed on and off the premises, from Friday to Sunday between 10:00 and 00:00.
- Approve live music indoors and outdoors, from Friday to Sunday between 10:00 and 22:45.
- Approve the playing of recorded music indoors and outdoors, from Friday to Sunday between 10:00 and 00:00.

- Approve dance performances indoors and outdoors, from Friday to Sunday between 10:00 and 00:00.
- Approve dramas indoors and outdoors, from Friday to Sunday between 10:00 and 00:00.
- Approve films indoors and outdoors, from Friday to Sunday between 10:00 and 00:00.
- Approve other entertainment indoor and outdoor, from Friday to Sunday between 10:00 and 00:00.
- Approve late night refreshments indoors and outdoors, from Friday to Monday between 23:00 and 01:00.
- The issues that had been included in section M of the application were included as conditions on the licence.
- That the noise control issues suggested by Environmental Health were included as conditions on the licence, with the event to address live music finishing at 22:45.

In reaching their decision, the Sub-committee considered the application form along with written comments from the Police, Fire Service, Snowdonia National Park Authority, Gwynedd Council's Environmental Health Unit, Mr Ifor Jones and the licensing officer's report. The verbal comments of all who were present in the hearing were considered in addition to the Council's licensing policy and Home Office guidance.

Whilst considering Mr Ifor Jones' comments which raised concerns that approving the licence would lead to an increase in noise and traffic in the area, the Sub-committee accepted that noise could be relevant to the objective of preventing public nuisance, but no evidence had been received that issuing the licence would likely lead to noise and public nuisance problems. As live music would end at 22:45 over the period of one weekend in the year, the noise would not be late or regular and therefore it was not considered as a basis to allege that approving the licence would lead to public nuisance as defined by law. The Sub-committee noted their disappointment that Mr Jones was not present in the hearing to expand on his comments.

As the Sub-committee considered that traffic could be relevant to the licensing objective of protecting public safety, the Sub-committee was not of the opinion that approving the licence would mean an increase in traffic that could be detrimental to public safety. No evidence of traffic problems had been presented from Gwynedd Council's Highways Department or the Police. It was also noted that the Bala area was accustomed to holding large events in the past - such as the National Eisteddfod and the County Show - and that there was no evidence that these events had led to traffic problems that was synonymous with harm to public safety.

The Sub-committee was willing that the application and rigorous measures presented by the applicant were in keeping with the four licensing objectives.

The meeting commenced at 11.20am and concluded at 12.30pm