



# Complete Agenda

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

Meeting

**CENTRAL LICENSING SUB COMMITTEE**

Date and Time

**10.00 am, WEDNESDAY, 20TH JUNE, 2018**

Location

**Siambr Dafydd Orwig - Pencadlys Caernarfon**

Contact Point

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(DISTRIBUTED 12/06/18)

# **CENTRAL LICENSING SUB COMMITTEE**

## **MEMBERSHIP (3)**

Councillors

Peter Read

Annwen Daniels

Steve Collings

Gareth Williams (Substitute)

## **Local Members**

Councillor

Annwen Hughes

# **A G E N D A**

## **1. 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 are a matter of urgency in the view of the Chairman for consideration.

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

5 - 8

Y Maes Café, Llandanwg, Harlech, LL46 2SD

To consider the above application

## **PROCEDURE IN LICENSING HEARINGS.**

1. A written report will be presented by the Licensing Section  
(with a recommendation).
2. Members of the Sub-committee may ask questions of the Council's representative.
3. At the Chairman's discretion the applicant 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. At the Chairman's discretion, the Council's representative may ask questions of the applicant or his representative
7. There will be an invitation for each Consultee to support any written observations
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:**

# Agenda Item 4

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING SUB-COMMITTEE</b>
<b>DATE:</b>	<b>20 JUNE 2018</b>
<b>TITLE:</b>	<b>APPLICATION FOR PREMISES LICENCE - Y MAES CAFÉ, LLANDANWG, HARLECH, LL46 2SD</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF ENVIRONMENT DEPARTMENT</b>

## APPLICATION RECEIVED

An application is attached for a premises licence from Derek Graham Perch and Avril Jane Perch of 67 Cae Gwastad, Harlech, LL46 2GY for Y Maes Café, Llandanwg, Harlech, LL46 2SD.

The applicant proposes to supply alcohol to customers on the premises which already operates as a café seven days a week in summer, and on weekends in winter. The sale of alcohol for consumption off the premises is also proposed.

It is also proposed to play background radio music on the premises during opening hours; indoors and outdoors.

The café is currently open until 5 every day in summer, and it is proposed to open later in summer until 22:00 on Fridays and Saturdays, with alcohol being sold until 9:30.

It is understood that the applicant also intends to show sporting events occasionally.

Officers from the Licensing Authority are satisfied that there is sufficient evidence that the application has been submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations and is therefore valid. Since representations relevant to the licensing objectives have been made on the application, it is submitted for the consideration of this Sub-committee.

See the attached table for details of the proposed hours.

<b>LICENSABLE ACTIVITIES</b>	<b>PROPOSED LICENCE</b>
<b>Supply of alcohol - On and off the premises</b>	<p><b>Cyflenwi Alcohol/Supply of Alcohol - Allanol &amp; Dan Do/Outdoors &amp; Indoors</b></p> <p>Dydd Llun/Monday 12:00 - 16:30            Dydd Mawrth/Tuesday 12:00 - 16:30            Dydd Mercher/Wednesday 12:00 - 16:30            Dydd Iau/Thursday 12:00 - 16:30            Dydd Gwener/Friday 12:00 - 21:30            Dydd Sadwrn/Saturday 12:00 - 21:30            Dydd Sul/Sunday 12:00 - 16:30</p>
<b>Cerddoriaeth wedi ei recordio / Recorded music</b>	<p><b>Cerddoriaeth wedi'i Recordio/Recorded Music - Allanol &amp; Dan Do/Outdoors &amp; Indoors</b></p> <p>Dydd Llun/Monday 10:00 - 17:00            Dydd Mawrth/Tuesday 10:00 - 17:00            Dydd Mercher/Wednesday 10:00 - 17:00            Dydd Iau/Thursday 10:00 - 17:00            Dydd Gwener/Friday 10:00 - 22:00            Dydd Sadwrn/Saturday 10:00 - 22:00            Dydd Sul/Sunday 10:00 - 17:00</p>
<b>Adloniant Arall/Other Entertainment - Dan Do/Indoors</b>	<b>Adloniant Arall/Other Entertainment - Dan Do/Indoors</b>

	Dydd Llun/Monday 12:00 - 17:00 Dydd Mawrth/Tuesday 12:00 - 17:00 Dydd Mercher/Wednesday 12:00 - 17:00 Dydd Iau/Thursday 12:00 - 17:00 Dydd Gwener/Friday 12:00 - 22:00 Dydd Sadwrn/Saturday 12:00 - 22:00 Dydd Sul/Sunday 12:00 – 17:00
<b>Opening and closing hours for the Public</b>	<b>Oriau Agor / Opening Hours:</b>  Dydd Llun/Monday 09:30 - 17:00 Dydd Mawrth/Tuesday 09:30 - 17:00 Dydd Mercher/Wednesday 09:30 - 17:00 Dydd Iau/Thursday 09:30 - 17:00 Dydd Gwener/Friday 09:30 - 22:00 Dydd Sadwrn/Saturday 09:30 - 22:00 Dydd Sul/Sunday 09:30 - 17:00

### Measures recommended by the applicant to promote the licensing objectives

- Robust management and staff training by the Designated Premises Manager who will be on the premises daily.
- Staff to receive training to verify the age of customers who buy alcohol
- It is intended to implement the Challenge 25 policy when selling alcohol on the premises
- Anti-social behaviour will not be tolerated
- Ensure that no drugs are used or sold on the premises.
- It is intended to use a CCTV system
- Provision of sufficient rubbish bins in the vicinity of the café for customers.
- Staff to be trained to comply with Environmental Health requirements.
- Work with other businesses to ensure that alcohol is not supplied to intoxicated customers
- Children will not be allowed access to the premises in the evenings without a parent/guardian
- Signs stating that action will be taken against individuals who behave in an unacceptable manner
- A sufficient level of lighting provision to promote the licensing objective of public safety

Full details of the recommended measures can be found in section **M** of the application

### CONSULTATION

A consultation was undertaken on the application and the following responses were received -

<b>RESPONSES</b>	<b>OBSERVATIONS</b>
Llanfair Community Council	E-mail - objecting
Local member	E-mail - objecting
Nearby businesses, residents and visitors	22 e-mails and letters - objections.

Two anonymous letters were received. Anonymous observations on a premises licence application cannot be accepted. The observations were received in relation to the four licensing objectives, namely -

- Prevention of crime and disorder
- Public Safety
- Protection of children from harm
- Public nuisance prevention

### **Objections - Local Members and Llanfair Community Council**

It was noted that all members of the Community Council and the local councillor objected unanimously to the proposed application for a number of reasons. Concerns were noted specifically about the matters below in relation to the Licensing objectives, namely -

1. Concerns were raised that the café had no toilet facilities of its own, and that allowing the sale of alcohol for the proposed extended hours would put a strain on the public toilet facilities. It was noted that it was the County and Community Councils that paid for maintaining these toilets.
2. It was noted that Llandanwg was a quiet area, and that people would come there for the tranquillity and the nearby Area of Special Scientific Interest.
3. It was noted that the property was very close to dwellings
4. Concern was expressed that noise from the customers and the music played outside the premises would disturb the tranquillity.
5. The Council was concerned that the licence for the sale of alcohol to be drunk off site would encourage people to take drinks onto the beach and dunes to create a mess or noise, with an increase in anti-social behaviour.

### **Objections - Local residents**

22 valid objections were received from nearby residents and businesses. The concerns were pertinent to the 4 Licensing objectives, and referred to the matters noted below -

1. Objectors noted concerns that the Llanfair area is quiet, and that visitors and residents reside there because of the tranquillity.
2. The café is currently open until 5pm, and concern was expressed that longer opening times would lead to noise that would affect residents, with an increase in crime and disorder.
3. Many respondents expressed that there were no toilets on the premises, and that, consequently, the premises was unsuitable for an alcohol licence. It was noted that the public toilets were being used extremely often already.
4. Concern was expressed that music could be played inside and outside the premises and that this would cause noise nuisance to nearby residents.
5. Many respondents noted their concerns about the proposal for the sale of alcohol to be drunk off site. Many believed that this would cause an increase in the litter on the beach and sand dunes, with broken glass bottles in the sand being dangerous to children.
6. Many referred to the fact that the nearby area was a Site of Special Scientific Interest, and anti-social behaviour deriving from approving the licence would impact the natural environment.
7. Many respondents also noted their concerns about the increase in traffic that approving this licence would cause.
8. Some respondents were concerned about safety elements, because alcohol would be stored on site without anyone residing there to protect the premises.

Full details of the responses received are included in the appendix to this report.

Following receipt of copies of the representations ; the applicant has responded through email to the concerns raised, and he will be elaborating on these points at the hearing.

## **RECOMMENDATION**

It should be ensured that the licence holder can comply with the relevant regulations if the Committee decides to approve this application.

It is therefore recommended that the Committee approve the proposal, subject to the following conditions, in addition to what is proposed by the applicant on the Operating Schedule -

1. That the licence holder provides sufficient toilet arrangements for the customers, which would be available whilst the premises is open to the public.
2. That recorded music should not be permitted to be played outside the premises

The Committee is requested to consider the application in accordance with the above and the requirements of the Licensing Act 2003 and the Council's Statement of Licensing Policy.