



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CENTRAL LICENSING SUB COMMITTEE

Date and Time

10.30 am, MONDAY, 3RD JUNE, 2019

Location

Siambr Hywel Dda - Council Offices, Caernarfon

Contact Point

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(DISTRIBUTED 24/05/19)

CENTRAL LICENSING SUB COMMITTEE

MEMBERSHIP (3)

Councillors

Annwen Hughes

Eryl Jones-Williams

Angela Russell

Steve Collings (Substitute)

Local Members

Braich Goch - Councillor John Pughe Roberts

Great Breaks Leisure – Councillor Gethin Glyn Williams

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 - 7

BRAICH GOCH RED-ARM, BRAICH GOCH BUNKHOUSE and INN,
CORRIS

To consider the above application

5. APPLICATION FOR PREMISES A LICENCE

8 - 11

GREAT BREAKS LEISURE Ltd, CEILWART BUNGALOW, NORTH
PROMENADE,
BARMOUTH, LL42 1BJ

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

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	3 JUNE 2019
TITLE:	APPLICATION FOR PREMISES LICENCE - BRAICH GOCH BUNKHOUSE AND INN, CORRIS, MACHYNLLETH, SY20 9RD
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

APPLICATION RECEIVED

An application is attached for a new premises licence for Braich Goch Bunkhouse and Inn, Corris, Machynlleth, SY20 9RD by a Community Interest Company.

The application is made in respect of staging dramas and showing films, playing live / recorded music, on and off the premises, dance performances including other entertainment, the supply of alcohol and the provision of late night refreshments. The premises is intended to be run as an educational and residential centre and as an essential resource for individuals and community organisations.

The details of what is sought for in terms of licensed activities and hours are included in the table below, as well as in the appendices to the report.

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:

LICENSABLE ACTIVITIES	PROPOSED LICENCE
Plays - Indoors and Outdoors	Monday 15:00-22:00 Tuesday 15:00-22:00 Wednesday 15:00-22:00 Thursday 15:00-22:00 Friday 15:00-22:00 Saturday 15:00-22:00 Sunday 15:00-22:00
Films - Indoors	Monday 15:00-22:00 Tuesday 15:00-22:00 Wednesday 15:00-22:00 Thursday 15:00-22:00 Friday 15:00-22:00 Saturday 15:00-22:00 Sunday 15:00-22:00
Live Music - Indoors	Monday 14:00-23:30 Tuesday 14:00-23:30 Wednesday 14:00-23:30

	Thursday 14:00-23:30 Friday 14:00-02:00 Saturday 14:00-02:00 Sunday 14:00-23:30
Recorded Music - Indoors and Outdoors	Monday 12:00-23:30 Tuesday 12:00-23:30 Wednesday 12:00-23:30 Thursday 12:00-23:30 Friday 12:00-02:00 Saturday 12:00-02:00 Sunday 12:00-23:30
Performances of Dance - Indoors and Outdoors	Monday 14:00-22:00 Tuesday 14:00-22:00 Wednesday 14:00-22:00 Thursday 14:00-22:00 Friday 14:00-22:00 Saturday 14:00-22:00 Sunday 14:00-22:00
Other Entertainment - Indoors and Outdoors	Monday 14:00-23:00 Tuesday 14:00-23:00 Wednesday 14:00-23:00 Thursday 14:00-23:00 Friday 14:00-23:00 Saturday 14:00-23:00 Sunday 14:00-23:00
Late Night Refreshments - Indoors	Monday 23:00-00:00 Tuesday 23:00-00:00 Wednesday 23:00-00:00 Thursday 23:00-00:00 Friday 23:00-00:00 Saturday 23:00-00:00 Sunday 23:00-00:00
Supply of Alcohol - On Premises	Monday 12:00-23:30 Tuesday 12:00-23:30 Wednesday 12:00-23:30 Thursday 12:00-23:30 Friday 12:00-02:00 Saturday 12:00-02:00 Sunday 12:00-23:30

Measures recommended by the applicant to promote the licensing objectives

- Robust management procedures and staff training including checking ID cards, personal safety and discussing and resolving disputes
- Controlling the number of people at the property and promote responsible drinking

- Complying with health and safety and fire regulations
- Children must be under the supervision of their parents or guardians, and are not permitted on the premises after 11pm
- Ensuring that films are suitable for the audience in accordance with the film's age classification
- Monitoring noise levels and reducing levels after 11pm, which includes closing windows and doors

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

CONSULTATION

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

RESPONSES	REPRESENTATION
North Wales Police	E-mail – no objection
Environment Department, Gwynedd Council	E-mail – observations and conditions
Corris Community Council	E-mail – objection

Objection - Corris Community Council

An objection to the application was received regarding the hours of alcohol sales and music until 2am due to road safety and noise nuisance concerns.

Representations - Public Protection, Environment Department, Gwynedd Council

Observations were received from Public Protection with concern regarding the live music hours on the original application. The applicant agreed to reduce the hours to supply alcohol, the opening hours for members of the public who are non-residents, the hours of live and recorded music and agreed that music would not be played outside the premises. The applicant agreed to accept further licence conditions that are noted in the appendix which relate to noise, litter and closing the beer garden.

Specifically, the applicant agreed to the following in terms of hours -

- Supply of alcohol to members of the public who are non-residents until 00:00 Monday to Saturday and 23:30 on Sunday
- To be open to the public until 00:30 Monday to Saturday and 23:30 on Sunday
- Live music between 14:00 and 23:00 Sunday to Thursday and 14:00 to 00:00 Friday and Saturday
- Recorded music between 14:00 and 23:30 Sunday to Thursday and 14:00 to 00:00 Friday and Saturday
- No music at all in external areas

See the appendix to the report for full details received.

RECOMMENDATION

The Committee is requested to consider the application in accordance with the requirements of the Licensing Act 2003. It is recommended that the application is approved in accordance with the amended conditions agreed with Public Protection.

Agenda Item 5

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	3 JUNE 2019
TITLE:	APPLICATION FOR PREMISES LICENCE - GREAT BREAKS LEISURE LTD, CEILWART BUNGALOW, NORTH PROMENADE, BARMOUTH, LL42 1BJ
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

APPLICATION RECEIVED

Attached is an application for a new premises licence for Great Breaks Leisure Ltd, Ceilwart Bungalow, North Promenade, Barmouth, LL42 1BJ by Kayleigh Olley of the same address.

The application is made in respect to showing films, live / recorded music, on the premises, in doors and outdoors, the supply of alcohol, and the provision of late night refreshment. The premises is intended to be run as holiday accommodation for people with disabilities and their families.

It is noted that the intention is to have entertainment such as showing films and live music occasionally. It is intended to hold licensed activities inside and outside the property, but with entertainment outside until 22.00 only and the sale of alcohol to be consumed outside until 23.00 only.

The details of what is requested in terms of licensed activities and hours are included in the table below, as well as in the appendices to the report.

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.

LICENSABLE ACTIVITIES	PROPOSED LICENCE
Ffilmiau/Films - Dan Do/Indoors	Dydd Llun/Monday 10:00-00:30 Dydd Mawrth/Tuesday 10:00-00:30 Dydd Mercher/Wednesday 10:00-00:30 Dydd Iau/Thursday 10:00-00:30 Dydd Gwener/Friday 10:00-00:30 Dydd Sadwrn/Saturday 10:00-00:30 Dydd Sul/Sunday 10:00-00:30
Cerddoriaeth Fyw/Live Music - Dan Do ac Awyr Agored/Indoors and Outdoors	Dydd Llun/Monday 10:00-00:30 Dydd Mawrth/Tuesday 10:00-00:30 Dydd Mercher/Wednesday 10:00-00:30 Dydd Iau/Thursday 10:00-00:30 Dydd Gwener/Friday 10:00-00:30 Dydd Sadwrn/Saturday 10:00-00:30 Dydd Sul/Sunday 10:00-00:30

<p>Cerddoriaeth wedi'i Recordio/Recorded Music - Dan Do ac Awyr Agored/Indoors and Outdoors</p>	<p>Dydd Llun/Monday 10:00-00:00 Dydd Mawrth/Tuesday 10:00-00:00 Dydd Mercher/Wednesday 10:00-00:00 Dydd Iau/Thursday 10:00-00:00 Dydd Gwener/Friday 10:00-00:00 Dydd Sadwrn/Saturday 10:00-00:00 Dydd Sul/Sunday 10:00-00:00</p>
<p>Lluniaeth Hwyr y Nos/Late Night Refreshments - Dan Do/Indoors</p>	<p>Dydd Llun/Monday 23:00-00:30 Dydd Mawrth/Tuesday 23:00-00:30 Dydd Mercher/Wednesday 23:00-00:30 Dydd Iau/Thursday 23:00-00:30 Dydd Gwener/Friday 23:00-00:30 Dydd Sadwrn/Saturday 23:00-00:30 Dydd Sul/Sunday 23:00-00:30</p>
<p>Cyflenwi Alcohol/Supply of Alcohol - Ar ac Oddi ar yr Eiddo/On and Off Premises</p>	<p>Dydd Llun/Monday 10:00-00:00 Dydd Mawrth/Tuesday 10:00-00:00 Dydd Mercher/Wednesday 10:00-00:00 Dydd Iau/Thursday 10:00-00:00 Dydd Gwener/Friday 10:00-00:00 Dydd Sadwrn/Saturday 10:00-00:00 Dydd Sul/Sunday 10:00-00:00</p>

Measures recommended by the applicant to promote the licensing objectives

- Operate a CCTV system
- It is proposed to employ door supervisors
- It is proposed to train staff to check identity cards and create a policy staff can refer to
- It is proposed to use plastic glasses outside the premises
- Control the number of people at the property, and promote responsible drinking
- Compliance with health and safety and fire regulations with a water sprinkler system installed
- Children shall be under the supervision of their parents or guardians
- Monitor noise levels and close windows and doors when required

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

CONSULTATION

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

RESPONSES	REPRESENTATIONS
North Wales Police	E-mail – no objection, but comments and conditions
Betsi Cadwaladr	E-mail – no objection
Local Member	E-mail – objection
Barmouth Town Council	Letter – objection
Local business	Letter - objection

Neighbouring residents	21 objections and 8 e-mails of support
Gwynedd Council Planning	E-mail – observations

Observations from North Wales Police

North Wales Police suggest where there is a reference to door supervisors in part M (b) of the application that the clause is replaced by the following condition:

The premises will employ door supervisors for special events in consultation with North Wales Police

Gwynedd Council Planning Department Observations

Planning permission is not required to install a bar within the property, however, planning permission will be required for change of use, should the building be open to members of the general public for uses such as a bar, restaurant or a café.

Objections - Local residents

21 letters and emails were received objecting to the application on the grounds of the licensing objectives of:

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

The objectors refer to their concerns regarding anti-social behaviour and public nuisance such as noise, high volume music and litter. Reference was also made to their concerns regarding a possible increase in crime and disorder such as vandalism and unruly behaviour. Compliance with the planning permission was also questioned in terms of premises use. Concerns were noted regarding public safety, and access to emergency services due to the nearby railway and the narrow unlit road. It was also mentioned that there is a camping site and skate park close to the premises which caused a risk to children and young people.

Three signed letters were received with the exact same contents, and one letter was received with a signed petition from 14 nearby residents.

See the appendix to the report for full details of the correspondence received.

Representations received in support of the application

Eight e-mails were received supporting the application on the grounds that the premises would be an important resource for persons with disabilities and special needs and their families and carers. The responders believe that the application has been misinterpreted - and there is no intention here for the premises to be a public house or a night club.

RECOMMENDATION

The Committee is requested to consider the application in accordance with the requirements of the Licensing Act 2003. It is recommended that the applicant fully explains to the Sub-Committee what is intended in terms of licensable activities; inside and outside the premises; in order that an informed decision can be made based on the actual intention.