



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CENTRAL LICENSING SUB COMMITTEE

Date and Time

10.00 am, FRIDAY, 27TH OCTOBER, 2023

Location

Cyfarfod Rhithiol

Contact Point

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(DISTRIBUTED 20/10/23)

CENTRAL LICENSING SUB COMMITTEE

MEMBERSHIP (3)

Councillors

John Brynmor Hughes

Elfed Williams (Chair)

Arwyn Herald Roberts

Annwen Hughes (Substitute)

Local Members

Greenwood Family Park

Councillor Sasha Williams

Councillor Iwan Huws

Clwb Llyn Bach

Councillor Nia Jeffreys

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. 10:00AM 5 - 9
APPLICATION FOR A PREMISES LICENCE - GREENWOOD FAMILY PARK

Greenwood Family Park, Bush Road, Y Felinheli, Gwynedd, LL56 4QN

To consider the application

5. 11:30AM 10 - 14
APPLICATION FOR A PREMISES VARIATION LICENCE - CLWB LLYN BACH

Clwb Llyn Bach, Heol yr Wyddfa, Porthmadog, LL49 9DF

To consider the 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:**

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	27th of October 2023
TITLE:	APPLICATION FOR PREMISES LICENCE GREENWOOD FAMILY PARK, BUSH ROAD, Y FELINHELI, LL56 4QN
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

1. APPLICATION RECEIVED

- 1.1 An application is attached for a premises licence for Greenwood Family Park, Bush Road, Y Felinheli, Gwynedd, LL56 4QN from the applicant Mr Andrew Baker, General Manager. The applicant is seeking a Premises Licence. Greenwood family Park is a large tourist destination in Gwynedd. The site offers a variety of rides and activities as well as glamping accomadation. The applicant is seeking a premises licence to allow alcohol to be sold in their restaurant on site.It is intended to sell Local bottled Products, with meals; as well as selling local bottled products in the gift shop . The Glamping accommodation is open to Guests 7 days a week from beginning of April until the end of October.
- 1.2 The application is made in relation to the sale of alcohol on and off the premises, 10 am until 22:00, and for live and recorded music, play and films, performance of dance (in doors and outdoors also until 22:00 , 7 days a week .
- 1.3 The application states that there is an intention to arrange performances and shows both inside and outside in an outside theatre area, on a regular basis all year round mainly in peak season but also in the lead to Christmas for glamping guests and members of the community, from February until October. It is noted that such entertainment would have to be amplified.
- 1.4 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.
- 1.5 There were several objections received by local and neighbouring properties

See the attached table for details of the proposed hours:

Oriau Agor / Opening Hours:

Dydd Sul/Sunday	10:00	-	17:30
Dydd Llun/Monday	10:00	-	17:30
Dydd Mawrth/Tuesday	10:00	-	17:30
Dydd Mercher/Wednesday	10:00	-	17:30
Dydd Iau/Thursday	10:00	-	17:30
Dydd Gwener/Friday	10:00	-	17:30
Dydd Sadwrn/Saturday	10:00	-	17:30

Gweithgareddau Trwyddedadwy / Licensable Activities:

Dramâu/Plays:Dan do ac Awyr Agored :: Indoors and Outdoors

Dydd Sul/Sunday	10:00	-	22:00
Dydd Llun/Monday	10:00	-	22:00

Dydd Mawrth/Tuesday	10:00	-	22:00
Dydd Mercher/Wednesday	10:00	-	22:00
Dydd Iau/Thursday	10:00	-	22:00
Dydd Gwener/Friday	10:00	-	22:00
Dydd Sadwrn/Saturday	10:00	-	22:00

Ffilmiau/Films: Dan do ac Awyr Agored :: Indoors and Outdoors

Dydd Sul/Sunday	10:00	-	22:00
Dydd Llun/Monday	10:00	-	22:00
Dydd Mawrth/Tuesday	10:00	-	22:00
Dydd Mercher/Wednesday	10:00	-	22:00
Dydd Iau/Thursday	10:00	-	22:00
Dydd Gwener/Friday	10:00	-	22:00
Dydd Sadwrn/Saturday	10:00	-	22:00

Cerddoriaeth Fyw/Live Music: Dan do ac Awyr Agored :: Indoors and Outdoors

Dydd Sul/Sunday	10:00	-	22:00
Dydd Llun/Monday	10:00	-	22:00
Dydd Mawrth/Tuesday	10:00	-	22:00
Dydd Mercher/Wednesday	10:00	-	22:00
Dydd Iau/Thursday	10:00	-	22:00
Dydd Gwener/Friday	10:00	-	22:00
Dydd Sadwrn/Saturday	10:00	-	22:00

Cerddoriaeth wedi ei Recordio/Recorded Music: Dan do ac Awyr Agored :: Indoors and Outdoors

Dydd Sul/Sunday	10:00	-	22:00
Dydd Llun/Monday	10:00	-	22:00
Dydd Mawrth/Tuesday	10:00	-	22:00
Dydd Mercher/Wednesday	10:00	-	22:00
Dydd Iau/Thursday	10:00	-	22:00
Dydd Gwener/Friday	10:00	-	22:00
Dydd Sadwrn/Saturday	10:00	-	22:00

Perfformiadau Dawns/Performance of Dance: Indoors and Outdoors

Dydd Sul/Sunday	10:00	-	22:00
Dydd Llun/Monday	10:00	-	22:00
Dydd Mawrth/Tuesday	10:00	-	22:00
Dydd Mercher/Wednesday	10:00	-	22:00
Dydd Iau/Thursday	10:00	-	22:00
Dydd Gwener/Friday	10:00	-	22:00
Dydd Sadwrn/Saturday	10:00	-	22:00

Cyflenwi Alcohol/Supply of Alcohol: Ar ac oddi ar yr Eiddo :: Both on and off the Premises

Dydd Sul/Sunday	10:00	-	22:00
Dydd Llun/Monday	10:00	-	22:00
Dydd Mawrth/Tuesday	10:00	-	22:00
Dydd Mercher/Wednesday	10:00	-	22:00
Dydd Iau/Thursday	10:00	-	22:00
Dydd Gwener/Friday	10:00	-	22:00

2. Measures recommended by the applicant to promote the licensing objectives

The measures recommended by the applicant include the following -

- A CCTV System is operated, and recordings of offences shall be available for 31 days
- Training will be given to staff to be alert to any potential issues or danger to customers and react accordingly. In circumstances where staff are unable to diffuse situations safely without risk to customers or staff: they are instructed instructed to call the police
- Onsite accident book in place to record any accidents, injury on the premises. These documents will be retained for a period of three years.
- The Premises Licence holder shall ensure that there are trained members of staff available during the licensable hours.
- The DPS will keep and up to date DPS authorisation sheet which will show the list of the staff members who have been given authority to sell alcohol on the Premises.
- An incident record will be kept in a bound book as will all refusals for the sale of alcohol and will be available to the ~Police and officers from the council.
- Alcohol will be served with the purchase of food on the premises.
- All children on the Premises will be supervised/accompanied by an adult after 21.00 hours in the restaurant area.
- Only photographic ID will be accepted, a challenge 25 policy will be implemented
- Staff will receive relevant training and records and details of the training will be kept.

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

3. CONSULTATION

The application was consulted upon and the following responses were received -

RESPONSES	REPRESENTATIONS
North Wales Police	No objections
Gwynedd and Anglesey Fire and Rescue Service	No objections
Public Protection Officer , Gwynedd Council	Comments received following discussions with applicant
Local residents	9 Letters and e mails , all objections

3.1 North Wales Police and Gwynedd and Anglesey Fire and Rescue

No objections

3.2 Local residents – 9 objections

- 3.3 There are several residential properties close to Greenwood Park, and objections were received In respect of the licensing objectives of -
- Public safety
 - Public nuisance
 - Protection of children form harm.
- 3.4 Most of the responders expressed concern about the increased traffic which would result from the grant of the licence , commenting that traffic along the narrow roads leading to the Park was problematic already, but would become increasingly so should the hours the park is open be extended for licensable activities. It was noted that people having consumed alcohol would be more likely to leave the Park on foot in the dark , which is of concern as the road is dangerous.
- 3.5 Residents noted that the Park was situated in a quiet rural area; and whilst residents understood that there was an expectation that there would be some noise from normal park activities, significant concerns were raised that outdoor events including live and recorded music up to 22:00 potentially 7 days a week could cause a public nuisance
- 3.6 Some residents expressed concerns that the availability of alcohol on site from 10:00 until 22:00 may increase the potential of children obtaining alcohol
- 3.7 One resident noted that they had experienced an increase in evening traffic and noise at times the Park had later opening times.

3.8 Representations of the Public Protection Officer

- 3.9 The Public Protection Officer whilst not objecting to the application overall, did however object to licensable activities such as recorded and live music being allowed outside until 22:00. The officer noted that Part M of the application, which would form the operating schedule of the licence did not address noise mitigation from outdoors regulated entertainment. Consequently there was not enough information in the application to demonstrate that the public nuisance objective would not be undermined.
- 3.10 It was noted that some of the neighbouring properties were very close to where regulated outdoors entertainment could be held. It noted that very occasional evening events could be held under a Temporary Event Notice, and this would provide the responsible authorities with an opportunity to discuss potential problems before hand and to assess whether noise from outdoor events could be controlled adequately.
- 3.11 In response, Andrew Baker on behalf of the applicant, Continuum Attractions, noted that it was never the intention of the company to have frequent outdoor evening events such as concerts with live music ; but rather some acoustic music, and outdoor cinemas and plays occasionally. Mr Baker conceded that the premises licence if granted as applied for would allow such activities to be undertaken 7 days a week, until 22:00
- 3.12 In light of such concerns, Mr Baker therefore agreed that recorded and live music , plays, and films outdoors finish at 18:00, the same time as the Park closes. The public protection officer accepted this concession, and withdrew the objection.

4 **RECOMMENDATION**

It is recommended that this Committee **approves the application** – having regard to representations made; and in accordance with the concession on hours of permitted regulated entertainment outdoors agreed between the Public Protection Officer and the applicant and in accordance with the requirements of the Licensing Act 2003.

Agenda Item 5

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	27 of October 2023
TITLE:	APPLICATION FOR PREMISES LICENCE - LLYN BACH CLUB, PORTHMADOG
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT

1 APPLICATION RECEIVED

- 2 An application is attached to vary the premises licence of Llyn Bach Club, Heol yr Wyddfa, Porthmadog, LL49 9DF, from Mr John Lewis Roberts. This is primarily a members' club, which includes a bar and patio area / beer garden; with a premises licence rather than a club certificate.
 - 2.1 The applicant is applying for permission to vary the licence to include the sale of alcohol from an outside small building in the back and to use the outside area for licensed activities when events are held and at busy times.
 - 2.2 Permission is requested to play live and recorded music until 01:00 every day as well as dance performances, and any similar activity such as stand-up comedians. A request is made for the right to hold these licensed activities inside and outside, 7 days a week, but that regulated entertainment including music and dancing would come to an end outside at 23:00. Although there is no increase in the hours of licensable activities compared to the current licence, the applicant requests the right to hold licensable activities outside until 23:00. It is intended to allow the sale of alcohol from the hatch in the external bar until 23:30, and it is intended to close the beer garden at 12:00, asking customers to move inside the building.
 - 2.3 The applicant is requesting permission for a comedian to perform inside as well as outside until 01:00, although the applicant states in part M of the application that the outside area would be closed at 00:00.
 - 2.4 The club is currently used by members only; but it is operated under a premises Licence rather than a Club licence, therefore customers that are non-members are also welcomed when occasional activities are held.
 - 2.5 The officers of 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.
 - 2.6 Representations have been received on the application and, therefore, it has been referred to a hearing of this Sub-committee for a decision.

See the attached table for details of the proposed hours:

Current Premises Licence	Proposed Licence
Opening Hours	
Sunday 09:00- 02:30	Sunday 09:00- 02:30
Monday 09:00- 02:30	Monday 09:00- 02:30
Tuesday 09:00- 02:30	Tuesday 09:00- 02:30
Wednesday 09:00- 02:30	Wednesday 09:00- 02:30
Thursday 09:00- 02:30	Thursday 09:00- 02:30
Friday 09:00- 02:30	Friday 09:00- 02:30
Saturday 09:00-02:30	Saturday 09:00-02:30

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Licensable Activities	
<p>Supply of Alcohol: Both on and off the Premises Sunday 09:00- 02:00 Monday 09:00- 02:00 Tuesday 09:00- 02:00 Wednesday 09:00- 02:00 Thursday 09:00- 02:00 Friday 09:00- 02:00 Saturday 09:00-02:00</p>	<p>Supply of Alcohol: Both on and off the Premises Sunday 09:00- 02:00 Monday 09:00- 02:00 Tuesday 09:00- 02:00 Wednesday 09:00- 02:00 Thursday 09:00- 02:00 Friday 09:00- 02:00 Saturday 09:00-02:00</p> <p>The bar outside will close at 23:00</p>
<p>Live Music: Indoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p>	<p>Live Music: Indoors and Outdoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p> <p>Music outside to finish no later than 23:00 when events take place</p>
<p>Recorded Music: Indoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p>	<p>Recorded Music: Indoors and Outdoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p> <p>Music outside to finish no later than 23:00 when events take place</p>
<p>Performance of Dance: Indoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p>	<p>Performance of Dance: Indoors and Outdoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p> <p>Dancing outside will come to an end no later than 23:00 when events take place</p>

<p>Anything similar to what has been included within (e), (F) or (G)</p>	<p>Anything similar to what has been included within (e), (F) or (G): Indoors and Outdoors Sunday 09:00-01:00 Monday 09:00-01:00 Tuesday 09:00-01:00 Wednesday 09:00-01:00 Thursday 09:00 - 01:00 Friday 09:00 - 01:00 Saturday 09:00-01:00</p> <p>Comedians</p>

3 Measures recommended by the applicant to promote the licensing objectives

The measures recommended by the applicant in the application's operating schedule include the following -

- Staff training on licensing legislation
- Zero drug tolerance
- Plastic glasses only to be used outside
- Measures to prevent crime and disorder, to ensure public safety and the safety of children and vulnerable adults
- Collaborate with the Police and other agencies
- Carry out age verification processes and ensure comprehensive training for staff on age verification processes
- Children under 16 will not be allowed to stay at the premises after 19:00 during the weekend
- Implement a 'Challenge 25' policy

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

4 CONSULTATION

The application was consulted upon and the following responses were received -

RESPONSES	REPRESENTATIONS
North Wales Police	No objection
Fire Service	No objection
Food Team, Public Protection	No objection
Public Protection Service	E-mail – objection
Clerk, Porthmadog Town Council	No objection as long as the activities are restricted to inside the building and not outside

3 Representations from the Public Protection Service

- 3.1 Observations were received based on concerns that the licensing objective of Preventing Public Nuisance would be undermined as the intention was to hold licensed activities outside the property, with regulated entertainment allowed outdoors until 23:00, and an external bar until 23:30.
- 3.2 Note, that the applicant states in part M of the application that bringing the regulated entertainment to an end at 23:00 and closing the beer garden at 00:00 was a way of preventing public nuisance; but that there were no details of the proposed actions intended to take to mitigate the noise effect on local residents during the entertainment events.
- 3.3 It was noted that it was expected that any licence holder complies with the licensing objections, including preventing public nuisance. Applicants are expected to provide detailed information with an application to allow the Licensing Authority to decide if the measures proposed are sufficient to promote the licensing objectives in the local area.
- 3.4 It was noted that this property was very sensitive to noise, as it was surrounded by various residential properties. It was also confirmed that a noise complaint had been received recently from a nearby resident regarding loud music, customers shouting and being noisy when leaving; and that glass bottles were being emptied late at night.
- 3.5 Attention was drawn to the fact that the application was confusing as there was reference to comedians performing outside until 01:00 in the morning, although part M of the application states that the beer garden would be closed at 00:00.
- 3.6 A question was raised regarding the planning status of the proposal in terms of changing the external store room into a small bar with a serving hatch.
- 3.7 The officer came to the conclusion that allowing regulated entertainment until 23:00 and a bar outside until 23:30 was likely to undermine the licensing objective of preventing public nuisance.
- 3.8 It was further suggested that it would be better for the applicant to request the right to hold events that make use of the outside area by issuing Temporary Event Notices; which would give the opportunity to prove if it was possible to control noise nuisance during such events.
- 3.9 It is noted therefore that the application should be refused in its entirety for the reasons noted.

4 Porthmadog Town Council representations

- 4.1 The Town Council Clerk noted in his observations that the Council did not object the application as long as all licensed activities were held inside. The Licensing Authority's opinion was to consider the representations of the Town Council as an objection, as the only difference between what was requested in the proposed application and the current licence was the intention to hold licensed activities outside.

5 RECOMMENDATION

- 5.1 **In accordance with the requirements of the Licensing Act 2003, and considering the observations received; it is recommended that the Committee REFUSE the application for the following reasons -**

- **None of the measures recommended in part M have convinced either the Licensing Authority or the Public Protection Service that it was possible to have measures in place to manage noise impact at this location which is surrounded by residential properties.**
- **A complaint had been received recently regarding music noise and the noise of customers at the licensed premises**
- **Although the Public Protection Officer had informed the applicant of the intention to object the application based on the licensing objective of preventing public nuisance; no response was received from the applicant, or any suggestion of compromise.**
- **It would be more appropriate for the applicant to submit temporary event notices in order to attempt to identify means of managing the noise when using the beer garden for licensed activities.**