



Complete Agenda

Democratic Services
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CENTRAL LICENSING COMMITTEE

Date and Time

MONDAY, 10TH MARCH, 2025

TO FOLLOW ON FROM GENERAL LICENSING COMMITTEE

Location

Virtual Meeting

NOTE

*** For public access to the meeting, please contact us***

Contact Point

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(DISTRIBUTED 3ydd Mawrth 2025)

CENTRAL LICENSING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (10)

Councillors

Annwen Hughes
Edgar Wyn Owen
Elfed Williams
Gwynfor Owen
Vacant Seat x 2

Gareth Tudor Jones
Huw Rowlands
Alan Jones Evans
Arwyn Herald Roberts

Independent (5)

Councillors

Gareth Williams
John Brynmor Hughes
Hefin Underwood

Angela Russell
Anwen J. Davies

Ex-officio Members

Chair and Vice-Chair of the Council

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. MINUTES

4 - 5

The Chairman shall propose that the minutes of the meeting of this Committee, held on 11th November 2024 be signed as a true record.

5. LICENSING SUB COMMITTEE MINUTES

6 - 20

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

- a) 21-01-25
- b) 02-12-24
- c) 11-11-24

CENTRAL LICENSING COMMITTEE 11-11-2024

Attendance: Chair: Councillor Elfed Williams
Vice-chair: Councillor Gwynfor Owen

Councillors: Anwen Davies, Annwen Hughes, John Brynmor Hughes, Gareth Tudor Jones, Linda Ann Jones, Edgar Wyn Owen, Huw Rowlands, Elfed Williams (Chair), Arwyn Herald Roberts, Angela Russell and Gareth Williams

Officers: Gareth Jones (Assistant Head of Environment), Gwenan Mai Roberts (Licensing Manager), Sion Huws (Propriety and Elections Manager - Legal Department), Nia Grisdale (Legal Service Manager) and Lowri Haf Evans (Democracy Services Officer)

1. APOLOGIES

Apologies were received from Cllr Alan Jones Evans and Cllr Hefin Underwood

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of a meeting of the committee held on 10 June 2024 as a true record

5. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES

Submitted and received for information, the minutes of the Central Licensing Sub-Committees held on 10 June 2024, 25 July 2024 and 6 October 2024

6. NEW MANDATORY LICENSING SCHEME – SPECIAL PROCEDURES

A report was presented by the Licensing Manager detailing a new Welsh Government 'Special Procedures' licensing scheme which would be implemented in November 2024 under Part 4 of the Public Health (Wales) Act 2017; including the Special Procedures (Wales) Regulations 2024 and the Special Procedures Licensing Committees (Wales) Regulations 2024.

Members were reminded that the Committee, at a meeting in December 2023, had received information on the main requirements and implications of the scheme together with a presentation of the main principles from Dr Sarah Jones, Senior Environmental Health Adviser to the Welsh Government.

It was reported that the intention of the scheme was to reduce the health risks associated with treatments such as tattooing, semi-permanent skin colouring, cosmetic piercing, acupuncture, dry needling and electrolysis, and the new licensing scheme would be mandatory. The new procedure would involve Local Authorities being asked to be

responsible for enforcing licensing requirements and keeping a register of special treatment licences issued by them. Special Treatment Practitioners would be required to demonstrate their competence to undertake these treatments by completing training and being subject to inspection by Public Protection Officers (Environmental Health Officers). They would also have to provide a Basic DBS as part of their licence application.

Attention was drawn to the role of the Central Licensing Committee, by noting that the 2017 Act (clause 21, Schedule 3) delegated certain functions to the Authority's licensing committee established under the Licensing Act 2003 (i.e. the Central Licensing Committee), which allowed the Committee to make decisions in relation to those functions. It was noted that Public Protection Officers would serve a Warning Notice to those practitioners who did not respond to the requirements of the scheme, although the practitioners would have the right to respond. It would be the responsibility of the Central Licensing Committee to consider those responses and decide whether action should be taken in accordance with the steps set out in the Warning Notice. It was reiterated that the Licensing Act 2003 allowed the Central Licensing Committee to delegate this function to an established Central Licensing Sub-Committee and Members who were experienced in considering and deciding applications.

Thanks were expressed for the report.

During the ensuing discussion, the following observations were made by members:

- Welcomed the new scheme
- Supported the need to monitor practitioners' work – too many examples of poor treatments
- Need to consider the suitability of settings
- Suggestion to place a badge on property / vehicle window highlighting the standard

In response to the comments, the Licensing Manager noted that the group implementing the new powers was in the process of creating robust statutory guidance and stringent procedures in line with the Public Health Act that would take into account settings, hygiene standards, safety and legal matters. The Licensing Department would be able to consider whether a settings Suitability Policy was required in future. It was added that the legislation was coming into force in response to examples of poor treatments that had led to the need to enforce a robust licensing system to manage the situation. A national register of licensed practitioners would be available to the public.

In the context of placing a standard badge on the window of a property / vehicle, it was noted that the practitioners would be required to display a certificate of qualification within the property, in accordance with Government guidelines. Inspection exercises would be carried out by Environmental Health Officers who would check all properties prior to licensing. If the standard fell short, then a Warning Notice would be issued to the practitioner, which in turn would be further considered by Officers or referred to a Sub-Committee.

It was reiterated that Environmental Health Officers would have the requisite expertise and qualifications to complete this challenging work and they would do their utmost to follow the requirements of the Act.

RESOLVED:

To approve the sub-delegation of the functions delegated to the Central Licensing Committee under the Public Health (Wales) Act 2017 to the Central Licensing Sub-committee.

The meeting started at 10.40am and ended at 11:15am

CENTRAL LICENSING SUB-COMMITTEE

21st January 2025

Attendance:

Councillors: Elfed Williams (Chair), Angela Russell and Gareth Williams
Hefin Underwood (observing)

Officers: Nia Grisdale (Legal Service Manager), Gwenan Mai Roberts (Licensing Manager) and Lowri Haf Evans (Democracy Services Officer)

1. APOLOGIES

Apologies were received from Elizabeth Williams (North Wales Police)

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. PREMISES LICENCE APPLICATION: New Bangor Grill Premises Licence Application, Unit 25, Deiniol Centre, Bangor

- Paul Tough Franchise Options (Applicant)
- Aaron Haggas Police Licensing Officer, North Wales Police

The Chair welcomed everyone to the meeting.

a) The Licensing Department's Report

Submitted - the report of the Head of Environment Department giving details of a premises licence application for a food outlet designed for collection/takeaway food, food delivery and serving a small number to eat inside the premises. Grilled produce, desserts and cold drinks (no alcohol) would be sold there. The application was made in relation to the provision of Late-night Refreshment on and off the premises.

It was noted that the Licensing Authority officers 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 the measures recommended by the applicant to promote the licensing objectives, and it was highlighted that these measures would be included on the licence.

Attention was drawn to the response received from North Wales Police during the consultation period. While they had no evidence of Crime and Disorder directly involving the premises to justify objecting to the application, they were concerned that the applicant had indicated his intention not to employ security staff on the doors at weekends and at

peak times as he believed this could intimidate customers, adding that the Police Station was located nearby.

The recommendation stated that the Sub-committee should consider the observations of North Wales Police and consider the inclusion of a condition on the licence in terms of the provision of security staff on the doors if the application was approved, in accordance with the Licensing Act 2003.

- b) In considering the application, the following procedure was followed:
- Members of the Sub-committee to be given an opportunity to ask questions of the Council's representative.
 - At the Chair's discretion, the applicant or his/her representative to ask questions of the Council's representative.
 - The applicant and/or his/her representative to be invited to expand on the application and to call witnesses.
 - Members of the Sub-committee to be given the opportunity to ask questions of the applicant and/or his/her representative.
 - At the Chair's discretion, the Council's representative to ask questions of the applicant or his/her representative.
 - Every Consultee to be invited to support any written representations.
 - The Council's representative and the applicant or his/her representative to be given the opportunity to summarise their case.
- c) Elaborating on the application, the applicant noted the following comments:
- That the commercial company Franchise Options was now a national company
 - That their retailers had no history of any trouble at night
 - That he understood the concerns of the Police
 - That the opening night of the business in Bangor had been successful - no trouble
 - That the premises had been carefully organised and to the highest standard
 - That CCTV had been installed - six cameras, some indoors and some outdoors - this was therefore a way of picking up on any trouble and the staff could look at the cameras in real time
 - That alcohol would not be sold on the premises
 - That he was looking forward to the success of the premises in Bangor. That the Bangor retailer was a local businessman with other businesses in the city
 - That the company wanted to be involved in the local community - it had already sponsored a football team in the city

In response to a question regarding a staff training programme, it was noted that staff had received training on food safety and food handling, customer and staff safety, and handling money, before the business opened. Staff would also receive support and assistance from the company's office management team. The company promoted training to ensure its reputation.

In response to a question regarding trouble arising and whether the company would reconsider using security staff on the doors, the applicant indicated that he would certainly reconsider. His wish was that the business would succeed in Bangor and trade without any problems.

- dd) The consultee present took the opportunity to expand on the observations that were submitted in written form by them.

Aaron Haggas, North Wales Police

- The opening of the business had been successful - it had been a busy night and the business was a good addition to the local economy
- Night-time refreshment was a big part of Bangor's economy – creating a buzz on the streets
- Some people under the influence of alcohol and behaving inappropriately could cause a volatile atmosphere for others – this placed a responsibility on companies serving food in the evenings to protect their staff and customers
- The premises were well-situated within the city
- Concerns needed to be managed before they manifested themselves - the use of security staff on the doors was consistent with other locations in the city and gave reassurance to customers
- Door security staff needed to be regarded as valued members of staff rather than a preventative act – a means of protecting the premises
- There had to be a night-time economy that was safe for all
- Proposed that the applicant consider using a Site Specific Risk Assessment and keep an incident record as methods of managing a site without door security staff. A risk assessment would provide a means of understanding the provision in place for the protection of staff and customers
- The location of the Police Station could not be used as a means of preventing crime

Taking advantage of his right to summarise his case, the applicant noted that requirements for the business to keep incident records, accident records and complaint records were already in place and that he would encourage a risk assessment to be completed. His wish was that the enterprise succeeded and contributed to the regeneration of Bangor city centre.

- d) The respondents and the Licensing Manager withdrew from the meeting while the Sub-committee members discussed the application.

In reaching its decision, the Sub-committee considered the applicant's application form, the written observations submitted by interested parties, the Licensing Officer's report, together with the verbal representations from each party present at the hearing. The Council's Licensing Policy and Home Office guidelines were considered. The Sub-committee gave due consideration to all the observations and weighed these up against the licensing objectives under the Licensing Act 2003, namely:

- i. Prevention of crime and disorder
- ii. Prevention of public nuisance
- iii. Ensuring public safety
- iv. Protection of children from harm

Observations submitted which were irrelevant to the above objectives were disregarded.

RESOLVED: To approve the application as submitted

Opening Hours**Sunday 11:00 – 02:00****Monday 11:00 – 02:00****Tuesday 11:00 – 02:00****Wednesday 11:00 – 02:00****Thursday 11:00 – 02:00****Friday 11:00 – 02:00**

Saturday 11:00 – 02:00

Licensable Activities: Late-night refreshment - Indoors

Sunday 23:00 – 02:00

Monday 23:00 – 02:00

Tuesday 23:00 – 02:00

Wednesday 23:00 – 02:00

Thursday 23:00 – 02:00

Friday 23:00 – 02:00

Saturday 23:00 – 02:00

The additional measures, as set out in section M of the application, to be included as conditions.

Note: Encourage the applicant to draw up and retain a 'Site Specific Risk Assessment' and 'incident records' that would consider the use of security staff on the door if relevant.

In the context of **Crime and Disorder**, the Police did not submit any observations in response to the application and no further evidence had been submitted which related to this principle.

In the context of matters of **Public Safety**, no observations or evidence had been submitted which related to this principle.

In the context of **Prevention of public nuisance**, no observations or evidence had been submitted which related to this principle.

In the context of **Protecting Children from Harm**, no observations or evidence had been submitted which related to this principle.

Although no objection had been received to the application, comments regarding protection in general were received. As a result, the Sub-committee encouraged the applicant to draw up and retain a 'Site Specific Risk Assessment' and 'incident records'. Recording incidents/risks would be a means of considering the use of security staff on the door if incidents/risks that were of concern arose at the premises.

It was reiterated, as with any other application, that if any problems arose in connection with the licensing principles, the Act would allow a licence to be referred for review by the Authority.

The Solicitor reported that the decision would be formally confirmed by letter to everyone who had submitted written observations. It was added that all parties to the application had the right to submit an appeal to Caernarfon Magistrates' Court against the Sub-committee's decision. Any such appeal should be lodged by giving notice of appeal to the Chief Executive, Llandudno Magistrates' Court, Llandudno within 21 days of the date that the appellant receives the letter (or a copy of the letter) confirming the decision.

The meeting commenced at 10:00 and concluded at 10:40.

CENTRAL LICENSING SUB-COMMITTEE
2 December 2024

Attendance:

Councillors: Elfed Williams (Chair), Gareth M. Jones and Gwynfor Owen

Officers: Nia Grisdale (Legal Service Manager), Gareth Jones (Assistant Head - Environment), Rhian Medi (Licensing Compliance Officer) and Lowri Haf Evans (Democracy Services Officer)

1. APOLOGIES

None to note

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. PREMISES LICENCE APPLICATION: City Sports & Cocktail Bar, 20/21 Canolfan Menai, Bangor

Others invited:

- | | |
|-------------------------|--|
| • Chris O'Neal | Applicant |
| • Gilly Haradence | Applicant's Representative |
| • Ffion Muscroft | Public Protection Officer - Cyngor Gwynedd |
| • Ian Roberts | North Wales Police |
| • Elizabeth Williams | North Wales Police |
| • Cllr Nigel Pickavance | Local Member |
| • Cllr Dylan Fernley | Local Member |
| • Awen Gwyn | Member of the Public |

The Chair welcomed everyone to the meeting.

a) The Licensing Department's Report

Submitted - the report of the Head of Environment Department giving details of a premises licence application to run a Sports Bar on the ground floor of the property which would include a range of Television Screens, Pool Tables, Interactive Dart Boards and Gaming Machines. On the second floor would be a Cocktail and Spirits Bar along with VIP seating and socialising areas, Photo Booths and a dance area.

The application was made in relation to Plays Indoors and Outdoors, Films Indoors, Sports Events Indoors, Boxing and Wrestling Entertainment Indoors and Outdoors, Live Music Indoors and Outdoors, Recorded Music Indoors and Outdoors, Dance Performances Indoors, Late Night Refreshments Indoors and Outdoors and the Supply of

Alcohol on and off the Premises.

It was noted that the Licensing Authority Officers 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 the measures recommended by the applicant to promote the licensing objectives, and it was highlighted that these measures would be included on the licence.

Attention was drawn to the responses that had been received during the consultation period which included comments from a member of the public concerned about live music from DJs, bands playing and background music on both levels of the venue together with a request to ensure that the business's management plan included measures to deal with noise pollution and barriers to control patrons; had the bar managers given careful consideration to access to and egress from the premises?; concerned that there would be an increase in anti-social behaviour, which could lead to altercations and/or cause damage to nearby shops.

Comments from Environmental Health cited concerns about the proposed hours, the application to play music outdoors until 21.00 along with an intention to have an outdoor seating area (although the company would have to apply for a licence from the Highways Service to place chairs and tables on the street). It was reported that a meeting had been held onsite between the Environmental Health Officer and the applicant in relation to the Planning application (which was at the time going through the planning process) and further information was requested regarding noise in relation to the air conditioning units, noise from customers and predicted noise levels at the nearby residential properties as part of the planning process.

It was highlighted that North Wales Police supported the application, but expressed concerns regarding public safety after 04:00 when they will have fewer resources. After discussing the concerns with the applicant, it was suggested to stop selling alcohol at 03:30am and close at 04:00am on the weekends. It was reiterated that the Responsible Authority assured that a risk assessment considered the presence of adequate supervision in an area where there were hard objects, such as pool balls and cues, present. Matters related to traffic management were also raised.

It was added that, following the use of a Temporary Event Notice over the period 28-30 November 2024, anonymous comments had been received stating that although there were no problems on the Thursday or Friday nights, the 'outdoor' smoking area (a public area on the street) had been noisy, windows were open and loud music could be heard at the back of the building.

The recommendation stated that the Sub-committee should consider accepting and applying the reduced terminal hours for the sale of alcohol at weekends as agreed between the Police and the applicants. It was further recommended that the concerns outlined in the representations made by the Public and Environmental Health were considered, and that the noise mitigation measures and conditions recommended were included in the Operating Schedule if the application was to be approved, in accordance with the Licensing Act 2003.

- b) In considering the application, the following procedure was followed:
- Members of the Sub-committee were given an opportunity to ask questions of the Council's representative.
 - At the Chair's discretion, the applicant or his/her representative to ask questions to the Council's representative.

- The applicant and/or his/her representative to be invited to expand on the application and to call witnesses.
- Members of the Sub-committee to be given the opportunity to ask questions of the applicant and/or his/her representative.
- At the Chair's discretion, the Council's representative to ask questions to the applicant or his/her representative.
- Every Consultee to be invited to support any written representations.
- The Council's representative and the applicant or his/her representative to be given the opportunity to summarise their case.

- c) In response to a question from the Sub-committee to the Council's representative regarding the outdoor area and if a particular alternative area was available for smoking given that the high street was a public area, outside the property, it was stated that there was a recommendation to include a condition to ensure control of the area and that a pavement licence would be required in order to be allowed to use the area in front of the property, which was not dissimilar to other businesses.

In response to a question about the range of activities being offered and whether there were other similar businesses in the city, it was noted that this was a 'Sports Bar' and not a Nightclub. It was noted that there were no other properties on the high street open until 04:00, but that Trilogy closed at 03:30.

- ch) In elaborating on the application, the applicant stated that this was a Sports Club and the intention was to host sports viewing events and make use of a large, disused building located in the heart of the city. About the outdoor area, he noted that a separate application had been submitted to use the area in front of the property until 21:00. Smoking and vaping inside the building were not permitted and he did not want to advertise or promote the outdoor area as a smoking area.

- d) In response to questions to the applicant from the Sub-committee and the Council's representative, the applicant noted that:

- A noise management plan had been submitted
- Noise reduction equipment had been purchased where the sound levels could be controlled
- He was prepared to control noise inside the property but it would be difficult to control noise outside
- Door staff would be regularly available
- Any alcohol purchased solely to take out would be sold in sealed containers
- The measures presented with the application would be addressed – licensing matters were taken seriously
- A meeting with North Wales Police had been beneficial
- High-quality CCTV had been installed; the Club was part of the Pubwatch and Challenge 25 initiative
- A NIGHT SAFE radio link would be in use as additional security and it was intended to re-introduce 'street angels' who would be allowed to use the property as their base

- dd) The consultee present took the opportunity to expand on the observations that were submitted in written form by them.

Ian Roberts and Liz Williams, North Wales Police

- Meeting with the applicant to discuss the licence had been beneficial
- Did not object to the application and agreed that the enterprise would be a boost to the local economy

- Pointed out that the number of Police officers available after 04:00 was low and therefore suggested that this could lead to problems
- Concern that the nearby high street was open to vehicles - comments had been submitted to Cyngor Gwynedd. With a number of people and vehicles on the high street, public safety had to be considered

Ffion Muscroft, Public Protection Officer - Cyngor Gwynedd

- Supported the initiative but was concerned about the negative impact on the amenities of neighbouring residents
- Concern that noise would carry and therefore a request to avoid outdoor music use and control the base rate inside the building
- The noise of customers gathering in the outdoor area carried and therefore a suggestion to close the area at 21:00, displaying signs asking customers to respect neighbouring residents, especially when leaving.
- A random visit on 29 November had confirmed that the base rate was high within the property. The property manager had turned down the noise and closed the doors

Awen Gwyn, Member of the Public

- That this part of the high street also belonged to her as the landlord of a neighbouring business - the Club did not own the outdoor area - this aspect was worrying
- That the Bangor Strategy included residents and not just businesses. This area had plans in place for around 50 flats – the impact on the residents of these flats had to be considered and the noise controlled

Cllr Nigel Pickavance, Local Member

- That 'Ardal Ni' was a plan to turn Bangor high street into a social area. This was needed to revitalise the city centre, with a request made for the Council to consider closing the high street to vehicles
- That he welcomed the NIGHT SAFE scheme
- Agreed that only a chatting area was needed outside the property - no need for music here
- The initiative benefitted the city - a safe, vibrant site and social venue

Cllr Dylan Fernley, Local Member

- That he was supportive of the initiative
- That the high street needed to be revitalised
- Stated that vehicles were not needed on the high street – public safety had to be considered
- If there were any further issues or concerns, the applicant would have to address them

All observations received were acknowledged and gratitude expressed for those comments.

Taking advantage of his right to conclude his case, the applicant noted that the initiative would employ 32 people and would be a significant investment to try to revitalise Bangor city centre.

- e) The respondents and the Licensing Manager withdrew from the meeting while the Sub-committee members discussed the application.

In reaching its decision, the Sub-committee considered the applicant's application form, the written observations submitted by interested parties, the Licensing Officer's report,

together with the verbal representations from each party present at the hearing. The Council's Licensing Policy and Home Office guidelines were considered. The Sub-committee gave due consideration to all the observations and weighed these up against the licensing objectives under the Licensing Act 2003, namely:

- i. Prevention of crime and disorder
- ii. Prevention of public nuisance
- iii. Ensuring public safety
- iv. Protection of children from harm

Observations submitted which were irrelevant to the above objectives were disregarded.

RESOLVED: To approve the application as submitted, subject to the inclusion of the following conditions

- The LAeq 15min sound level and the LZeq 15min sound level for the 31.5, 63 and 125Hz one-third octave band frequencies shall not be increased inside any residential property (measured with the property's windows open or closed) as a result of entertainment noise emanating from the licensed premises. For the purpose of this condition LAeq is defined in BS4142:2014
- Should Cyngor Gwynedd obtain evidence following the issuing of this licence that condition 1 is not being adhered to, then the premises owner shall carry out the following:
 - a) Carry out any noise insulation / abatement works to ensure the premises' compliance with a noise condition
- Noise limiting devices, once set, shall not be reset or adjusted without consultation with the Environmental Health Officer (Pollution), Cyngor Gwynedd
- Music may not be played outdoors
- The external seating area must be closed after 21:00
- To prevent noise or vibration emanating from the licensed premises, doors and windows at the premises shall be kept closed during entertainment, except for access in and out of the premises
- The disposal of waste bottles or cans into containers outside of the licensed building is prohibited between 22:00 – 09:00. The bottles shall be stored in a lidded skip/bin within the curtilage of the premises

Additional conditions to be included

- Include the additional measures submitted in part M of the application, as conditions on the licence
- The sale of alcohol on weekends to cease at 03:30 and the premises to close at 04:00

In the context of **Crime and Disorder**, the Police did not submit any observations in response to the application and no further evidence had been submitted which related to this principle.

In the context of matters of **Public Safety**, no observations or evidence had been submitted which related to this principle.

In the context of **Prevention of public nuisance**, the Environmental Health Service was satisfied with the application provided the conditions they proposed in response to the application and noted above were included on the licence. No further observations had been submitted in relation to this principle, so the Sub-committee was willing to approve subject to the conditions. The Sub-committee heard a number of observations expressing

concern about the possibility of anti-social behaviours and noise levels. However, there was no evidence of a noise problem.

The applicant explained that a complex noise monitoring system had been commissioned as well as special CCTV cameras to ensure that noise levels did not intrude on neighbouring residents. No further observations had been submitted in relation to this principle, so the Sub-committee was willing to approve subject to the conditions. Appreciating the concerns expressed by the local residents, the Sub-committee was not of the opinion that there was evidence to refuse to grant the licence. If any problems arose in connection with the licensing principles, the Act would allow a licence to be referred for review by the Authority.

In the context of **Protecting Children from Harm**, no observations or evidence had been submitted which related to this principle.

The Solicitor reported that the decision would be formally confirmed by letter to everyone who had submitted written observations. It was added that all parties to the application had the right to submit an appeal to Caernarfon Magistrates' Court against the Sub-committee's decision. Any such appeal should be lodged by giving notice of appeal to the Chief Executive, Llandudno Magistrates' Court, Llandudno within 21 days of the date that the appellant receives the letter (or a copy of the letter) confirming the decision.

The meeting commenced at 10.00 and concluded at 12.00.

CENTRAL LICENSING SUB-COMMITTEE
11 November 2024

Attendance:

Councillors: Elfed Williams (Chair), Annwen Hughes and John Brynmor Hughes

Officers: Nia Grisdale (Legal Service Manager), Gwenan Mai Roberts (Licensing Manager), Lowri Haf Evans (Democracy Services Officer) and Lyndsey Thomas (Licensing Compliance Officer) – observing

1. APOLOGIES

See below

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. PREMISES LICENCE APPLICATION: Bala Rugby Club, Maes Gwyniad, Heol Tegid, Bala

Others invited:

Huw Dylan (Chairman of Bala Rugby Club)
John Williams (Vice-chair of Bala Rugby Club)
Harry Guttridge – Bala Rugby Club
Mike and Manon Dodd – local residents

Apologies were received from Eluned Jones (local resident), Eifion and Christine Roberts (local residents), Huw Antur (Clerk of Bala Town Council), Elisabeth Williams (North Wales Police Licensing Officer) and Councillor Dilwyn Morgan (Local Member)

The Chair welcomed everyone to the meeting.

a) The Licensing Department's Report

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for Bala Rugby Club, Maes Gwyniad, Heol Tegid, Bala. The aim of the application is to be allowed to sell alcohol during matches throughout the rugby season between September and May, with the licence being used mainly over the weekend.

It was noted that the Licensing Authority Officers 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 the measures recommended by the applicant to promote the licensing objectives, and it was highlighted that these measures would be included on the licence.

Attention was drawn to the responses that had been received during the consultation period which included a number of objections from the public expressing concern that allowing the club to sell alcohol would create antisocial behaviours, disruption, an increase in vandalism and concerns for public safety if they walked home intoxicated near the lake and railway.

A representation had been received from North Wales Police reporting that no incident of crime and disorder associated with the Rugby Club had been reported during temporary event notice periods, and therefore they had no objection. It was added that Bala Town Council supported the application but recommended that the hours be restricted to 13:00 - 21:00.

It was reported that additional observations supporting the application had been received outside the consultation period. It was noted that there would be a need to obtain legal advice as to whether or not the letters should be taken into consideration.

The Officer recommended that the Sub-committee considered the respondents' observations/concerns received, together with the applicant's response to those observations/concerns. It was highlighted that no complaints had been received by the Licensing Authority or the Public Protection Unit following several permitted events using Temporary Event Notices. Consequently, the Officer recommended that the application be approved with conditions.

- b) In considering the application, the following procedure was followed:
- Members of the Sub-committee to be given an opportunity to ask questions of the Council's representative.
 - At the Chair's discretion, the applicant or his/her representative to ask questions to the Council's representative.
 - The applicant and/or his/her representative to be invited to expand on the application and to call witnesses.
 - Members of the Sub-committee to be given the opportunity to ask questions of the applicant and/or his/her representative.
 - At the Chair's discretion, the Council's representative to ask questions to the applicant or his/her representative.
 - Every Consultee to be invited to support any written representations.
 - The Council's representative and the applicant or his/her representative to be given the opportunity to summarise their case.
- c) Elaborating on the application, the Chair of the Rugby Club made the following observations:
- That rugby was a social game and that discussing, teasing, leg-pulling and reminiscing were a key part of the culture during and after a match – this was the main reason for submitting an application.
 - That the Club wanted to improve and develop an atmosphere while extending a welcome to visiting fans and teams.
 - That the social room, 'Ystafell Yogi', had been upgraded and was managed by a Sub-committee who would also be responsible for managing the bar. The Sub-committee was working hard to ensure a hygiene standard and was working with the authorities to attain standard 5. The next natural step was to apply for a site licence.
 - That the Temporary Event Notice events had been successful – they had created a nice atmosphere, a sense of belonging, ensuring moderate and responsible alcohol use. Teams and fans currently used Plas Coch, which was in the centre of town, as a social venue.

- That the Club's success brought additional costs that needed to be met – around 230-300 individuals played every week. Profits from the bar would be invested in resources for the Club to serve the community and the wider area.
- That Bala Rugby Club was the only rugby club in north Wales without a licence.
- That there was no intention of clashing with neighbours – this was not a new development – events licences had been used over the last three years. Every attempt would be made to allay their concerns:
 - Antisocial behaviour. A robust and responsible sub-committee ensured that offensive or contemptuous behaviour would not be tolerated. The licence holder would set standards and maintain an overview of the situation.
 - The Club had an Antisocial Behaviour Policy which included a code of conduct (drawn up with North Wales Rugby guidance) but which needed to be revised.
 - That bans were imposed in the event of bad behaviour – posters around the venue informed of this.
 - The Challenge 25 Policy was implemented.
 - The Club did not tolerate drug use – any incident would be reported to the Police.
 - The policies were in place should an incident arise.
 - That not all the traffic problems were due to the Rugby Club – some walkers used the car park. The Club was in the process of purchasing the car park from the National Park with the intention of using an adjacent field as an extended car park. Having secured ownership, a Parking Control Officer would ensure that the car park would be for Rugby Club use only.
 - Child Safety – the Club followed strict Welsh Rugby Union policy – measures were in place along with public safety measures.
 - That there was an intention to draw up a noise management plan to allay concerns – there was double glazing in the building and they intended to adhere to maximum capacity so as not to disturb neighbours.
 - That having a bar was not in contempt of the memory of Yogi – the situation had changed in recent years – a licence was now part of the business plan.

(ch) In response to questions to the applicant from the Sub-committee and the Council's representative:

- In terms of confirming opening hours – there was no intention to open every day. The licence provided flexibility of use, but the Club's intention was to limit use to weekends only.
- The Act would permit live music/staging regulated entertainment. Did they plan to make occasional/regular use of this? In response, it was noted that there was no specific intention at this time to play live music, but it may be an option for the future although the room was not large enough to host a group. The Licensing Manager noted that this would need to be set out in the noise management plan.

d) The consultees in attendance took the opportunity to expand on the observations that were submitted in written form by them.

Mike and Manon Dodd

- They expressed their gratitude for the opportunity to express their concerns following the Rugby Club licence application.
- Although the Police noted that complaints had not been received relating to antisocial behaviour, there were times where they could have complained.
- Concerned that things could get out of hand when alcohol is available – wanted to avoid this.

- They lived within 20m of the Club entrance with the garden hedges adjoining the Club and therefore noise carried from two directions.
- Accepted that the Club did a good job with adults and children in the area, but why was it necessary to include alcohol in health and fitness events?
- Accepted the social element and having a drink to socialise at the end of a match, but why ask for until 11pm? This was bound to lead to unnecessary noise and antisocial behaviour.

In response to questions to the respondents from the Sub-committee, it was noted:

- In terms of examples of complaints, that cars parked in front of the house and they were unable to get the car out, visitor noise levels and cars revving in the car park.
- In the context of temporary events and the fact that there had been no official complaints, it was noted that those events had not gone on until late, but there was concern that with a licence until 23:00 events could go on later and therefore introduce factors such as noise and public nuisance. Concern that events such as watching international matches at the Club were also going to create problems.
- The position of the house and its proximity to the Club were confirmed.

All observations received were acknowledged and gratitude expressed for those comments.

- dd) The respondents and the Licensing Manager withdrew from the meeting while the Sub-committee members discussed the application.

In reaching its decision, the Sub-committee considered the applicant's application form, the written observations submitted by interested parties, the Licensing Officer's report, together with the verbal representations from each party present at the hearing. The Council's Licensing Policy and Home Office guidelines were considered. The Sub-committee gave due consideration to all the observations and weighed these up against the licensing objectives under the Licensing Act 2003, namely:

- i. Prevention of crime and disorder
- ii. Prevention of public nuisance
- iii. Ensuring public safety
- iv. Protection of children from harm

Observations submitted which were irrelevant to the above objectives were disregarded.

RESOLVED: To approve

Opening hours

Sunday: 09:00 - 23:30

Monday: 09:00 – 23:30

Tuesday: 09:00 – 23:30

Wednesday: 09:00 – 23:30

Thursday: 09:00 – 23:30

Friday: 09:00 – 23:30

Saturday: 09:00 – 23:30

Supply of Alcohol on the Premises

Sunday: 09:00 – 23:00

Monday: 09:00 – 23:00

Tuesday: 09:00 – 23:00

Wednesday: 09:00 – 23:00

Thursday: 09:00 – 23:00

Friday: 09:00 – 23:00
Saturday: 09:00 – 23:00

Include the additional measures submitted in part M of the application, as conditions on the licence.

Note:

Obtain advice on noise mitigation measures
Particular consideration was given to the following.

In the context of **Crime and Disorder**, the Police did not submit any objections in response to the application, and no further evidence had been submitted which related to this principle. The Police also noted that no crime or disorder matter had arisen while these premises had operated the sale of alcohol using a Temporary Event Notice on a number of occasions.

In the context of matters of **Public Safety**, no observations or evidence had been submitted that related to this principle.

In the context of **Prevention of public nuisance**, a number of observations were received from neighbours of the Club expressing concern about potential anti-social behaviours and noise levels. However, the Public Protection Service did not have any observations or objection and did not present any evidence of anti-social behaviour or noise problems. The Club Chair explained that they were currently producing a noise mitigation policy and the Sub-committee believed it would be of great benefit to the neighbours if the Club could seek advice and procedures that would assist them in mitigating any noise from the Club. No further observations had been submitted in relation to this principle, so the Sub-committee was willing to approve subject to the conditions.

Appreciating the concerns expressed by the local residents and neighbours, the Sub-committee was not of the opinion that there was evidence to suggest that approving the application would lead to problems under this heading. The opening hours were a Rugby Club business planning matter and the applicant noted that it was highly unlikely that the Club would be operational all day, every day. The Club would mostly be open during the rugby-playing season with the peak use restricted to the weekends. If any problems arose in connection with the licensing principles, the Act would allow a licence to be referred for review by the Authority.

In the context of **Protecting Children from Harm** no observations or evidence had been submitted that related to this principle.

The Solicitor reported that the decision would be formally confirmed by letter to everyone who had submitted written observations. It was added that all parties to the application had the right to submit an appeal to Caernarfon Magistrates' Court against the Sub-committee's decision. Any such appeal should be lodged by giving notice of appeal to the Chief Executive, Llandudno Magistrates' Court, Llandudno within 21 days of the date that the appellant receives the letter (or a copy of the letter) confirming the decision.

The meeting commenced at 11:30 and concluded at 12:35.