

CENTRAL LICENSING SUB COMMITTEE 18/11/25

Attendance:

Councillors: Gwynfor Owen (Chair), Arwyn Herald Roberts and Elfed Williams

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

Others invited:

Item 4:

Application for a Premises Licence: Tŷ Coffi Reubens, 31 High Street, Caernarfon, Gwynedd

Apologies: None to note

Item 5:

Application for a Premises Licence: Clynnog Garage, Clynnog Fawr, Caernarfon

Naga Rajesh The applicant's representative (Sterling Petroleum)
Sarujan Nadesan Area Manager (Sterling Petroleum)

Apologies: Betsi Cadwaladr University Health Board (BCUHB) Public Health Representative

1. APOLOGIES

Item 5:

Betsi Cadwaladr University Health Board (BCUHB) Public Health Representative

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. PREMISES LICENSE APPLICATION

The Chair welcomed everyone to the meeting.

a) **The Licensing Department's Report**

The report of the Head of Environment Department was presented, providing details of a premises licence application for Tŷ Coffi Reubens. It was explained that the property would mainly operate as a coffee shop, with additional provision to sell alcohol to be consumed 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.

It was reported that Environmental Health had lodged an objection due to concerns relating to public nuisance. Permission was originally granted for the property to open as a coffee house and not a bar, with opening hours until 18:00 and not 00:00. Should the property be granted permission to sell alcohol, Environmental Health was concerned that, with live and recorded music being played on the property, it would potentially cause noise disturbance for the properties of nearby residents. Environmental Health also highlighted that a noise impact assessment had not been completed.

Reference was made to observations received from the Planning Department which confirmed that the application was contrary to the requirements of the current planning permission for the property - the current permission allowed activity until 18:00. It was reiterated that an application had not been received to vary the hours, but a request to change the use from A1 to A3 was awaiting decision.

The officers, in accordance with the Licensing Act 2003, recommended that the Committee approved the application, subject to the following terms:

- The applicant must ensure full compliance with the planning permission, and the licence must not become operational until planning matters have been resolved.
- The operating hours and the licensed activities must be in accordance with the hours approved under the planning permission.
- A noise impact assessment must be provided to address the concerns of Environmental Health and to ensure the prevention of public nuisance.

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.
- The legal officer to summarise the requirements of the application.

c) In response to a question regarding the right to play music, it was noted, should the application be approved, the applicant will have a right to play live and recorded music and to extend it until 23:00 - after this, a temporary events notice would be required. It was reiterated that Environmental Health was likely to include noise observations on every application due to the possibility of noise nuisance should the applicant not take appropriate steps to mitigate noise impact.

ch) In elaborating on the application, the applicant's representative noted the following observations:

- That operating as a coffee shop was the main intention of the business, creating a desirable environment for customers to relax, meet friends and hold a conversation.
- That 00:00 had only been included for flexibility - use if it was needed, for example, for a private event or a party. Should the event go beyond 23:00, the applicant would inform the Police and Environmental Health, 14 days prior to the event to discuss arrangements.
- The applicant would consider noise mitigation.
- That an application had been submitted to the Local Planning Authority to amend the opening hours.
- The applicant was aware that the licensing hours could not be operational until the hours variation noted, and the hours of the current planning permission, had been varied and approved. The current planning permission allowed trading until 18:00. The applicant had no intention to break the law.
- Double-glazing will be installed on the front of the shop and the side window to reduce the impact of noise.
- No objections had been received from neighbours.
- The applicant was willing to provide a noise impact assessment.

Through the Chair's permission, the applicant was given an opportunity to present observations.

- That he was passionate about the business. He had two other coffee shops (one in Holyhead and the other in Upper Bangor), which were very popular.
- Caernarfon was the next natural site to extend his business - he was hoping to open a property in a heritage site that would boost the local economy.
- There was no intention to open a noisy bar late at night - this was a coffee house culture of creating a relaxing environment and an opportunity for people to relax.

In response to a question regarding spaces and the number of staff, he noted that it would be possible to sit 15 in the café and that there was an intention to employ up to 15 staff members (a mix of full-time and part-time).

In response to a question about why a noise assessment had not been presented, it was noted that this was a quality location to relax, and should an event come up where a noise assessment was required, that would be implemented.

d) The consultees in attendance took the opportunity to expand on the observations they had submitted in writing:

Ffion Lewis (Public Protection Officer)

- Objects to the application as the applicant had not been able to persuade the Service that he would manage noise and prevent public nuisance

- 18:00 was the closing time on the property's current planning permission
- There was no structure in place to prevent noise in the building
- Should the application be approved, conditions would have to be imposed

In response to a question regarding the number of noise complaints from the area being received by the Service, it was noted that the Service 'received many noise complaints in the area'.

Arwel Thomas Senior Planning Officer

- Objected to the application as the opening hours that were sought complied with the conditions of the existing planning permission
- An application had been submitted to the Local Planning Authority to amend the use and hours
- There was an error in the description and therefore there would be a need to re-submit
- The intention of the previous permission was to open a hot food shop, but if there was no intention to serve hot food from Tŷ Coffi Reubens, there would be a need to reconsult

dd) Taking advantage of the right to conclude her case, the Licensing Manager noted that the recommendation was to approve as long as the terms were addressed. Although the business plan was to be approved, there was sometimes a tendency to take advantage of licensed activities. To avoid this, it must be ensured that the property and the licence was fit to purpose.

Taking advantage of the opportunity to conclude their case, the applicant's representative noted the following observations:

- Despite noting 'a number of noise complaints in the area', they did not relate specifically to this premises
- There were pubs in the area
- There was only space for 15 to sit here
- No objections had been received from the public
- Accepted an amendment to the wording of the planning application to note for the 'conversion of a charity building to coffee shop sales' - the principle was acceptable
- That he confirmed that there was no intention to sell hot food on the site during the day or night

e) The Legal Officer took the opportunity to summarise the requirements of the application;

- There was a need to amend the description of the 2025 planning application
- Opening hours from 08:00 to 00:00 every day
- A compromise had been agreed to stop selling alcohol at 23:30 and close the shop at 00:00
- The opening hours sought would not be operational until the planning element had been decided

The applicant's representative and the Licensing Manager withdrew from the meeting while the members of the Sub-committee 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

Opening Hours:

Sunday 08:00 - 00:00

Monday 08:00 – 00:00

Tuesday 08:00 – 00:00

Wednesday 08:00 - 00:00

Thursday 08:00 – 00:00

Friday 08:00 – 00:00

Saturday 08:00 – 00:00

Licensable Activities: The sale of alcohol: On and off the premises

Sunday 08:00 - 23:30

Monday 08:00 - 23:30

Tuesday 08:00 - 23:30

Wednesday 08:00 - 23:30

Thursday 08:00 - 23:30

Friday 08:00 - 23:30

Saturday 08:00 - 23:30

The additional measures, as noted in part M of the application, and agreed at the hearing, to be included as conditions on the licence:

- A record of every alcohol sale refused
- Install and maintain a comprehensive CCTV system with recordings to be stored for at least 31 days with a time and date stamp
- Staff training
- Internal accident book
- Challenge 25 Policy
- No loud music
- Ask customers to leave quietly and respectfully
- Conduct a noise impact assessment before opening the property to the public. Outcome to be shared with the Public Protection Department
- The disposal of waste bottles or cans into containers outside of the building that is in accordance with the licence conditions is prohibited between 22:00 - 08:00. Empty bottles to be stored in a skip / a bin with a lid within the curtilage of the site before collection.

Note:

The applicant would also be aware that the licensing hours could not be operational until the hours variation noted on the current planning permission had been varied and approved. The current planning permission allowed trading until 18:00.

In the context of **Crime and Disorder Prevention**, no observations or 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**, observations and objections were received from the Environmental Health Service which expressed concerns regarding the possibility of anti-social behaviour and public nuisance matters deriving from approving the application. The objections related to the proposed opening hours and the impact that noise or odour would have on nearby residential dwellings, especially late at night. The Service proposed that opening hours until 18:00 should be given on the licence in accordance with the current planning permission. Reference was also made to concerns relating to the building's ability to manage the noise of live or recorded music and the applicant should present a noise impact assessment.

Despite noting concerns, the Sub-committee did not consider that evidence had been submitted to highlight public nuisance specifically from this property, but the Sub-committee encouraged the applicant to conduct a noise impact assessment and submit it to the Service (this had been included as a condition on the licence).

As with any other application, if any problems arose in connection with the Licensing principles, the Act would allow a licence to be referred for review by the Licensing Authority.

In the context of **Protecting Children from Harm**, the applicant had provided details regarding the steps to take to ensure that alcohol would not be sold to minors, and these steps would be included as conditions on the licence.

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.

5. PREMISES LICENSE APPLICATION

The Chair welcomed everyone to the meeting.

a) The Licensing Department's Report

The Head of Environment Department's report was submitted, providing details on an application for a property licence from Sterling Petroleum Ltd. It was explained that the property would operate as a convenience store with a petrol station, and provision to sell alcohol off the premises.

It was noted that the Licensing Authority's 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.

The officers, in accordance with the Licensing Act 2003, recommended that the Sub-committee considered the responses and approved the application in accordance with the compromise of the operating hours that the applicant had agreed to in response to comments from the Betsi Cadwaladr University Health Board (BCUHB) Public Health, and in accordance with the requirements of 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.
- The legal officer to summarise the requirements of the application.

In response to a question regarding the 24-hour availability of alcohol in a similar property in the area, it was noted that the only property was a supermarket in Bangor.

c) Elaborating on the application, the applicant's representative noted the following comments:

- That the company has many locations across the country
- That all locations have a garage, convenience store
- That the application, for the 24-hour sale of alcohol, matched the shop's opening hours, which would make managing and implementing the business more effective
- That the company has a good management structure, with Area Managers willing to work with local residents and the Local Authority to meet the licensing objectives
- Dependent on the area or the neighbourhood, that some locations, that are open after 23:00 have a night window and / or additional safety measures, but others have their doors open for customers
- The company has a vast experience of managing 24/7 alcohol licences, and that they can offer support to the Policy by providing CCTV, and a way of keeping the neighbourhood safe
- Safety measures will be followed and implemented to protect the public
- That there is a detailed training programme for staff
- That the conditions proposed are acceptable
- Willingness to consider the BCUHB Public Health conditions, although no evidence had been presented to not approve the licence as submitted
- Encouraged the Sub-committee to make an evidence-based decision

In response to a question regarding the number of complaints that the company had received for 24-hour sites, it was noted that the number of complaints had

reduced since Covid-19.

In response to an observation that the applicant had considered the observations of the BCUHB Public Health to reduce the licensing hours from 06:00 - 22:00, whether the applicant consider a further reduction to open at 08:00 given that Clynnog is a small, rural village, the applicant's representative noted that the wish was to open a 24-hour shop and have a corresponding alcohol licence as that was easier to manage and avoids complexity. However, he was willing to accept the Sub-committee's decision.

ch) Taking advantage of the opportunity to conclude her case, the Licensing Manager noted that Public Health's observations were valid and had been supported by thorough evidence. She also noted that the company was an experienced company, and their application clearly outlined their intention of managing risk against the licensing objectives.

Taking advantage of the opportunity to conclude their case, the applicant's representative noted the following observations:

- The company supported the local area
- Willing to promote the licensing objectives
- That they respected BCUHB Public Health's observations and the Local Authority
- As a business, they had no intention to undermine the Local Authority

d) The Legal Officer took the opportunity to summarise the requirements of the application;

- An application had been submitted for a 24-hour, 7 days a week licence
- The applicant had stated a willingness in principle to reduce the hours of selling alcohol to 06:00 - 22:00, from Monday to Sunday

dd) The applicant's representative and the Licensing Manager withdrew from the meeting while the members of the Sub-committee 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:

- a. Prevention of crime and disorder
- b. Prevention of public nuisance
- c. Ensuring public safety
- d. Protection of children from harm

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

RESOLVED: To approve the application

Opening Hours:

Sunday 0:00 - 23:59

Monday 0:00 - 23:59

Tuesday 0:00 - 23:59

Wednesday 0:00 - 23:59

Thursday 0:00 - 23:59
Friday 0:00 - 23:59
Saturday 0:00 - 23:59

Licensable Activities: The sale of alcohol: Off the premises

Sunday 06:00 – 00:00
Monday 06:00 – 00:00
Tuesday 06:00 – 00:00
Wednesday 06:00 – 00:00
Thursday 06:00 – 00:00
Friday 06:00 – 00:00
Saturday 06:00 – 00:00

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

- **Install and maintain a comprehensive external and internal CCTV system, with recordings to be stored for at least 30 days**
- **Fire safety equipment to be installed and maintained;**
- **Staff training in alcohol sales and safety procedures;**
- **Sufficient bins**
- **Internal accident book**
- **Train staff on implementing the Challenge 25 scheme. A 'till prompt' to be used for all age-restricted products**
- **A sales refusal register to be kept and maintained on the property**
- **Spirits to be located behind the counter and alcohol to be stored away from the entrance**
- **No drink-driving warnings to be displayed on the site**
- **Training on refusing sales to those under the influence of alcohol**
- **Signs on the premises noting that alcohol will not be sold to those under the influence.**

In the context of **Crime and Disorder Prevention**, no observations or 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**, observations and objections were received from the BCUHB Public Health highlighting concerns relating to the availability of alcohol for significantly extended opening hours which would influence the use levels, drinking patterns and alcohol-related harm. In addition, concerns were raised about the potential increase in offences related to driving under the influence of alcohol and public nuisance due to cars arriving at the site late at night or early in the morning which would potentially lead to light pollution and noise nuisance to nearby residents. The concerns were amplified by the fact that Clynnog Fawr was a deprived area and a very rural village with the proposed site located in a residential area.

The Sub-committee accepted that the applicant had considered a compromise of the potential reduction in the hours of selling alcohol which could, in principle, alleviate some of the concerns raised by the BCUHB Public Health. The hours proposed by the BCUHB Public Health was 06:00 to 22:00. It was acknowledged that the applicant had also requested that the Sub-committee considered the application as it was originally submitted.

Despite receiving the BCUHB Public Health's concerns and observations, the Sub-committee did not consider that the evidence submitted was sufficient and it did not highlight that the levels of use and associated problems would arise from this specific location, given that other sites in the County, especially petrol stations with a convenience store operated similar hours. The Sub-committee also noted that no objections or observations had been received from residents or nearby properties. The Sub-committee proposed that the hours should be amended to 6:00 - 00:00.

As with any other application, if any problems arose in connection with the Licensing principles, the Act would allow a licence to be referred for review by the Licensing Authority.

In the context of **Protecting Children from Harm**, the applicant had provided details regarding the steps to take to ensure that alcohol would not be sold to minors, and these steps would be included as conditions on the licence.

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 am and concluded at 12.40 pm

CHAIRMAN