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## CENTRAL LICENSING SUB COMMITTEE 28/04/26

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**Councillors:** Gwynfor Owen (Chair), Gareth T Jones and Arwyn Herald Roberts

**Officers:** Nia Grisdale (Legal Service Manager), Gwenan Mai Roberts (Licensing Manager), Andrew Parry (Trading Standards and Licensing Manager), Nicola Williams (Licensing Compliance Officer), Glain Eden (Legal Officer – observing) and Lowri Haf Evans (Democracy Services Officer)

**Others invited:**

Alex Kalebic	Applicant
Robert Botkai	The applicant's representative
Ffion Lewis	Public Protection Officer

**1. APOLOGIES**

Apologies were received from Arwel Thomas (Senior Planning Officer) and from Betsi Cadwaladr University Health Board's (BCUHB) Public Health representative.

**2. DECLARATION OF PERSONAL INTEREST**

None to note.

**3. URGENT ITEMS**

None to note.

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

The Chair welcomed everyone to the meeting.

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

The report of the Head of the Environment Department was presented, providing details of an application for a premises licence variation by Loungers UK Ltd. It was explained that the premises, until recently, had been a licensed nightclub and restaurant.

It was highlighted that the current licence set out opening hours until 03:00 and 04:00 on Saturday night/Sunday morning and included the right to host live music, recorded music and dance performances until 02:45, and 3:45 on Saturday night/Sunday morning; the sale of alcohol and late-night refreshments until 02:30 (3:30 Saturday night/Sunday morning) and sporting events until 23:45. It was reiterated that the applicant had not indicated a change in the hours of the proposed licence and no information had been submitted regarding the proposed hours of operation.

Reference was made to revised plans to extend the licensed area of the premises to include an area of pavement outside the premises, but no information had been received from the applicant's agent as to the ownership of this piece of public pavement. However, it was noted that an application for a section 115 licence for the use of street furniture had been submitted.

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.

Attention was drawn to the responses received during the consultation. Observations were made by BCUHB expressing concern about the late hours of the licence and of allowing the sale of alcohol to be consumed outside until 23:00 on the pavement; that restricting walking space would undermine pedestrian safety and/or increase the risk of anti-social behaviour, noise disturbance and the exposure of children and families to circumstances where alcohol was consumed.

North Wales Police had no objection to the application, but expressed concern that the nightclub's opening hours remained in force and that a late-hours licence would increase the risk of criminal incidents and alcohol-related disorder and violence. They had also noted that measures were not in place to control the use of glass containers in the outdoor area.

In the context of Planning matters, observations were received from the Planning Department objecting to the application as the proposed extension which included additional external areas went beyond what was lawful in terms of land use on the current planning permission.

The Public Protection Service had also raised concerns about the lack of a Noise Impact Assessment which would support the planning application and also about the use of the external areas which would have the potential to increase customer noise, or music noise that would affect nearby residents. The service had proposed noise conditions in order to manage the risks should the application be approved.

The officers recommended that the Sub-committee carefully considered the responses received from the responsible authorities. The concerns outlined by the Responsible Authorities were considered to be valid, proportionate and reasonable, and would not limit the prosperity of the business. Should the Sub-committee decide to grant the application, additional conditions could be included to address the concerns identified on the operating schedule of the licence; in accordance with what is permitted under the Licensing Act 2003.

Since the publication of the report, it was highlighted that a compromise had been accepted by the applicant regarding the licensable hours, which indicated changing:

- The final hour for the sale of alcohol to 00:00.
- The final hour for late-night refreshments to 00:00.
- The opening hours until 00:30.

It was reiterated that BCUHB had responded to the adaptation by agreeing to the change of hours for the sale of alcohol, as it was in line with similar food-focused premises in the area.

In considering the application, the following procedure was followed:

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

- b) As the Council's representative responded to questions from Sub-committee Members, recent photographs of the site and the surrounding area were shown, highlighting the location, the extent of the pavement, the location of the external areas, the structural alterations and the construction works.

It was noted that an extensive consultation had been carried out in accordance with statutory requirements, which included advertising for 28 days, displaying an advertisement on the premises, an advertisement on the Council's website and in local newspapers. It was confirmed that no observations/objections had been received from local residents.

It was noted that the Weatherspoons pub and restaurant was located opposite the proposed location of Morlo Lounge, but that its format and design were different, with folding doors in front of the building giving the impression of 'drinking outside'.

- c) Elaborating on the application, the applicant's representative made the following comments:
- That Morlo Lounge was part of the Clio Lounge concept; it is a company that creates a lounge atmosphere away from home, offering a cosy place to eat, drink and meet friends in a relaxed atmosphere.
  - Regulated entertainment would not be held on the premises.
  - Table service would be implemented, with customers ordering food and/or drinks to the table via an app or waitress/waiter.
  - That a planning application had been submitted – and was awaiting a decision.
  - That an application for a pavement licence had been submitted to meet the expectations of customers to sit outside. The intention was to extend the existing area and place tables and chairs on the pavement outside.
  - The premises would offer mid-morning breakfast, lunch and supper with the hours now significantly adapted.
  - The disposal of waste bottles or cans into containers outside the licensed building was now prohibited between the hours of 22:00 – 07:00.
  - There was no intention to use glass in the outer areas.
  - Following engagement with the Police and Health Board, the external areas to close at 23:00.
  - That the pavement was a multi-use path - that it was a wider pavement than usual.

- In response to the Planning Department's observations, it was not intended to use the first floor as part of the licensed premises.
- The use would be completely different from the premises' previous use as a nightclub. Dispersal issues would not arise at the end of the night.
- That he urged the Sub-committee to support the enterprise which would bring benefits to the local economy; it was a significant improvement and a more inclusive, managed site.

The applicant added that the company had sites in Bangor, Prestatyn and Llandudno – offering a friendly space for family and friends. Introducing a lounge to Pwllheli would be positive for the town.

In response to a question about the total capacity when the premises were full, it was noted, approximately, that there would be space for up to 80 people to sit in the outdoor areas and space for up to 120 people to sit indoors. In response to a supplementary question regarding the number of staff and the intention to employ locally, it was stated that he envisaged the need for 30-40 jobs with a view to offering local employment.

In response to a question about managing the situation of not using glass containers outside and how the westerly outer area would be managed in relation to customers and path users on busy weekends, it was noted that this was not a pub offering a drinking culture – the areas would be managed with strict rules and kept clear and tidy at all times. There would be no smoking zones on site, and they did not anticipate any issues regarding disorder.

- ch) The consultee in attendance took the opportunity to expand on the observations she had submitted in writing:

Ffion Lewis: Public Protection Officer

- That the site was being converted from a nightclub to a café/bar and therefore concerns arose about the use of the current licence and the lack of information.
- As a nightclub, appropriate doors and windows had been installed to prevent noise disruption to nearby residents.
- If the licence was to be granted for drinking alcohol outside, this would allow live music outside.
- The noise control plan submitted stated that the outer areas were to close at 22:00 unlike the application which stated 23:00.

In response to the observations, the applicant's representative stated that live music would not be played on the premises. There would be no regulated entertainment. In the context of the closure times of the outer areas, he added that the external seating area on Embankment Road would close after 22:00 and the rest of the external areas would close at 23:00.

In response to a question as to who owned the land to the west side, where tables and chairs would be placed, it was confirmed that the Council owned most of the area and therefore that was why an application for a street furniture licence had been submitted. It was noted that the car park and the outdoor area to the rear of the building were owned by the business.

- d) Taking advantage of the right to summarise her case, the Licensing Manager stated that the application submitted was for a licence variation, but that the

licence in fact needed to be considered as new. However, she noted that there was a response and that a compromise with respondents' observations was very important as they presented legitimate concerns that needed addressing. It was reiterated that:

- the planning elements were still awaiting a decision by the Planning Department
- following compromise negotiations, the hours had been significantly reduced
- there was a change of use to the premises.

Taking advantage of the opportunity to summarise their case, the applicant's representative noted that:

- the licensable activities ended at 00:00
- there would be no regulated entertainment
- only the ground floor would be used
- planning permission was awaiting a decision
- that they accepted the conditions
- that wording needed to be added to Section M. Part D: 'every table and chair in the Embankment Road external area will be rendered unfit for use after 22:00 every day'.

- dd) The Legal Officer took the opportunity to summarise and confirm the requirements of the application. Observations on the proposed conditions were received. It was agreed to remove condition 3 (noise prevention) and adapt condition 2 (waste disposal) which had been proposed by the Public Protection Service.

The applicant and their representative, the Licensing Manager, Trading Standards and Licensing Manager, and Licensing Compliance Officer 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 – 00:30**  
**Monday 08:00 – 00:30**  
**Tuesday 08:00 – 00:30**  
**Wednesday 08:00 – 00:30**  
**Thursday 08:00 – 00:30**  
**Friday 08:00 – 00:30**  
**Saturday 08:00 – 00:30**  
**Licensable Activities:**

**Late-night refreshment - Indoors and Outdoors**

**Sunday 23:00 – 00:00**  
**Monday 23:00 – 00:00**  
**Tuesday 23:00 – 00:00**  
**Wednesday 23:00 – 00:00**  
**Thursday 23:00 – 00:00**  
**Friday 23:00 – 00:00**  
**Saturday 23:00 – 00:00**

**Supply of Alcohol - on and off the Premises**

**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**

**Additional measures:**

- **The external seating area on Embankment Road must be closed after 22:00 and the rest of the external areas to close at 23:00.**
- **Drinks in glass containers would not be served in the external area on Embankment Road.**
- **The disposal of waste bottles or cans into containers outside the licensed building is prohibited between 22:00 – 07:00. Empty bottles shall be stored in a lidded skip/bin within the curtilage of the premises.**
- **A full list of the measures as set out in Part M of the application and proposed by the applicant to promote the Licensing Objectives to be included as conditions on the licence.**

**Note:**

- **To maintain a written Noise Management Plan, ensuring that it will be available at the request of authorised officers.**
- **To take appropriate steps to ensure safety.**

In the context of **Prevention of Crime and Disorder**, the Police did not submit any observations in response to the application and no further evidence was presented that related to this principle.

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**, observations were received from the Environmental Health Service expressing concern about the restaurant's opening hours and noise impact, but following a change to the application and agreement in terms of relevant conditions proposed by them in response to the application, the concerns had been alleviated.

An objection was received from the Planning Department stating concern about the use of the terrace floor. It was noted that this part was not included in the licence variation. The applicant would also need to ensure that planning permission and a street furniture licence were granted before serving food outside.

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

It was noted 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 am and concluded at 12.00 pm

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**CHAIRMAN**