

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	12 June 2023
TITLE:	APPLICATION FOR PREMISES LICENCE – BANGOR GRILL , BANGOR
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT

1. APPLICATION RECEIVED

- 1.1 An application is appended for a premises licence for Bangor Grill Limited, 212 High Street, Bangor, LL57 1NY. The applicant is requesting permission to sell late night refreshments including hot food such as Kebabs, burgers and pizzas, to be consumed on and off the premises.
- 1.2 Permission is sought in the application to sell hot food on and off the premises after 23:00 at night, until 3:30 in the morning on Friday night and Saturday night, until 03:00 am Monday night and Wednesday night and until 2:30 am on Tuesday, Thursday and Sunday nights.
- 1.3 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.
- 1.4 Representations and an objection were 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:

Licensable Activities – provision of late-night refreshment on and off the premises	
Sunday	23:00 – 02:30
Monday	23:00 - 03:00
Tuesday	23:00 – 02:30
Wednesday	23:00 – 03:00
Thursday	23:00 - 02:30
Friday	23:00 – 03:30
Saturday	23:00 - 03:30

2. 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 how to prevent antisocial behaviour
- Standard CCTV system and images provided at the request of North Wales Police and the Licensing Authority
- Customers behaving in an antisocial manner will be sent away, and the Police will be called if problems persist
- It is proposed to employ door supervisors to operate from midnight.
- Threatening behaviour will not be tolerated inside or outside the property.
- It is proposed to ban any individuals that cause a nuisance
- Children will not be allowed inside the premises without a responsible adult after 9pm.

See full details of the recommended measures in part M of the application which can be seen in the attachment.

3. CONSULTATION

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

RESPONSES	REPRESENTATIONS
North Wales Police	comments
Public Protection Service	E-mail - objecting

3.1 Police Observations

3.2 The Police noted that there was no evidence base to object; but that it was reasonable to ask for certainty and clarity in the operating schedule to ensure the presence of door supervisors from 23:00 forward on Friday night and Saturday night.

4 Objection of the Public Protection Officer

4.1 An objection was presented based on the fact that the applicant did not propose sufficient measures to ensure compliance with the licensing objective of preventing public nuisance.

4.2 It was noted that there were local residences close to the back of the property on Lower Street and flats above the shops on the High Street, and therefore the potential of noise affecting residents due to the provision of late-night refreshments. Specifically, it was noted that extraction fans in the kitchen can be very noisy up to and after the property's closing time. Concern was expressed in addition that the noise of customers convening around the premises would also cause noise and affect residents.

4.3 The fact that the applicant had not proposed any measures to control noise from the sources noted; as part of the application was emphasized and that this was the basis of the objection.

4.4 The officer also noted that enquiries had been made with the Planning Service regarding the Planning status of the property. Confirmation was received later on that a change of use application had not been presented for the property; and that the Planning service was considering enforcement action.

4.5 In a recent correspondence with the applicant's lawyer; specific questions have been answered in terms of the air extraction system. The correspondence can be seen in the appendix to this report as well as pictures of the ventilation system. It should be noted that the lawyer had declared the applicant's willingness to cooperate with the Public Protection Officer including additional measures to those in the application in relation to the licensing objective of preventing public nuisance
Full details of the correspondence received in relation to the responses can be seen in the report's appendix.

5 RECOMMENDATION

In accordance with the requirements of the Licensing Act 2003, it is recommended that the Committee approve the application subject to -

- a) Complying with the requirements of the Police**
- b) Agreement by the applicant to comply with the nuisance control measures recommended by the Public Protection unit**
- c) Receipt of Planning permission for a change of use and permission to operate under any planning conditions regarding opening times.**