
CENTRAL LICENSING SUB-COMMITTEE

25 September 2023

Present:

Councillors: Elfed Williams (Chair), Gwynfor Owen and Angela Russell

Officers: Siôn Huws (Solicitor), Gwenan Mai Roberts (Licensing Manager) and Lowri Haf Evans (Democracy Services Officer)

1. APOLOGIES

Councillor John Brynmor Hughes (Local Member) as he was a Member of Abersoch Golf Club

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. PREMISES LICENCE APPLICATION:

Abersoch Golf Club, Golf Road, Abersoch, LL53 7EY

Others invited:

Mr Michael Murphy (Applicant)

Amlyn Williams - Member of Abersoch Golf Club

Mared Llwyd (Public Protection Team Leader (Pollution Control and Licensing))

Elizabeth Williams (Licensing Officer, North Wales Police)

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 Abersoch Golf Club, Golf Road, Abersoch which is a club for members mainly - including a bar, restaurant and patio area. It was reported that the application was one to change from a Club certificate to a premises licence, with most of the licensed activities remaining the same.

It was explained that the applicant was requesting the right to hold licensed events inside and outside the property. It was highlighted that there is a right to sell alcohol 24 hours a day every day on the current club certificate, and on the premises licence application. Although there is no general increase in the hours of licensable activities, the applicant requests the right to hold licensable activities later than the current licence, but not open until lunchtime.

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.

Attention was drawn to the responses received during the consultation period. It was noted that neither North Wales Police nor the Fire and Rescue Service had any objections to the application, but that observations were received from the Public Protection Service based on the hours requested, with the intention of opening the club to the public and holding licensed activities inside and outside the property. It was considered that the hours requested could undermine the licensing objective of preventing public nuisance.

It was reported, on 28 July 2023, that a meeting was held between the applicant and the Public Protection Service and they agreed on the following compromise.

- Any events held on site will be managed by the club committee.
- After 02:00, the property will be open to golf club members only
- All doors and windows at the property shall be kept closed during regulated entertainment, except for immediate entry and exit.
- No live/amplified music shall be allowed to be played outside the premises after 23:00.
- No noise or vibration shall emanate from the premises that would cause a nuisance.
- The disposal of waste bottles or cans into containers outside of the licensed building is prohibited between 22:00 – 08:00. Empty bottles shall be stored in a lidded skip/bin within the curtilage of the premises.

As a result, the Licensing Authority had recommended approving the application subject to the agreed compromise with the applicant.

- 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 representative to ask questions to the Council's representative.
 - The applicant and / or his representative were invited to expand on the application and to call witnesses
 - Members of the Sub-committee were 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 to the applicant or his representative
 - Every Consultee was invited to support any written representations.
 - The Council's representative and the applicant or his representative were given the opportunity to summarise their case.
- c) Elaborating on the application, the applicant noted:
- An outdoor event would be an exception - there is not enough space for this
 - There will be management on the final hours, if they are used
 - Every attempt will be made to prevent noise from carrying
 - That the club is managed as a club and adhere to the club's rules
 - They saw an opportunity to open the door to visitors to try and encourage more attendees

In response to a question regarding CCTV provision, the applicant noted that there was 24-hour CCTV provision around the property. The Licensing Manager added that CCTV

conditions weren't mandatory for every property and that there was no evidence to justify placing a CCTV condition on this licence.

- ch) The consultee in attendance took the opportunity to expand on the observations that they had submitted in written form.

Mared Llwyd (Public Protection Team Leader)

- That discussions had been held with the applicant which had stated that there was no intention to supply alcohol 24/7 - only for special events e.g., international matches
- That the applicant accepted the condition that live music will not be played outside after 23:00
- That closing windows to reduce noise from carrying was a general condition
- Happy with the applicant's willingness to compromise

Elizabeth Williams (Licensing Officer, North Wales Police)

- That discussions had been held with the club due to the concern about the intention to open to the public. Following a discussion and confirmation from the club that it will not be open to the public after 02:00, the recommendation was supported.

- d) Taking advantage of the right to summarise their case, the applicant noted
- that discussions had been held with all agencies and that everyone was now in agreement
 - That arrangements were in place to ensure good management of the situation and to mitigate concerns
 - They did not foresee problems

- dd) All parties were thanked for making representations on the application.

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 along with written observations submitted by interested parties, the Licensing Officer's report, and the verbal representations from each party at the hearing. The Council's Licensing Policy and Home Office guidelines were considered. The Sub-committee gave due consideration to all the representations 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

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

RESOLVED: In accordance with the requirements of the Licensing Act 2003, the application was approved subject to the compromise made with the applicant:

Particular consideration was given to the following.

In the context of **Preventing Crime and Disorder** the Police did not have evidence of crime and disorder as grounds to justify objecting to the application.

In the context of **Public Safety** no evidence relevant to this principle was presented, despite this, the Sub-committee welcomed that the events would be supervised and that door supervisors would be appointed to manage the site in a suitable way.

In the context of **Preventing Public Nuisance**, observations were submitted on the application from the Public Protection Service as they were concerned about the hours requested, with the intention of opening the club to the public and holding licensed activities inside and outside the property. The Sub-committee welcomed the discussions held with the applicant and the agreed compromise. The Sub-committee had also considered that no objection was received from the Fire Service as well as no objection to the application from local residents.

In the context of **Protecting Children from Harm**, no 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. He 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 11.00 and concluded at 11.40