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# CENTRAL LICENSING SUB-COMMITTEE

## 10<sup>th</sup> June 2024

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**Attendance:**

**Councillors:** Elfed Williams (Chair), Annwen Hughes and Edgar Owen

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

**1. APOLOGIES**

Apologies were received from Moira Duell Parri (Environmental Health Officer)

**2. DECLARATION OF PERSONAL INTEREST**

None to note

**3. URGENT ITEMS**

None to note

**4. PREMISES LICENCE APPLICATION:**

**The Vaults, 334 High Street, Bangor LL57 1YA**

**Others invited:**

- Mr James Chinery (the applicant)
- Lis Williams (North Wales Police)

The Chair welcomed everyone to the meeting. It was highlighted that observations about the application had been published in the press and that those observations were premature considering that the application had not been before the Sub-committee.

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

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for The Vaults, 334 High Street, Bangor pub and restaurant. The application was submitted in relation to live music and recorded music indoors, late-night refreshment on and off the premises and the supply of alcohol on the property.

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 received during the consultation period. It was noted that North Wales Police had no objection to the application, but they had presented

conditions and observations regarding the principles of Preventing Public Nuisance and Public Safety. Although supporting a new business enterprise in Bangor, attention was drawn to the need to ensure consultation with nearby residents of the property and that the area under question was a busy area at night. It was suggested that opening another venue in this area would increase the number of visitors and as a result would increase the risk of trouble / serious injury / death. Observations were also submitted by the Environmental Health Service who were concerned about the impact of the noise from the premises on nearby residents, and about the lack of information relating to a plan on the use of outdoor facilities.

The Licensing Authority recommended that the Committee considered the Police's observations and conditions, alongside the Environmental Health Service's additional conditions as agreed with the applicant, and approve the application 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 representative to ask questions to 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 to 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.
- c) Elaborating on the application, the applicant noted:
- That the pub was one of Bangor's old pubs - over 150 years old.
  - The intention was to provide a pub/restaurant for mature people - the enterprise was not targeted for students/young people.
  - Food and live entertainment would be provided alongside late-night refreshment on and off the premises (this would avoid more people gathering outside the kebab shop).
  - That he accepted North Wales Police Inspector's observations about the busy nature of the area - he did not foresee that his customers would cause trouble.
  - His wish was to give something back to the Bangor community.
- d) In response to a question regarding CCTV and the assurance that the system would be effective to collect data, the Licensing Manager noted that the applicant had completed a detailed active schedule detailing the use of CCTV. He had also agreed with the Police's CCTV conditions.
- e) The consultee in attendance took the opportunity to expand on the observations that were submitted in written form by them. Attention was drawn to the observations submitted by the consultee who was not in attendance.

**Lis Williams (North Wales Police)**

- A beneficial meeting was held with the applicant to discuss the application.
- The applicant was very willing to collaborate and had agreed with the Police's conditions.

- The Inspector, due to the busy nature of this area of Bangor in the evening, had highlighted concerns and drawn attention to potential problems that could arise from the increase in the area's visitors.
  - It was accepted that late-night refreshments would be served from the premises - this would reduce the number that would gather outside the premises of a nearby late-refreshment premises.
  - She was happy with the application subject to reducing the hours for the sale of alcohol and the inclusion of proposed conditions on the licence.
- f) In the absence of the Environmental Health Officer, the Licensing Manager confirmed that Environmental Health had no objection to the application following an agreement by the applicant to the observations and the conditions that were proposed regarding noise management.
- g) The applicant had no further observations.
- h) Tacking advantage of the right to summarise her case, the Licensing Manager noted that she was happy with the applicant's willingness to collaborate and adapt the application.

Everyone was thanked for their observations.

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 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 presented, subject to amending the hours of selling alcohol.**

**Supply of Alcohol Amended Hours - On the premises only**

**10:00 – 00:00 Sunday to Thursday**

**10:00 – 02:00 Friday to Saturday**

**Conditions:**

- **Non-standard times will remain as they are on Bank Holiday weekends, with additional permission to allow up to ten events every year (Sunday to Thursday) where the premises can operate until 02:00 with the knowledge and agreement of the Local Authority and the Police beforehand.**
- **Include proposed CCTV conditions.**
- **Employ door staff who are registered with the SIA from 21:00 onwards at times where the premises is open for business later than 23:00 (Friday and Saturday nights).**
- **The licence holder to undertake a risk assessment to see whether Door**

**Supervisors are needed and to employ Door Supervisors who are registered with the SIA if needed.**

- **Include measures for the purpose of noise management.**
- **Include the additional measures submitted in part M of the application, as conditions on the licence.**

Consideration was given to the following.

In the context of **Preventing Crime and Disorder** the Police had no objection to the application, but they proposed conditions to the applicant. The police's representative confirmed at the hearing that the applicant had agreed to those conditions. It was also explained that the Inspector's observations did not specifically involve the premises or the application in question but it was felt that the information should be submitted to the Sub-committee. No further evidence had been submitted that related to this principle.

In the context of **Public Safety**, no evidence had been submitted highlighting that there were problems relating to this principle with the premises.

In the context of **Preventing Public Nuisance**, and because of the concerns raised by the Environmental Health Officer, the applicant agreed in writing to include additional measures in the operating schedule for noise management purposes. As a result, the officer's objection was withdrawn.

In the context of **Protecting Children from Harm**, no evidence had been submitted that related to this principle. The application also included an explanation of the measures to ensure that alcohol would not be sold to those underage, and the licence would include conditions to this end.

Under the circumstances, the Sub-committee was satisfied that the application was in keeping with the four licensing objectives, and therefore the application was approved. On a general note, it was explained that the Sub-committee was making its decision based on evidence and that the legislation provided a review procedure where a request could be made for the authority to review any aspect of the licence if necessary.

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 10:30 and concluded at 11:15