
CENTRAL LICENSING SUB-COMMITTEE

6 September 2024

Present:

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

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

1. APOLOGIES

See below

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. APPLICATION TO VARY A PREMISES LICENCE: Gwesty Dolbadarn, High Street, Llanberis

- Sarah Hopwood Representing the Applicant
- Arwel Huw Thomas Cyngor Gwynedd Planning Service
- Louise Woodfine Public Health
- Moira Duell Pari Environmental Health, Cyngor Gwynedd
- Elizabeth Williams North Wales Police

Apologies were received from residents who had submitted observations - Lesley Wilson, Adrian Roberts, Dylan Davies and Dylan Wyn Jones.

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 to vary a premises licence for Gwesty Dolbadarn, High Street, Llanberis. The application was submitted to vary the premises licence to include the sale of alcohol from the garden outside the hotel, separated by an entrance junction.

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.

She drew attention to the responses that had been received during the consultation period.

- A number of nearby residents objected to the application and highlighted concerns regarding several cases of public order offences that had recently occurred in the area; concerns regarding the lack of CCTV provision and poor lighting that was likely to increase the likelihood of criminal activity and disorder with an extension; concerns regarding the welfare of people staying in the Hotel with alcohol dependency issues, as the availability of alcohol at the premises would increase temptation.
- The Planning Service objected the application as there was insufficient information regarding whether the unit was mobile or not; with the unit situated on the site for a number of months perhaps planning permission would be required; concerns regarding the proposed location of the unit, as the plan indicated that the location was beyond the public house's curtilage.
- The Public Health Service, Betsi Cadwaladr University Health Board had submitted observations to oppose in the context of the licensing aims to protect children from harm and public safety and the risks associated with the sale of alcohol close to a property that provided temporary accommodation to homeless persons.
- Public Protection (Pollution Control) objected on the grounds of insufficient measures to control public nuisance with complaints being received regarding cooking odours.
- North Wales Police did not object the application; however, they required amendments to the present licence conditions as there was room for improvement as some conditions had dated and/or had been duplicated according to the law or were inevitable.

The Officer recommended that the Sub-committee carefully considered all the objections received, prior to coming to a decision based on the opinion that the applicant could comply with the licensing objectives or otherwise, and the 2003 Licensing Act.

- 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/her representative
 - At the Chair's discretion, the Council's representative to ask questions to 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 representative to be given the opportunity to summarise their case.
- c) In response to questions from the sub-committee,
- regarding toilets on the site, it was noted that there were no permanent toilets with the premises as Gwesty Dolbadarn was not open to the public as it was being used to provide temporary accommodation for homeless persons. It was added that the application was uncommon - a licensed hotel that had not registered.
 - with 'Pubwatch', it was noted that the Hotel was not open to the public and the owner did not attend meetings, but the designated responsible person would commit to attending meetings.

- regarding the site, it was noted that the intention was to locate a food caravan in the beer garden that had been operating there occasionally over the last few months under TENS arrangements.
- why had the Officers not made a definite recommendation, it was noted that the application was unique and the Sub-committee had the freedom to make its own decision given the nature and the grounds and evidence submitted.

ch) Elaborating on the application, Sarah Hopwood, the applicant's representative and the owner of the food caravan, stated:

- That the application would control the beer garden better as the area was currently used as a public area - it was not a safe area, and no one adhered to the licensing objectives.
- Although she sold food and offered a place for customers to sit in the garden of Gwesty Dolbadarn, the public could buy alcohol from a nearby shop or pub and drink this in the garden - this was not suitable for her business with glass and waste being left on the floor.
- The proposal was family friendly with tables set out in the garden - open until 20:00. No alcohol would be served without food and groups would not have access
- She understood the concerns and welfare of nearby residents, but that the hotel residents were entitled to use the garden. Although it was a difficult situation, it was not her responsibility to say no, but she could refuse to serve alcohol to them. That the situation required better control.
- It was intended to make the area safe with better lighting, CCTV and toilets - should the application be approved, it would be possible to provide a mobile toilet unit.
- In response to noise concerns, that they had operated TENS for 21 days and that no issues had arisen. However, a noise control scheme had been drawn-up.
- The complaints about odours had been resolved with measures and site management had been implemented - no oil, no frying and the ventilation fan had been moved.
- Drinking water was available.

In response to questions from the sub-committee, it was noted:

- regarding the concerns about 'poor lighting' and 'dark places' and if CCTV was sufficient to protect public safety, customers and staff, it was noted that it was intended to improve the lighting and introduce more lights - however, it was proposed to open the business during the summer when there would be natural lighting in the evening. It was added that three CCTV cameras kept an eye on the area with a camera on the food trailer, the serving bar and in the seating area.
- regarding how it would be possible to prevent the public from using the garden, it was noted that currently some did purchase food from the caravan and alcohol from a nearby shop or pub. Should the application be approved, it must be stated that the area was licensed and that it was not possible to drink alcohol from another premises in the garden.
- regarding the number of tables, it was noted that there was room for approximately 20 people to sit by the tables and there was no intention to add more tables.
- regarding how the owner of the Hotel would keep an eye on how the licence was administered (bearing in mind that the owner did not live locally), it was noted that a designated officer would be appointed for the site and she, as the manager of the food business had agreed to this.
- Regarding the lack of control and limiting customers to 6 units of alcohol, it would be possible to control form where the alcohol came and what was consumed - alcohol would only be served with food. In response to a supplementary question

that this could place additional pressure on staff in the food caravan, it was noted that there was a sufficient team for the work with three serving food, one to serve alcohol and one security officer at busy times.

- d) The consultee in attendance took the opportunity to expand on the observations that were submitted in written form by them.

Arwel Huw Thomas (Cyngor Gwynedd Planning Service)

- That there were initial concerns with the application for a licence - a site plan had been submitted only indicating an outline of the site boundary
- No information had been submitted indicating the exact location nor any information about the whole food unit.
- On the grounds of a lack of information submitted as part of the application, the Planning Service could not come to a conclusion when assessing the proposal against the Council's planning and enforcement policies.
- That Saint Padarn's Church, which was a listed building, was situated parallel to the south of the site - without information it was not possible to assess the proposal against planning policies that involved listed buildings within the LDP.
- Not enough information had been submitted to ensure that proposal was for a fully mobile unit or otherwise. On the grounds of a lack of information about the nature of the unit and its exact location, insufficient information had been submitted to determine if planning permission was required for the unit.
- On the grounds of insufficient information submitted, the Planning Service objected to the application for a licence.

Louise Woodfine (Public Health Wales)

- The proposal would increase accessibility to the site that already caused some issues.
- the homeless and other persons who resided in the hotel were vulnerable persons - providing alcohol would create a very challenging situation to those who had left hospital with complex mental health requirements and problems relating to alcohol and/or other substances.
- Homeless persons used alcohol as a coping mechanism; that the homeless population had more cases of health problems than the general population.
- Where a licensed premises was being used as temporary accommodation - this could lead to a rapid deterioration in mental condition leading to hospital admission.
- Concern regarding how preventing residents from buying alcohol would be managed
- There was concern regarding the proximity of the garden to the local school - 4 minutes' walk.
- They did not support the application.

Moira Duell Pari (Environmental Health, Cyngor Gwynedd)

- She accepted the need to expand the business, but it was a historical site for anti-social behaviour.
- Drinking water - confirmation was required whether it would be served from a pipe or a bottle?
- There were toilets inside the hotel!
- Noise scheme - an e-mail had been received, however, more information was required.
- More information was required about the PIR lighting when they were not in use
- Was this an application for a licence over the summer only or throughout the year - details were needed

Elizabeth Williams (North Wales Police)

- It was necessary to ensure that drinking water was available
- The site was part of the public house and therefore the right to refuse already existed.

Everyone was thanked for their observations

- dd) Taking advantage of the right to conclude her case, the Licensing Manager noted:
- That her concerns remained - insufficient control measures had been submitted
 - Although there were sufficient staff - there were several aspects to be controlled

Taking advantage of the right to conclude her case, the applicant's representative noted:

- That the caravan was mobile and used for events - if planning permission was required then it was possible to submit an application
- It would be possible to control the site well as a licence holder
- Too much alcohol would not be served
- They would operate in accordance with the licensing objectives - would keep the area safe.

- e) 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 refuse the application

Reason: Insufficient regulation measures to comply with the licensing objectives

Particular consideration was given to the following.

That nearby residents had objected the application by referring to anti-social behaviour issues that included the hotel's residents convening to drink. Reference was also made to the fact that the Police and the Ambulance Service were often called to the hotel and expressing concern that granting the licence would offer further temptation to the residents and would make the situation worse. However, the Sub-committee considered that the Police did not object to the application, but recommended CCTV conditions to the licence as a means of preventing the person(s) who insist on behaving in an anti-social manner and cause problems.

The Health Board's Public Health Service had objected the application on the grounds of the licensing objectives of public safety and the protection of children from harm. Their concerns were attributable to this specific premises due to the use made of the hotel

building to accommodate homeless persons including persons discharged from Uned Hergest in Bangor. In their opinion providing alcohol would create a very challenging situation to those who left hospital with complex mental health requirements and problems relating to alcohol and/or other substances. Without a filtering process for the most vulnerable persons this could lead to an increase in harm while they were at the site, but this would be very difficult at the moment due to the level of need. The Sub-committee was of the opinion that these comments were significant. In terms of the concerns raised regarding the proximity of the premises to a school, the sub-committee did not believe that there was sufficient evidence to support this argument.

The Public Protection Service, Pollution Control submitted comments objecting on the grounds of insufficient measures to control public nuisance. Complaints had been received regarding cooking odours and they had not responded to the concerns by the hearing date. They also had concerns regarding toilet provision and drinking water as the hotel's facilities were not open to the public. More information was required about the type of lighting to be used on the site and that a noise management scheme was required to get to grips with any noise from customers. The Applicant explained that measures would be taken to prevent the odours from impeding neighbours including cooking off the site. It was explained that portable toilets would be used on the site. The Applicant admitted that people left litter including glasses on the site and getting a licence would be a means to control this.

The sub-committee understood the reasoning behind the application i.e. briefly, that getting a licence to sell alcohol on the site would be a means to prevent people from bringing alcohol from other places, as was currently the case, and to control the type of alcohol that would be consumed there. However, it had to be borne in mind that the site was in private ownership and as the owner and licence holder the Applicant had a responsibility to manage the site responsibly and could already take measures to get to grips with problems if she so wished.

Evidence demonstrated to the Sub-committee that the applicant did not currently do this and this caused them concern. The applicant's representative also noted that the business would only operate from the garden for specific hours and times of the year and therefore she could not get to grips with the problems outside those hours. In addition, it was noted that the food caravan had already been operating on the site and supplying alcohol under the TENS arrangements.

The Sub-Committee considered the practicality of keeping the site under control as the Applicant intended while the caravan was in operation. The Sub-committee had not been persuaded that it would be possible to sufficiently manage the site taking into consideration the open and public nature of the site and the number of staff who would be present at any time. Neither would it be practical for staff to be able to identify all the hotel's temporary residents to differentiate them from other customers and to refuse serving them. It was evident to the Sub-committee from what everyone, including the Applicant had said, that issues already existed on the site.

Overall, the application intended to get to grips with these issues by getting a licence for the sale of alcohol with food in the garden from the caravan. However, the Sub-committee had not been persuaded that this would be sufficient in itself to control all the issues and that it was not practical to implement the control measures proposed. The specific use made of the hotel and the vulnerable nature of the residents meant that this could exacerbate the situation. The sub-committee therefore resolved to refuse the application.

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.

5: Premises Licence Application Becws Melyn, 41b, High Street, Llanberis

- Sarah Hopwood Applicant
- Heather Jones Llanberis Community Council
- Arwel Huw Thomas Cyngor Gwynedd Planning Service
- Moira Duell Pari Environmental Health, Cyngor Gwynedd

Apologies were received from Jen Owen (a local resident who had submitted observations) and Elizabeth Williams (Licensing Officer, North Wales Police who had lost connection due to technical issues.

- a) Submitted – the report of the Licensing Manager giving details of the application to vary the premises licence of Becws Melyn, 41 B High Street, Llanberis. It was explained that Becws Melyn operated as a restaurant and small bar, with drinks served with food. The applicant was of the view that an extension to the opening time would be beneficial, and that the business had been licensed for a year and had been successfully managed over the summer without any issues. Alcohol sales were limited and therefore there was no potential for noise or unruly behaviour.

Permission was sought to extend the sale of alcohol to commence at 09:00am instead of 12pm, and to extend the opening hours from 22:00 at night to 00:00 on Thursday, Friday, Saturday and Sunday nights. Permission was also sought to extend the hours of live and recorded music on Thursday, Friday, Saturday and Sunday nights until 00:00.

It was highlighted that the application's consultation period was extended to 13 August because it had not been advertised correctly, but it was confirmed that the Licensing Authority was satisfied that the application was advertised in line with the requirements of the Licensing Act 2003 and the relevant regulations and was therefore valid.

She drew attention to the responses that had been received during the consultation period.

- Llanberis Community Council objected the application as noise complaints had been received following one of the evenings held at the premises. It was also noted that noise carried when the front doors of the restaurant were open.
- The Planning Service highlighted that an amended Planning consent permitted the premises to be open between 8:00 and 23:30, but the application to vary the licence went beyond those hours on four nights. It was also noted that the enforcement service had received complaints about noise.
- Nearby residents objected and they had highlighted their concerns, mainly in relation to the licensing objective of preventing public nuisance, prevention of crime and disorder and a lack of confidence in the business owner's ability to control noise and anti-social behaviour at the premises.
- The Public Protection Service had received complaints about noise disruption and the business was not adhering to the hours on the Planning consent. Highlighting a concern that insufficient information had been received from the applicant historically or presently on how they intended to operate to ensure that management measures and actions were in place to ensure that the licensing objectives were realised.

- Although North Wales Police did not oppose the application as the proposed hours were no later than other licensed premises in the area, a comment was received that the Police had received a report regarding a music noise complaint following an incident in the premises on 31/5/24 that went on until the early hours of the morning; and disruption as people were standing outside the premises drinking.

The Licensing Authority recommended that the Sub-committee should consider the evidence of a lack of control seen at the premises to date and refuse the application.

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/her representative
- At the Chair's discretion, the Council's representative to ask questions to 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.

c) Elaborating on the application, the applicant noted:

- That the restaurant was small and sold tapas in the evening - used Welsh produce served with a drink - it was a comfortable area with a warm atmosphere
- The business was approximately 90% restaurant and 10% evening activities
- That closing at 22:00 appeared to be early and it was a shame to have to close with customers wanting to stay - therefore there was an application to consider an extension up to 22:30.
- That other eating places in the village were open until 23:00.
- She apologised for the noise from the party held at the end of May 2024. Following hard work and the success of the business there was an opportunity to celebrate with the local community. It was one incident and there had been no trouble since then. She was not aware that complaints had been submitted. There had been a private party for staff from 22:00 onwards on the night with approximately 15 people - this had been a mistake and should not have happened.
- She was unaware of other noise complaints until a letter had been received from the Council. A meeting was held to discuss noise mitigation measures, but food and planning issues were discussed and no details about noise complaints had been received. Again, she was unaware of the complaints of customers in the patio area - again she apologised for this
- Since the first day, the business had been advertised as a restaurant/bar.
- That events held in the premises included food evenings, Welsh language groups, antenatal classes etc.
- The owner felt frustrated that the issues / noise complaints could not be discussed with neighbours - it was possible to mitigate noise and reduce the impact. The situation could be resolved with key issues
- Noise measuring equipment was available and ready to share noise levels with the Licensing Service
- She did not want to create noise problems for neighbours
- She wished that the concerns had been shared with her

In response to the observations, the owner was thanked for her honest admission of not being aware of the noise concerns and for apologising, however, it was considered that the restaurant, during the day was a positive attraction but was a noisy bar at night. Therefore, how would she control the situation?

The applicant noted that her nearest neighbours had submitted complaints but she was not aware of those complaints. Should the information have been shared with her she would have responded by closing the doors, closing the windows and clearing the patio area. She would have wished to have an open discussion to resolve the issues / concerns. She added that customers from the social club tended to create noise when they came up from the club to the high street, and this was more or less opposite the restaurant / bar. She would not permit access to those customers.

In response to a question regarding how many staff worked in the restaurant / bar and a description of the premises, the applicant noted that the restaurant / bar would be open throughout the year and received support from local people. It was explained that there was a small room upstairs where up to eight people could sit. There were no beer taps in the bar. If she had to close the restaurant / bar at night then the business would not succeed.

In the context of access to the premises, it was noted that the ramp to the premises was used as a patio area, however it was possible to gain access for prams /wheelchairs via the back door of the premises that was on street level.

ch) The consultee in attendance took the opportunity to expand on the observations that had been submitted in writing by them.

Moira Duell Pari (Environmental Health, Cyngor Gwynedd)

A video was shared of some incidents that highlighted the noise from the premises (outside opening hours)

- That complaints had been received regarding the party held on 31-05-24. Although it was mainly a party for staff only, it had been announced on social media.
- That complaints involving licensing, planning and public protection had come to hand and a letter had been sent to the applicant on 06-06-24 drawing attention to the complaints. Although the applicant accepted the blame, she had not responded.
- A meeting had been arranged with the licence holder and the manager of the restaurant / bar where issues were discussed and information had been shared about people convening outside the premises and raising their voices. The response to this had been disappointing.
- Misuse of acoustic / amplified music - they had to behave responsibly and a robust management structure was required.
- As a business person, it was expected that consideration should be given to behaviour and responding responsibly.

Arwel Huw Thomas (Cyngor Gwynedd Planning Service)

- The Planning Service objected to the application. Planning consent permitted the premises to be open between 8:00 and 23:30 at night. Although the opening hours for the public (playing of live and recorded music and the sale of alcohol from Monday to Wednesday) in accordance with the opening restrictions for the premises, extending the hours to midnight between Thursday and Sunday was contrary to the restriction. Permitting the licence to be amended would be contrary to the planning permission that already exists for the premises.

- The Planning Enforcement Unit had received complaints about unacceptable noise levels emanating from the premises in the past, and it was considered that permitting the licence hours would only further highlight this. A complaint had been submitted highlighting that loud music had been played during the early hours of the morning on 1 June 2024.
- These observations were material Planning considerations and proposals are refused if they have a significant detrimental impact on the amenities of local residents.
- Should the hours be extended it would be necessary to re-assess via the Planning procedures and against the Council's Planning policies that would be subject to a new planning application.

Heather Jones (Llanberis Community Council)

- That noise complaints had been received in the area of the premises
- They objected on the grounds of a lack of compliance (31-05-24 incident)
- Although they encouraged businesses on the high street and welcomed the restaurant and its use for community events they had to ensure a balance - too much noise emanated from the premises at night
- It was accepted that noise also came from the social club, but was worried about the impact of noise on residents living between Becws Melyn and the Social Club.

Everyone was thanked for their observations.

Taking advantage of the right to conclude her case, the Licensing Manager noted:

- She welcomed a new, successful business but was not convinced that there was effective management of the site.

Taking advantage of the right to conclude her case, the applicant noted:

- That she was ready to show that she could manage the premises well and respond to the Planning observations
- A request for the Members to consider an additional half hour - up to 22:30.

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, the written observations submitted by the interested parties, the Licensing Officer's report together with the verbal comments of every 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 REFUSE

Reason: Insufficient regulation measures to comply with the licensing objectives

Particular consideration was given to the following.

The comments and objections received related to the licensing objective of **Prevention of Public Nuisance**. No objection was submitted from the Police as the proposed hours were no later than other licensed premises in the area. Nevertheless, it was explained that they received a music noise complaint following an event at the premises on 31/5/24, which went on until the early hours of the morning; and disturbance because people were standing drinking outside the premises. The Public Protection Service explained that the premises was in a noise-sensitive location, and that the hours restriction on the Planning consent had been set as the Local Planning Authority considered that noise nuisance and disturbance needed to be controlled.

Complaints had been received following a party to celebrate the business's birthday on 31/05/24 as well as noise complaints for other nights in 2023 and 2024. Videos taken as evidence by nearby residents were shown. In presenting their comments, the Planning Service also noted that they had also received complaints about noise. The Service explained that a meeting had been held with the Applicant on 07/08/24 to discuss noise control, but they did not feel that their concerns had received the attention expected and that the Applicant had not taken ownership of the issue. Nevertheless, they also felt that the Applicant should have realised that there were issues with the premises and they had written to her. They believed that the applicant had not provided sufficient information historically or with the current application on how they intended to set management measures and actions to ensure that the licensing objectives were realised.

The sub-committee considered the Applicant's comments including the explanation that she was not aware that there were so many complaints made and she believed that only one event on 31/05/24 was the issue. However, they were of the view that better control should be kept at the premises especially given that the premises was in a noise-sensitive area. The Sub-committee appreciated that the Applicant had admitted that she was wrong and apologised for the incidents; and she acknowledged that there was a need to improve the management of the premises. They also appreciated that she had offered in the hearing to take noise control measures by e.g., reducing the hours, ensure that the door as closed and have a noise meter to ensure that the noise did not reach unacceptable levels. However, these conditions and amendments had not been included in the application and neither had they been submitted and discussed with officers prior to the hearing.

In such a case, where there were many concerns expressed, the Sub-committee needed observations from the professional officers after they had been given an opportunity to evaluate them thoroughly and discuss them further with the applicant, if necessary. It was also noted that the Applicant had not reported on the levels measured by her noise meter and this reinforced the impression that sufficient attention had not been given to the matter. It was not possible for the Sub-committee to satisfy itself that what was being proposed was sufficient to get to grips with the concerns regarding the application.

There was clear evidence of noise issues from the premises and the Sub-committee was not satisfied that the Applicant was currently taking sufficient action to control the problem. The Sub-committee would need to be satisfied that any variations to the existing licence would be reasonable in terms of the proposed hours and that there were suitable and sufficient conditions implemented to address the noise issue. For these reasons, the Sub-committee could not approve the application either on the grounds of the hours submitted in the application or a reduction in the additional hours proposed by the applicant in the hearing.

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 10:00 and concluded at 15:00.