

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	2/12/24
TITLE:	APPLICATION FOR PREMISES LICENCE – City Sports & Cocktail Bar Ltd, 20/21 Menai Centre, Bangor, Gwynedd LL57 1DN
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT

1 APPLICATION RECEIVED

- 1.1 An application is appended for a premises licence for City Sports & Cocktail Bar Ltd, 20/21 Menai Centre, Bangor, Gwynedd LL57 1DN. The company is seeking a premises licence for a Ground Floor Sports Bar including multiple TV Screens, Pool Tables, Interactive Dart Boards & Gaming Machines. Second Floor Cocktail & Spirits Bar including VIP seating & socialising areas, Photo Booths and Dance area.
- 1.2 The application is made in relation to Plays indoors and outdoors, Films indoors, Indoor Sporting Events, Boxing and Wrestling Entertainment both indoors and outdoors, Live music indoors and outdoors, Recorded music Indoors and Outdoors, Performance of Dance Indoors, Late Night Refreshments Indoors and Outdoors and Supply of Alcohol Both On and Off the Premises.
- 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.

See the table below for details of the proposed hours of licensable activities:

Opening Hours:

Dydd Sul/Sunday	11:00	-	02:00
Dydd Llun/Monday	11:00	-	02:00
Dydd Mawrth/Tuesday	11:00	-	02:00
Dydd Mercher/Wednesday	11:00	-	03:00
Dydd Iau/Thursday	11:00	-	03:00
Dydd Gwener/Friday	11:00	-	04:00
Dydd Sadwrn/Saturday	11:00	-	04:00

Licensable Activities:

Plays: Indoors and Outdoors

Dydd Sul/Sunday	11:00	-	02:00
Dydd Llun/Monday	11:00	-	02:00
Dydd Mawrth/Tuesday	11:00	-	02:00
Dydd Mercher/Wednesday	11:00	-	03:00
Dydd Iau/Thursday	11:00	-	03:00
Dydd Gwener/Friday	11:00	-	04:00
Dydd Sadwrn/Saturday	11:00	-	04:00

Films: Indoors

Dydd Sul/Sunday	11:00	-	02:00
Dydd Llun/Monday	11:00	-	02:00
Dydd Mawrth/Tuesday	11:00	-	02:00
Dydd Mercher/Wednesday	11:00	-	03:00
Dydd Iau/Thursday	11:00	-	03:00
Dydd Gwener/Friday	11:00	-	04:00
Dydd Sadwrn/Saturday	11:00	-	04:00

Indoor Sporting Events:

Sunday	11:00	-	02:00
Monday	11:00	-	02:00
Tuesday	11:00	-	02:00
Wednesday	11:00	-	03:00
Thursday	11:00	-	03:00
Friday	11:00	-	04:00
Saturday	11:00	-	04:00

Boxing or Wrestling Entertainment: Indoors and Outdoors

Sunday	11:00	-	02:00
Monday	11:00	-	02:00
Tuesday	11:00	-	02:00
Wednesday	11:00	-	03:00
Thursday	11:00	-	03:00
Friday	11:00	-	04:00
Saturday	11:00	-	04:00

Cerddoriaeth Fyw/Live Music: Dan do ac Awyr Agored :: Indoors and Outdoors

Sunday	11:00	-	02:00
Monday	11:00	-	02:00
Tuesday	11:00	-	02:00
Wednesday	11:00	-	03:00
Thursday	11:00	-	03:00
Friday	11:00	-	04:00
Saturday	11:00	-	04:00

No Live Music to be played outside after 9pm.

Recorded Music: Indoors and Outdoors

Sunday	11:00	-	02:00
Monday	11:00	-	02:00
Tuesday	11:00	-	02:00
Wednesday	11:00	-	03:00
Thursday	11:00	-	03:00
Friday	11:00	-	04:00
Saturday	11:00	-	04:00

No recorded music to be played outside after 9pm.

Performance of Dance: Indoors

Sunday	11:00	-	02:00
Monday	11:00	-	02:00
Tuesday	11:00	-	02:00
Wednesday	11:00	-	03:00
Thursday	11:00	-	03:00
Friday	11:00	-	04:00
Saturday	11:00	-	04:00

Late Night Refreshments: Indoors and Outdoors

Sunday	23:00	-	02:00
Monday	23:00	-	02:00
Tuesday	23:00	-	02:00
Wednesday	23:00	-	03:00
Thursday	23:00	-	03:00
Friday	23:00	-	04:00
Saturday	23:00	-	04:00

Supply of Alcohol: Both on and off the Premises

Sunday	11:00	-	01:30
Monday	11:00	-	01:30
Tuesday	11:00	-	01:30
Wednesday	11:00	-	02:30
Thursday	11:00	-	02:30
Friday	11:00	-	03:30
Saturday	11:00	-	03:30

2. Gwynedd statement of Licensing Policy

2.1 The Policy states that:

When carrying out its functions under the Act the licensing authority must seek to promote, with equal importance, the four **licensing objectives** contained in the Act. The four objectives are:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**
- **The protection of children from harm**

The licensing objectives are paramount considerations to be taken into account by the licensing authority in determining an application made under the Act, and any conditions attached will be ones appropriate and proportionate to achieve the licensing objectives.

Within the context of promoting the four licensing objectives, the Licensing Authority expects applicants to propose licensing conditions to mitigate the impact their premise may have on the health and well-being of their customers, the neighbourhood and the wider community.

2.2

The Council will also have regard to wider considerations affecting the amenity of any area. These include littering and fouling, noise, street crime and the capacity of the county's infrastructure, resources and police resources to cope with the influx of visitors, particularly at night.

2.3

In respect of prevention of public nuisance, the Policy states that:

The licensing authority is committed to ensuring that the living and working amenity and environment of other persons living and working in the area of the licensed premises is not compromised.

When considering the potential impact of licensed premises on the surrounding locality, the licensing authority will consider

- the licensable activities applied for
- the hours of operation applied for

- the capacity of the premises
- the character of the area, and
- proximity to local residents.

The licensing authority will not impose conditions on licensed premises that the licence holder cannot directly control, or on matters not related to the immediate vicinity of the premises.

2. Measures recommended by the applicant to promote the licensing objectives

- The premises will be with high quality CCTV systems with the capability of storing footage for a minimum of 31 days and available upon reasonable request either by electronic storage device or uploading via Police link.
- All staff will undergo training on the challenge 25 procedure which we will adopt and be robust in implementing.
- SIA registered door staff will be deployed on Friday & Saturday nights and other nights required by management.
- At least one member of Front of house door staff to wear body camera along with at least one member of internal security and a manager also to have a body cam.
- The premises will be maintained to a high level of cleanliness & routine checks will be made to ensure safe & Hygienic conditions at the venue.
- Staff will be trained in ASK FOR ANGELA.
- To minimise public nuisance, we will ensure music levels are kept to appropriate volumes as defined by our acoustic noise assessment recommendations.
- A strict challenge 25 policy will be in place with all staff aware / undertaking training.

See Part M of application for full measures recommended by the application to promote the Licensing Objectives.

3. CONSULTATION

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

RESPONSES	REPRESENTATIONS
Public	Concerns and comments
Environmental Health	Concerns and proposed conditions
North Wales Police	Comments
Planning	Comments

3.1 Objection from a Member of the Public:

- 3.2 A member of the public has objected on the basis the premises is situated next to a barber shop on the street level with a flat upstairs currently a home to a family with two young children under 6 years old. Concerns are raised regarding the Live Music ie Live DJ set, Live bands and background music on both levels of the venue and how the business will address the noise pollution. Noise disturbances well into the night is a grave concern. Screaming and shouting outside a home is not conducive to children feeling safe. Rent Smart Wales's code of practice states that tenants have the right to peaceful enjoyment of their rental property. The objector has asked if the bar management have given careful consideration to arrangements for access to and egress from the venue – and have enquired whether there will be barriers to control patrons. It is noted that whether the patrons are accessing the venue from the right or left will have an impact on tenants living in the flats next to the building. Looking at the venue, front on, if access is from the right then this puts the queue by the large shop window and the front

door for the flat above. The possibility of locating a rigid barrier to be set up 2m away from the residential building should be considered to ensure that patrons (who will be under the influence of alcohol) aren't able to urinate or smoke in the corner by the flat front door and not to lean against the shop window. The objector is concerned that there will be an increase in antisocial behaviour, and that any altercations might cause damage to the shop. Questions are raised as to the positioning of security camera towards the corner residential property and the shop enabling the venue's security to deal with matters promptly.

See attached for full objection from the public.

3.3 Comments and concerns from Environmental Health

Environmental Health are concerned regarding the proposed hours and the request for external music until 21:00 and proposed outside seating area. The only external area to this site is the High street and public highway, the premises does not have an external area within its curtilage which would be licensable under the Licensing Act.

The company would have to apply for a licence from the Highway Service for placing of chairs and tables on the street. **The Environmental Health service does not support music being played externally due to the impact on nearby residents, and the residential property immediately next door on the High Street See attached map** from Environmental Health which identifies the location of the properties circled in black, and the premises is identified with a white circle. **Noise report which was submitted as part of the planning application states that there should be no external loudspeakers placed outside.**

A meeting was held onsite between the Environmental Health Officer and the applicant in relation to the planning application. The officer was informed that the late opening hours were for sporting events to be shown, that the site is not proposing to be a night club but would require recorded/live music to be played until early hours of the morning.

As live and recorded music appears to be a prominent feature in the application, it is therefore recommended that the hours for live/recorded music is reduced to between 00:00-01:00am, with background music only thereafter.

The application is currently going through the planning process and the Service does have concerns regarding the structure of the building to contain noise. The Service has requested further information regarding noise in relation to the air conditioning units, noise from customers and predicted noise levels at the nearby residential properties as part of the planning process.

A noise assessment was submitted with the planning application (referred to in section M, subsection d – prevention of public nuisance.) The assessment has recommended the installation of a noise limiting device and set it to the limits outlined in the report.

It is further recommended that the use of a noise limiting device be conditioned in the operating schedule in accordance with the recommendation of the noise report if the application for a property license is successful, as well as the noise conditions recommended by Environmental Health.

See attached for full representation and noise conditions

3.4 Comments from North Wales Police

- 3.5 Although North Wales Police support the application, they have expressed concerns regarding the safety of the public, after 4am the police have fewer resources. After consideration with the company, they suggested that they stop selling alcohol at 03:30am and close at 04:00am. The responsible authority would like assurance that the risk assessment considers the presence of adequate supervision in the area where there are hard objects, such as pool balls and cues, present. Matters related to traffic management were also raised.

See attached for full comments.

3.6 Comments from Planning Department

- 3.7 Whilst The planning department have not objected to the application, it has been noted that the premises currently has no planning permission in place, an application is currently pending but no decision has yet been made.

4 RECOMMENDATION

It is recommended that this Committee accepts and applies the reduced terminal hours for the sale of alcohol on weekends agreed between the Police and the applicants. It is further recommended that the concerns outlined in the representations made by the Public and Environmental Health are considered; and that the noise mitigation measures and conditions recommended are included in the Operating Schedule if the application is to be approved; in accordance with the Licensing Act 2003.