

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING SUB-COMMITTEE</b>
<b>DATE:</b>	<b>7 FEBRUARY 2025</b>
<b>TITLE:</b>	<b>APPLICATION TO VARY A PREMISES LICENCE – ST TUDWALS HOTEL, HIGH STREET, ABERSOCH, LL53 7DS</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF ENVIRONMENT DEPARTMENT</b>

**1. APPLICATION RECEIVED**

- 1.1 The attached is an application to vary a premises licence for the premises at St Tudwals, Abersoch, LL53 7DS. The property in the centre of Abersoch is a public house and hotel offering foods and drinks to its customers. This variation was submitted due to internal and external renovations to the premises, and to take advantage of the opportunity to review the contents of the licence.
- 1.2 The applicant seeks to vary the property licence to: Add changes to the interior and exterior of the property to the licence. It is also a request to add the licensable activity of showing films.
- 1.3 Licensing Authority officers 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 Observations 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:

<b>Current Premises Licence</b>	<b>Proposed Licence</b>
<b>Opening Hours</b>	
Sunday: 09:00 - 01:00	Sunday: 09:00 - 01:00
Monday: 09:00 – 01:00	Monday: 09:00 – 01:00
Tuesday: 09:00 – 01:00	Tuesday: 09:00 – 01:00
Wednesday: 09:00 – 01:00	Wednesday: 09:00 – 01:00
Thursday: 09:00 – 01:00	Thursday: 09:00 – 01:00
Friday: 09:00 – 01:30	Friday: 09:00 – 01:30
Saturday: 09:00 – 01:30	Saturday: 09:00 – 01:30

<b>Licensable Activities</b>	
<b>Supply of Alcohol: Both on and off the Premises</b>	<b>Supply of Alcohol: Both on and off the Premises</b>
Sunday: 10:00 - 00:00	Sunday: 10:00 - 00:00
Monday: 10:00 – 00:00	Monday: 10:00 – 00:00
Tuesday: 10:00 – 00:00	Tuesday: 10:00 – 00:00
Wednesday: 10:00 – 00:00	Wednesday: 10:00 – 00:00
Thursday: 10:00 – 00:00	Thursday: 10:00 – 00:00
Friday: 10:00 – 01:00	Friday: 10:00 – 01:00
Saturday: 10:00 – 01:00	Saturday: 10:00 – 01:00

	<p><b>Non-standard timings:</b>  Allow sales to residents 24 hours a day  To allow sales from 10:00 on 31 December until 00:00 on 1 January</p>
<p><b>Recorded Music: Indoors</b>  Sunday: 11:00 – 00:00  Monday: 11:00 – 00:00  Tuesday: 11:00 – 00:00  Wednesday: 11:00 – 00:00  Thursday: 11:00 – 00:00  Friday: 11:00 – 00:00  Saturday: 11:00 – 00:00</p>	<p><b>Recorded Music: Indoors</b>  Sunday: 11:00 – 00:00  Monday: 11:00 – 00:00  Tuesday: 11:00 – 00:00  Wednesday: 11:00 – 00:00  Thursday: 11:00 – 00:00  Friday: 11:00 – 00:00  Saturday: 11:00 – 00:00</p>
<p><b>Late Night Refreshments: Indoors</b>  Sunday: 23:00 - 00:00  Monday: 23:00 - 00:00  Tuesday: 23:00 - 00:00  Wednesday: 23:00 - 00:00  Thursday: 23:00 - 00:00  Friday: 23:00 - 00:00  Saturday: 23:00 - 00:00</p>	<p><b>Late Night Refreshments: Indoors</b>  Sunday: 23:00 - 00:00  Monday: 23:00 - 00:00  Tuesday: 23:00 - 00:00  Wednesday: 23:00 - 00:00  Thursday: 23:00 - 00:00  Friday: 23:00 - 00:00  Saturday: 23:00 - 00:00</p>
<p><b>Live Music: Indoors</b>  Sunday: 11:00 – 00:00  Monday: 11:00 – 00:00  Tuesday: 11:00 – 00:00  Wednesday: 11:00 – 00:00  Thursday: 11:00 – 00:00  Friday: 11:00 – 00:00  Saturday: 11:00 – 00:00</p>	<p><b>Live Music: Indoors</b>  Sunday: 11:00 – 00:00  Monday: 11:00 – 00:00  Tuesday: 11:00 – 00:00  Wednesday: 11:00 – 00:00  Thursday: 11:00 – 00:00  Friday: 11:00 – 00:00  Saturday: 11:00 – 00:00</p>
<p><b>Films: Indoors</b></p>	<p><b>Films: Indoors</b>  Sunday: 11:00 – 00:00  Monday: 11:00 – 00:00  Tuesday: 11:00 – 00:00  Wednesday: 11:00 – 00:00  Thursday: 11:00 – 00:00  Friday: 11:00 – 00:00  Saturday: 11:00 – 00:00</p>

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

The measures recommended by the applicant in the application's operating schedule in accordance with the original licence include the following -

- A sign placed at the exits asking customers to leave the property respectfully and quietly giving consideration to their neighbours.
- When live controlled entertainment is held after 22:00 the doors and windows are kept closed.

- A Challenge 25 policy in place.
- Any customer carrying opened or sealed bottles will not be allowed access to the premises at any time when the premises is open to the public.

Full details of the recommended measures can be found in section M of the application in the appendix, which includes the original licence.

### **3. CONSULTATION**

A consultation on the application was undertaken and the following responses were received -

<b>RESPONSES</b>	<b>OBSERVATIONS</b>
North Wales Police	Comments
Fire Service	No objection
Food Team, Public Protection	No objection
Pollution Control, Public Protection	Comments

#### **Police Comments**

- 3.1 There is no objection to the change in site layout or the addition of films to the licensable activities.
- 3.2 We accept the condition to allow children under the age of 16 to access and remain on the site after 22:00 o'clock when they are staying or eating at the hotel.
- 3.3 Under the licensing objective, "Protection of Children From Harm", we have concerns regarding allowing children under the age of 16 to enter the site or remain there after 22:00 on Christmas Eve and New Year's Eve (when they are not hotel residents). I would suggest that a busy bar on the busiest night of the year may not be a suitable place for young children.
- 3.4 We suggest that the applicant assesses the indoor and outdoor CCTV coverage when considering the change to the site layout.

#### **4 Observations from Pollution Control, Public Protection**

##### **4.1 Proposed Scheme/Licensed Area**

It is noted that the application proposes changes to the scheme and we make the following comments in relation to your proposed response, clarification or management to deliver the licensing objectives:

There is an explanation that the external bar area will be moved to the bin storage but this is not included in the existing plan provided and does not correspond to the original plan.

The area used as a car park is labelled as a beer garden, I am not aware of the planning status of this area but the application designates this as an area to be licensed, please explain how this area should be used for the licensing purposes as it significantly increases the outdoor area. In Part J of your application it is noted that this area will continue in use as a car park. This area, if licensed, would also benefit from the ability to hold live and recorded music under the provisions of the Live Music Act until 23:00

- 4.3 Conditions currently on the licence only relate to closing doors and windows during entertainment after 22:00pm, and do not provide sufficient control over noise generation and

noise propagation in the external environment for the proposed use in the variation. The site has previously been the subject of noise complaints, particularly during temporary events.

#### 4.4 Public Nuisance: Noise

Complaints regarding noise were raised and discussed with previous occupants of the Site. As the site is currently closed, there are no ongoing complaints/investigations. Complaints were previously received in relation to noise from events, loud music and voices. There are houses in close proximity, and during the milder summer nights are likely to be affected. Other residential properties in the surrounding area are likely to suffer noise nuisance as they are clearly different in character from the commercial hotel in their vicinity. Traffic noise or similar background noise is scarce, the area marked as a 'beer garden' is within metres of a residential property and no consideration is given to this matter within the application.

4.5 The variation increases the area, nature and potential capacity of the business, and consideration should be given in the application to the potential noise generated from disposing of waste/bottles late at night.

**In accordance with the Licensing Act 2003, and having considered the observations received, it is recommended that the Committee APPROVE the application provided the applicant agrees to the compromise suggested by the Public Protection Department officer and the Police.**