

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	06/09/2024
TITLE:	APPLICATION TO VARY A PREMISES LICENCE – DOLBADARN, STRYD FAWR, LLANBERIS, GWYNEDD LL55 4SU
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT

1. APPLICATION RECEIVED

1.1 An application is appended to Vary a premises licence for Dolbadarn Hotel, Stryd Fawr, Llanberis, Gwynedd LL55 4SU. The applicant Grant Kangley is seeking to Vary his premises licence to include the selling of alcohol from the outside garden area adjacent to the hotel and separated by an access junction.

1.2 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 from the **outside garden area** from April-October:

Opening Hours:

Sunday 12:00 – 22:00

Monday 12:00 – 22:00

Tuesday 12:00 – 22:00

Wednesday 12:00 – 22:00

Thursday 12:00 – 22:00

Friday 12:00 – 22:00

Saturday 12:00 – 22:00

Licensable Activities:

Supply of Alcohol – On the Premises:

Sunday 12:00 – 22:00

Monday 12:00 – 22:00

Tuesday 12:00 – 22:00

Wednesday 12:00 – 22:00

Thursday 12:00 – 22:00

Friday 12:00 – 22:00

Saturday 12:00 – 22:00

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

- Holding a Personal Licence to ensure alcohol sales is conducted professionally and act as designated premises supervisor.
- Maintaining a family friendly area; serving food for visitors and locals who enjoy delicious food and are not there to primarily drink.
- Join the local Pub Watch to discourage crime and disorder, to keep the public safe and ensure the community is not disturbed by the activities in the licenced area.
- The area will be illuminated with weatherproof electric lighting 24/7, which will act as a deterrent to crime or vandalism in the area.
- CCTV is installed on the main hotel and also in the garden.
- Limiting alcohol sales to afternoon and evening, only serving with food and maximum 6 units per person.

- Having tables of maximum 6 people will discourage large groups of people congregating.
- Staff will enforce Challenge 25 when serving customers.

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 1	Concerns
Public 2	Objection
Public 3	Objection
Public 4	Objection
Planning Department	Objection
Public Health	Objection
Public Protection	Objection
North Wales Police	Conditions

3.1 Representations from Members of the Public:

3.2. A member of the public raised concerns of the many incidents of public disorder offences requiring police intervention at the Dolbadarn Hotel since the property was sold to the current owners. Also raised concerns about the premises currently poorly lit by fairy lights around parts of the garden, leaving significant areas unlit, concerned that poor lighting will make it difficult to identify those responsible for any public disorder offences. Concerns were noted regarding the lack of CCTV coverage and the poor lighting is likely to increase the likelihood of criminal activities and disorder happening if the premises is issued with an extension to their alcohol license. **See attached for full letter.**

3.3. A member of the public who lives close by objected to the application, worried about the noise until late disturbing nearby neighbours. Concerns were raised that Police and Ambulance are being called to the Dolbadarn Hotel very often, and a number of anti-social behaviour incidences were witnessed .Concerns were raised regarding the welfare of the people staying at the Hotel who have alcohol dependency problems, as availability of alcohol on the grounds would increase temptation . A question was raised on why a bar provision is needed in the garden? There are already 2 bars close by, Padarn Lake and Y Gwynedd Restaurant. **See attached for full objection e-mail.**

3.4. A member of public objected noting that customers of the business are urinating at nearby properties also concerned about the residents at Dolbadarn hotel who already have drugs and alcohol problems, and that having a licenced garden area would worsen the situation for these individuals. **See attached for objection letter.**

3.5. Another member of the public objected to the application, concerned that the problems of antisocial behaviour would increase noting that the residents of the hotel are already using the beer garden to drink alcohol and smoke cannabis. The responder noted that there were concerns that people will be gathering in the Beer garden well after closing time causing problems to Local Community and Police. **See attached for full objection letter.**

3.6 Representations of the Council's Planning service

3.7. The Planning Officer submitted an objection to the application on the grounds that there is insufficient information regarding whether or not the unit is completely mobile ; as the unit has been located at the site for a number of months planning permission may be required .Concerns were expressed in respect of the intended location of the unit , as the plan is showing the location beyond the pub's curtilage. **See attached for full objection.**

3.8 Representations of the Public Health Service, Betsi Cadwalader University Health Board

3.9. Public Health have submitted representations objecting in respect of the licensing objectives of protecting children from harm and public safety .

The representations outline statistics in respect of harmful drinking in Gwynedd ; and risks associated with selling alcohol in close proximity to the premises providing temporary accommodation to homeless individuals, including those discharged from the Hergest Unit in Bangor.

It is noted that homeless individuals use alcohol as a coping mechanism; and that the homeless population have a higher incidence of health problems than the general population, these being primarily alcohol and substance misuse and mental health issues. These concerns are further elaborated upon with comments from The Clinical Lead and Development Manager Supported Housing (Mental Health), BCU HB, specifically in relation to the vulnerability of some of the clients currently accommodated at the Dolbadarn. The responder specifically notes that where licenced premises have been used as temporary accommodation - it can lead to a rapid deterioration in mental state resulting in hospital admission.

It is noted that Part M of the application states that ‘a maximum of 6 units per person’ will be sold with food to any customer. The NHS defines ‘binge drinking’ as drinking heavily over a short space of time. The technical definition for binge drinking is more than 8 units of alcohol in a single session for males or more than 6 units in a single session for females. (Drinkaware 2024)

See attached for full objection.

4.0. Public Protection - Pollution control

4.1. The Public Protection Pollution officer objects on the basis of insufficient measures to control public nuisance. Complaints have been received regarding the smell of cooking, the officers have contacted the applicant responsible for the mobile van but received no response. Concerns have also been raised in respect of the provision of toilets and drinking water supply, as the Dolbadarn Hotel’s facilities are not open to the public. It has been noted that more information is required about the type of lighting around the large site 24 hours a day. Also it is noted that a noise management plan is needed to address any customer noise. **See attached for full objection.**

4.2. North Wales Police

4.3. North Wales Police does not object to the application, they are however requesting amendments to the current conditions on the licence as there is room for improvement, some conditions are out of date, duplicated by law or unenforceable.

North Wales Police recommend that the condition on the licence relating to being a member of the “Pub Watch” is to be deleted off the current licence as this is a voluntary scheme and not enforceable.

Llanberis has a lively late-night economy especially during the Summer months, with Dolbadarn having a late licence (03:00) they suggest that including CCTV conditions to the licence would be beneficial and a hindrance to those person(s) who insists on behaving in an anti-social manner and causing problems.

North Wales Police noted that the inclusion of CCTV conditions would benefit customers in preventing disorderly behaviour and by facilitating the gathering evidence for the police in the event of an incident at the premises, it is also a valuable tool to protect the business and staff from malicious accusations.

See attached for full CCTV conditions.

4.4. RECOMMENDATION

It is recommended that this Committee considers all the objections received carefully, before making a determination based on whether or not it is of the opinion that applicant can comply with the licensing objectives, and the Licensing Act 2003.