

LICENSING SUB COMMITTEE

Minutes of a meeting of the Licensing Sub Committee held in the Council Chamber, County Hall, Wynnstan Road, Ruthin on Monday, 17 October 2016 at 9.30 am.

PRESENT

Councillors Bill Cowie, Pete Prendergast and Cefyn Williams

ALSO PRESENT

Solicitor (AL), Licensing Officer (NJ) and Committee Administrator (KEJ)

1 APPOINTMENT OF CHAIR

Councillor Cefyn Williams was appointed Chair for the meeting.

The Chair welcomed all parties to the meeting and all present were introduced. The hearing procedures had been circulated previously to all parties and copies of the Statement of Licensing Policy were made available at the meeting.

2 DECLARATION OF INTERESTS

No declarations of personal or prejudicial interest had been raised.

3 LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE - TYN DWR HALL, TYN DWR ROAD, LLANGOLLEN

A report by the Head of Planning and Public Protection was submitted (previously circulated) upon –

- (i) an application having been received from Mr. Thomas Matthew Jones for a new Premises Licence in respect of Tyn Dwr Hall, Tyn Dwr Road, Llangollen;
- (ii) the Applicant having requested authorisation to provide the following licensable activities –

LICENSABLE ACTIVITY	DAYS APPLICABLE	TIMES
Provision of Live Music Amplified (Indoors only)	Monday – Sunday	12.00 – 00:00
Provision of Recorded Music (Indoors and outdoors)	Monday – Sunday	12.00 – 00:00
Supply of Alcohol (for consumption on the premises)	Monday – Sunday	12.00 – 00:00

Hours that the premises will be open to the public – the intention being to operate the premises as an exclusive venue for the hire/hosting of weddings and events offering accommodation for patrons as well as hire of function rooms;

- (iii) one written representation (Appendix A to the report) having been received from a resident living in the area raising concerns relating to possible public nuisance and the potential for disorderly behaviour;
- (iv) the North Wales Police having submitted representations to the application together with a number of proposed conditions to be incorporated within the premises Operating Schedule should the application be granted (Appendix B to the report); the Applicant having indicated their general willingness to agree to those conditions but requested that the installation of CCTV be delayed until after Christmas – providing there were no incidents North Wales Police agreed to a delay in installing CCTV until March 2017 at the latest;
- (v) the Council's Pollution Control Section having submitted representations (Appendix C to the report) raising concerns regarding the close proximity of the premises to residential properties and proposed a number of conditions to be imposed should the licence be granted to assist in the prevention of public nuisance;
- (vi) the proposed Operating Schedule (Appendix D to the report);
- (vii) the intended use for the venue being an exclusive wedding and event venue and in response to the resident's concerns the Applicant had advised of their intention to work towards a solution to any problems that may occur as a result of increased traffic caused by patrons; similarly whilst the use of fireworks was not authorised by the Licensing Act but was of concern to the resident, the Applicant had stated that bookings were only taken on the condition that fireworks and Chinese lanterns would not be permitted;
- (viii) the need to consider the application taking due account of the Council's Statement of Licensing Policy; Guidance issued by the Secretary of State; other relevant legislation and relevant representations received, and
- (ix) the options available to the committee when determining the application.

The Licensing Officer guided members through the report and advised that, since publication of the report, the proposed conditions put forward by the Council's Pollution Control Section had been agreed with the Applicant.

APPLICANT'S SUBMISSION

Ms. Tracey Owen was in attendance on behalf of the Applicant, Mr. Thomas Matthew Jones who had been unable to attend due to a long standing appointment and she submitted his apologies in that regard. Ms. Owen was the Applicant's sister and Manager/Designated Premises Supervisor at the premises.

Ms. Owen advised that the premises would operate as a high quality exclusive wedding venue and guests would stay at the premises for the duration of the day. There was no intention to operate a disco/club type establishment and music would be played at a reasonable level to ensure that guests could hold a conversation.

Ms. Owen also advised that immediate neighbours had been invited to a tour of the premises in order to provide reassurances regarding the calibre of the establishment and its operation and she had their full support in that regard. She added that this invitation had also been extended to the objector with a view of allaying his concerns but to date he had not taken up the offer – however the invitation remained open should he wish to visit the venue in future.

NORTH WALES POLICE SUBMISSION

A representative from North Wales Police was not in attendance. Members noted their written representations and a number of conditions which had been agreed between the Applicant and the North Wales Police in order to further promote the licensing objectives (reproduced at Appendix B to the report). The Police had requested that if members were minded to grant the application they consider incorporating those conditions within the Operating Schedule.

In response to a member's question regarding the request to delay installation of the CCTV, Ms. Owen advised that it was purely for business reasons to ensure minimum disruption to guests as three events had been planned during November and December. The optimum time for further building work and installation of the CCTV in order to ensure minimum disruption would be in January/February 2017.

POLLUTION CONTROL SUBMISSION

Mr. Sean Awbery from the Council's Pollution Control Section referred to his written representations (Appendix C to the report) and confirmed that those conditions had since been agreed with the Applicant.

INTERESTED PARTY SUBMISSION

One written representation had been received (Appendix A to the report) from a resident living in the area. The resident had advised that he would not be attending the hearing and understood the hearing would proceed in his absence. Consequently his representations were taken as read.

APPLICANT'S FINAL STATEMENT

In making a final statement Ms. Owen reported upon her wealth of experience generally in operating licensed premises including hotel and wedding venues and aimed to provide the highest standard of service. She shared her vision for a beautiful, high quality wedding venue in Llangollen.

ADJOURNMENT TO CONSIDER THE APPLICATION

At this juncture (9.45 a.m.) the Licensing Sub Committee adjourned to consider the application.

DECISION AND REASONS FOR THE DECISION

RESOLVED that, subject to the conditions as set out below, a Premises Licence be granted for the following –

LICENSABLE ACTIVITY	DAYS APPLICABLE	TIMES
Provision of Live Music Amplified (Indoors only)	Monday – Sunday	12.00 – 00:00
Provision of Recorded Music (Indoors and outdoors)	Monday – Sunday	12.00 – 00:00
Supply of Alcohol (for consumption on the premises)	Monday – Sunday	12.00 – 00:00

CONDITIONS

As put forward by the North Wales Police and agreed by the Applicant –

Prevention of Crime and Disorder

1. CCTV

- a) A CCTV system will be installed at the premises and be in operation at all times the premises are open (**CCTV system to be installed by no later than March 2017 provided there are no incidents**)
- b) The CCTV system will have cameras monitoring both the interior and exterior of the premises. In the case of the interior of the premises there will be sufficient cameras installed to cover areas to which the public have access, with the exception of the toilet areas. All entry and exit points are to be covered and must provide a clear head and shoulders view.
- c) The CCTV system will be of a standard capable of providing images of evidential quality and capable of facial recognition in all lighting conditions.
- d) The CCTV system will have a facility to record the images from all cameras and these images will be retained for a minimum period of 28 days.
- e) The CCTV system will include a facility whereby the correct date and time are included within the images recorded.
- f) The CCTV system will have a facility whereby images can be downloaded onto some form of removable media. It is the responsibility of the premises licence holder to provide the removable media and that should removable media be seized, it is the responsibility of the premises to ensure that there are additional formats of removable media available.
- g) Images from the CCTV system will be made available to Police or Local Authority officers on demand.
- h) At least one member of staff trained in the use of the CCTV system and capable of providing the recorded images from the CCTV system will be on duty at all times the premises are open.
- i) The Designated Premises Supervisor must ensure weekly checks of the operation of the CCTV system - any defects in the system will be addressed immediately. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the

premises at all times and made available to a representative of any responsible authority on request.

2. **PRIOR** to being permitted to undertake the sale of alcohol all staff without a personal licence, including any unpaid members of staff, family members and casual persons who may be involved in the sale of alcohol at the premises, will be trained in their responsibilities under the Licensing Act 2003 and any subsequent amendments to that Act - in particular they will receive training with regard to the service of alcohol to persons who are drunk.
3. Refresher training in relation to the initial training at 2) above will be undertaken by all members of staff involved in the sale of alcohol every six months.
4. Records of the initial training received and subsequent refresher training will be maintained and will be produced to Police or Local Authority officers on request.
5. Incident and Refusals Book - an incident and refusals book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident and refusal book must be used to record the following:
 - a) Any incident of violence or disorder on or immediately outside the premises.
 - b) Any incident involving drugs (supply/possession/influence) on the premises.
 - c) Any other crime or criminal activity on the premises.
 - d) Any refusal to serve alcohol to persons who are drunk.
 - e) Any refusal to serve alcohol to under 18's or anyone who appears under 18.
 - f) Any call for police assistance to the premises.
 - g) Any ejection from the premises.
 - h) Any first aid/other care given to a customer.
6. The incident and refusals book must be made available for inspection by responsible authorities on request. This information may also be recorded electronically by the use of a till based or similar system.
7. The incident and refusals book to be reviewed every four weeks by premises management and signed/dated to confirm compliance.
8. The incident and refusals book record will be made available for inspection on demand by North Wales Police or Local Authority officers on request.

The Protection of Children from Harm

1. The age verification policy that the premises will operate will be **Challenge 25**.
2. All staff, including any unpaid members of staff, family members and casual persons engaged in the sale of alcohol will be trained in the Challenge 25 policy PRIOR to being permitted to undertake the sale of alcohol and will undertake refresher training every six months as a minimum.

3. Records of the Challenge 25 training will be maintained and will be made available for inspection on request by North Wales Police or Local Authority officers on request.

As put forward by the Council's Pollution Control Section and agreed by the Applicant –

Prevention of Public Nuisance

1. All entrances and exits, including any smoking area doorway shall have lobby entrances fitted, each with 2 sets of self-closing doors, to minimise the break-out of noise; both sets of doors will remain closed other than for access and egress whenever regulated entertainment is being played at a level considered to be above 'background'.
2. All doors and windows shall be kept closed whenever music is being played at a level considered to be above 'background' to minimise the break-out of noise.
3. If additional ventilation is required, the premises shall be fitted with acoustically treated ventilation / air conditioning to avoid the need to open doors and windows whenever music is being played at a level considered to be above 'background'.
4. The playing of amplified music externally is not permitted.
5. The smoking area shall be closed to the public for the consumption of alcohol before 09:00 hrs and after 23:00hrs.
6. The placing of bottles into receptacles outside the premises shall only be permitted to take place between the hours of 09:00hrs and 21:00hrs to minimise disturbance to nearby properties.
7. Prominent, clear and legible notices shall be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
8. No flashing or bright lights shall be positioned on or outside the premises and any security or access lighting shall be installed and operated so as not to cause a nuisance to nearby properties.

The Chair conveyed the Sub Committee's decision to all parties at the meeting and the Solicitor reported upon the reasons for the decision as follows –

Members had carefully considered the application and representations submitted in this case and considered that the application and conditions imposed satisfy all the licensing objectives.

The Sub Committee had taken into account the fact that the conditions proposed by the North Wales Police and the Council's Pollution Control Section had been agreed by the Applicant and were as such that they would promote the licensing

objectives and deal with the concerns raised. In considering the representations made by the Interested Party, members considered a number of concerns not a matter for licensing and referred to historical events not relevant to the application. Members had been reassured by the Applicant's representative regarding the calibre and operation of the establishment and considered that the conditions imposed would address any outstanding concerns of relevance raised by the Interested Party. In the event that problems arose from the operation of the premises the right to call for a review of the licence remained open.

The meeting concluded at 9.50 a.m.