

## LICENSING SUB COMMITTEE

Minutes of a meeting of the Licensing Sub Committee held in Conference Room 1a, County Hall, Ruthin on Wednesday, 5 April 2017 at 11.30 am.

### PRESENT

Councillors Pete Prendergast, Cefyn Williams and Huw Williams

### ALSO PRESENT

Solicitor (AL), Public Protection Business Manager (IM) 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: VINTAGE SUGAR TEAROOMS, 27 - 29 MELIDEN ROAD, PRESTATYN

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

- (i) an application having been received from Mrs. Dawn Roberts for a new Premises Licence in respect Vintage Sugar Tearooms, 27 – 29 Meliden Road, Prestatyn (Appendix A to the report);
- (ii) the applicant's intention to operate the premises predominantly as a tearoom serving afternoon teas and lunches with alcohol as an optional extra and to open in the evening to serve alcoholic drinks alongside food;
- (iii) the Applicant having requested authorisation to provide alcohol as follows –

LICENSABLE ACTIVITY	DAYS APPLICABLE	TIMES
Supply of alcohol (for consumption both on and off the premises)	Monday – Sunday	08.00 – 23:00
Hours premises are open to the public	Monday – Sunday	08.00 – 23:00

- (iv) one written representation (Appendix B to the report) having been received from an interested party in response to the public notice relating to possible disturbance from noise;
- (v) the applicant having indicated a willingness to mediate with the interested party but unfortunately the interested party had made no contact with the authority to allow any form of mediation to take place;
- (vi) 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
- (vii) the options available to the committee when determining the application.

The Public Protection Business Manager (IM) introduced the report and detailed the facts of the case.

### **APPLICANT'S SUBMISSION**

The applicant, Mrs. Dawn Roberts was in attendance in support of her application.

Mrs. Roberts explained that the premises would predominantly operate as an afternoon tearoom but a licence had been requested up to 11.00 p.m. to allow for the holding of occasional special events such as baby showers/anniversaries. The intention was to open no earlier than 10.00 a.m. and to close between 5.00 p.m. – 6.00 p.m. on week days and operate primarily as an eatery and a chef had been employed for that purpose. Assurances were provided that the intention was not to create a nuisance or rowdy establishment but provide a civilized and genteel establishment which would enhance the town.

### **INTERESTED PARTY SUBMISSION**

The Interested Party had advised that she did not wish to attend the hearing but asked that her written representation (Appendix B to the report) be taken as read.

Members queried the proximity of the Interested Party's residence to the premises and the location was established as approximately two streets away. The applicant advised that she had introduced herself to immediate residents within the vicinity in order to provide assurances regarding her intention for the premises and encouraged them to contact her with any concerns. The applicant also acknowledged the concerns expressed by the Interested Party advising that she would be willing to meet with her with a view to allaying those concerns. Whilst there was no expectation of noise nuisance given the manner in which the premises was to be operated, the Public Protection Business Manager confirmed that any noise complaints reported to the authority would be dealt with in the usual manner.

### **APPLICANT'S FINAL STATEMENT**

In making a final statement the applicant advised that there had been a positive response to her plans for the premises with many looking forward to the opening.

Whilst appreciating the concerns raised by the Interested Party there was no intention to create any manner of disturbance.

### **ADJOURNMENT TO CONSIDER THE APPLICATION**

At this juncture (11.40 a.m.) the Licensing Sub Committee adjourned to consider the application.

### **DECISION AND REASONS FOR THE DECISION**

**RESOLVED** that the Premises Licence be granted as applied for and in accordance with the conditions as set out within the Operating Schedule, for the following –

<b>LICENSABLE ACTIVITY</b>	<b>DAYS APPLICABLE</b>	<b>TIMES</b>
<i>Supply of alcohol (for consumption both on and off the premises)</i>	<i>Monday – Sunday</i>	<i>08.00 – 23:00</i>
<i>Hours premises are open to the public</i>	<i>Monday – Sunday</i>	<i>08.00 – 23:00</i>

The Chair conveyed the Sub Committee's decision to the Applicant and the Solicitor reported upon the reasons for the decision as follows –

Members had carefully considered the application and representation submitted in this case and found that the application and measures identified within the Operating Schedule satisfied the licensing objectives and the statement of licensing policy. The committee was also satisfied that there would be no adverse effect on the neighbourhood as a result of granting the application.

The meeting concluded at 11.45 a.m.