

Document Pack



Mark James LL.M, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

AMENDED AGENDA

TUESDAY, 19 JUNE 2018

TO: ALL MEMBERS OF THE LICENSING SUB COMMITTEE B

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE LICENSING SUB COMMITTEE B WHICH WILL BE HELD IN THE CHAMBER, COUNTY HALL, CARMARTHEN AT 9.30 AM, ON TUESDAY, 26TH JUNE, 2018 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Janine Owen
Telephone (direct line):	01267 224030
E-Mail:	JanineOwen@carmarthenshire.gov.uk
Ref:	AD016-001

LICENSING SUB- COMMITTEE - B
7 MEMBERS

THREE MEMBERS OF THE SUB-COMMITTEE WILL PRESIDE OVER EACH APPLICATION. THE MEMBERS OF THE SUB-COMMITTEE WILL BE DRAWN FROM THE FOLLOWING SEVEN MEMBERS ON A ROTATIONAL BASIS AS REQUIRED.

- | | |
|-------------------------------|---------------------|
| 1. Councillor Tyssul Evans | (Plaid Cymru Group) |
| 2. Councillor Penny Edwards | (Labour Group) |
| 3. Councillor Irfon Jones | (Independent Group) |
| 4. Councillor John Prosser | (Labour Group) |
| 5. Councillor Edward Thomas | (Independent Group) |
| 6. Councillor Eirwyn Williams | (Plaid Cymru Group) |
| 7. Vacancy | |

NOTE:

IN THE EVENT OF LESS THAN THREE OF THE ABOVE MEMBERS BEING UNABLE TO PRESIDE ON ANY APPLICATION, SUBSTITUTES WILL BE DRAWN FROM OTHER MEMBERS OF THE LICENSING COMMITTEE.

AGENDA

1. APPOINTMENT OF CHAIR FOR THE MEETING
2. DECLARATIONS OF PERSONAL INTEREST
3. TO ADJOURN THE MEETING AND RECONVENE AT: 5 - 12

10:00 A.M. - AT THE DERWYDD MANSION, DERWYDD ROAD, AMMANFORD, CARMARTHENSHIRE, IN ORDER TO UNDERTAKE A SITE INSPECTION IN CONNECTION WITH THE FOLLOWING:-

TEMPORARY EVENT NOTICE - DERWYDD MANSION, DERWYDD ROAD, AMMANFORD, CARMARTHENSHIRE, SA18 3LQ

4. ***PLEASE NOTE THAT THE FOLLOWING APPLICATION HAS BEEN WITHDRAWN** 13 - 18

TO ADJOURN THE MEETING AND RECONVENE AT:

10.45 A.M. - AT THE POPLARS INN, PONDSIDE, JOHNSTOWN, CARMARTHEN, IN ORDER TO UNDERTAKE A SITE INSPECTION IN CONNECTION WITH THE FOLLOWING:-

TEMPORARY EVENT NOTICE - POPLARS INN, PONDSIDE, JOHNSTOWN, CARMARTHEN, SA31 3HU.

FOLLOWING THE CONCLUSION OF THE ABOVE SITE INSPECTION THE MEETING WILL ADJOURN AND RECONVENE IN THE CHAMBER, COUNTY HALL, CARMARTHEN AT 11.00 A.M. IN ORDER TO RECEIVE REPRESENTATIONS AND TO DETERMINE THE ABOVE- MENTIONED APPLICATION.

5. TO DETERMINE THE TEMPORARY EVENT NOTICE DETAILED IN AGENDA ITEM 3 ABOVE.

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LICENSING SUB COMMITTEE 'B' 26TH JUNE 2018

<h3 style="margin: 0;">TEMPORARY EVENT NOTICE</h3> <h4 style="margin: 10px 0 0 0;">DERWYDD MANSION, DERWYDD ROAD, AMMANFORD, CARMARTHENSHIRE, SA18 3LQ</h4>								
<p>Key Decisions Required:</p> <p>The Sub Committee considers whether or not to issue a counter notice in respect of one or more of the above Temporary Event Notices, having regard to the objection notices and evidence that have been submitted as well as the Authority's Licensing Policy and National Guidance.</p>								
<p>Reasons:</p> <p>1) The committee is obliged to promote the licensing objectives which are: -</p> <ul style="list-style-type: none"> ▪ The prevention of Crime and Disorder. ▪ Public Safety. ▪ The Prevention of Public Nuisance. ▪ The Protection of Children from Harm. 								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Relevant Scrutiny Committee Consulted</td> <td>NA</td> </tr> <tr> <td>Exec Board Decision Required</td> <td>NA</td> </tr> <tr> <td>Council Decision Required</td> <td>NA</td> </tr> </table>			Relevant Scrutiny Committee Consulted	NA	Exec Board Decision Required	NA	Council Decision Required	NA
Relevant Scrutiny Committee Consulted	NA							
Exec Board Decision Required	NA							
Council Decision Required	NA							
<p>Executive Board Member Portfolio Holder: Councillor P.M. Hughes</p>								
<p>Directorate: Communities Name of Head of Service Mr Jonathan Morgan</p> <p>Report Author Mrs Kirsten Smith</p>	<p>Designation:</p> <p>Acting Head of Homes and Safer Communities</p> <p>Licensing Officer</p>	<p>Tel No.</p> <p>E Mail Address: 01554 899285 jmorgan@carmarthenshire.gov.uk</p> <p>01267 228801 ksmith@carmarthenshire.gov.uk</p>						

EXECUTIVE SUMMARY
LICENSING SUB COMMITTEE 'B'
26TH JUNE 2018

TEMPORARY EVENT NOTICE

**DERWYDD MANSION, DERWYDD ROAD, AMMANFORD,
CARMARTHENSHIRE, SA18 3LQ**

To consider an objection notice submitted by the Environmental Health Officer of Carmarthenshire County Council, in relation to 4 Temporary Event Notices submitted by Mrs Maria Dallavalle of La Scala, 15 Bryn Mawr Avenue, Ammanford, SA18 2DA. The Temporary Event Notices relate to the sale by retail of alcohol, the provision of Regulated Entertainment and Late Night Refreshment, on the premises on the following days and hours.

To allow:-

Temporary Event Notice 1 – Saturday 28th July 2018 - Great Hall, Derwydd Mansion.

Supply of Alcohol, Regulated Entertainment and Late Night Refreshment 12:00-00:30.

Temporary Event Notice 2 – Saturday 25th August 2018 - Upper Lawn, Derwydd Mansion.

Supply of Alcohol, Regulated Entertainment and Late Night Refreshment 12:00-00:30.

Temporary Event Notice 3 – Saturday 1st September 2018 - Upper Lawn, Derwydd Mansion.

Supply of Alcohol, Regulated Entertainment and Late Night Refreshment 12:00-00:30.

Temporary Event Notice 4 – Saturday 3rd November 2018 - Great Hall, Derwydd Mansion.

Supply of Alcohol, Regulated Entertainment and Late Night Refreshment 12:00-00:30.

Environmental Health have objected to the notices on the grounds that they believe that the Prevention of Public Nuisance objective will not be met.

The Environmental Health objection is attached as Appendix A.

Copies of the Temporary Event Notices will be circulated at the meeting.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Jonathan Morgan

Acting Head of Homes and Safer Communities

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Jonathan Morgan

Acting Head of Homes and Safer Communities

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

The Responsible Authorities have been consulted regarding the application.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	Derwydd Mansion	Licensing Section, 3 Spilman Street, Carmarthen
Licensing Policy		Licensing Section, 3 Spilman Street, Carmarthen
National Guidance		Licensing Section, 3 Spilman Street, Carmarthen

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Eich cyf / Your ref: Gofynner am / Please ask for: Aled Morgan
 Fy nghyf / My ref: AWM/127734 Llinell Unlongyrchol / Direct Line: 01269 598262
 Dyddiad / Date: 18th June 2018 E-bost / E-mail: PublicProtection@carmarthenshire.gov.uk

Licensing Section,
Carmarthenshire County Council,
3 Spilman Street,
Carmarthen,
SA31 1LE

Dear Sir/Madam,

Re: Temporary Event Notice application for Derwydd Mansion, Derwydd Road, Ammanford, Carmarthenshire, SA18 3LQ

Further to receiving the above Temporary Event Notice (TEN) application, for events to be held on the

- 28/07/2018
- 25/08/2018
- 01/09/2018
- 03/11/2018

I make the following observations,

Whilst considering the details of the application the Environmental Health Section would like to **object** to the application due to the fact that we believe that the "Prevention of a Public Nuisance" objective will not be met due to the following reasons

- The applicant is seeking to provide the Supply of Alcohol, Regulated Entertainment and Late Night Refreshment from 12:00 until 00:30.
- Previous events held at the above premises in 2017 and June 2018 have resulted in noise related complaints being received from a nearby resident.
- Noise monitoring undertaken during a wedding on the 22nd of July 2017 and on the 2nd of June 2018 confirmed that music noise from the above premises was clearly audible at the complainants property.
- Following the events in 2017 correspondence (please see attached) was sent to the applicant of the previous TEN and the owner of the property "Derwydd Mansion Events Ltd" La Scala, 15 Brynmawr Avenue, Ammanford, Carmarthenshire, United Kingdom, SA18 2DA informing them that "*should you apply for a Temporary Event at the above location in future then careful*

Robin Staines BA (Hons.), MA, MCIH

Pennaeth Tai & Diogelu'r Cyhoedd
Adran Cymunedau

3 Heol Spilman, Caerfyrddin, SA31 1LE.

Tŷ Elwyn, Llanelli, SA15 3AP.

Neuadd y Dref, Heol Iscennen, Rhydaman, SA18 3BE.

Head of Housing & Public Protection
Department for Communities

3 Spilman Street, Carmarthen, SA31 1LE.

Tŷ Elwyn, Llanelli, SA15 3AP.

Town Hall, Iscennen Road, Ammanford, SA18 3BE.



consideration will have to be given on whether or not to object to the application".

- No information has been provided by the applicant of the TEN to outline how the event will not undermine the Prevention of a Public Nuisance objectives of the Licensing Act.

Should you have any further queries or concerns with regards to the above then please do not hesitate to contact me.

Yours Faithfully

**Mr A W Morgan
Environmental Health Practitioner
Environmental Health Section**

Eich cyf / Your ref:

Fy nghyf / My ref: AWM/122456

Dyddiad / Date: 26 July 2017

Gofynner am / Please ask for:

Aled Morgan

Llinell Uniongyrchol / Direct Line:

01269 598262

E-bost / E-mail:

publicprotection@carmarthenshire.gov.uk

Dear Sir/Madam,

ENVIRONMENTAL PROTECTION ACT 1990, PART 3**Re: Alleged Statutory Noise Nuisance arising from a Temporary Event at Derwydd Mansion, Derwydd Road, Ammanford.**

Further to a temporary event held at the above premises on the 17th and the 22nd of July 2017 may I confirm the following. This Department received a noise complaint in relation to the above events, however given the temporary nature of the event no further action will be taken on this occasion. Should you apply for a Temporary Event at the above location in future then careful consideration will have to be given on whether or not to object to the application.

Should you wish to discuss the matter further, please do not hesitate to contact me.

Yours faithfully

Mr A W Morgan**Environmental Health Officer**

c.c. DERWYDD MANSION EVENTS LTD, La Scala, 15 Brynmawr Avenue, Ammanford,
Carmarthenshire, United Kingdom, SA18 2DA

c.c. Licensing Section, 3 Spilman Street, Camarthen

Robin Staines BA (Hons.), MA, MCIH**Pennaeth Tai & Diogelu'r Cyhoedd****Adran Cymunedau**

3 Heol Spilman, Caerfyrddin, SA31 1LE.

Tŷ Elwyn, Llanelli, SA15 3AP.

Neuadd y Dref, Heol Iscennen, Rhydaman, SA18 3BE.

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3 Spilman Street, Carmarthen, SA31 1LE.

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Town Hall, Iscennen Road, Ammanford, SA18 3BE.



LICENSING SUB COMMITTEE 'B'

26TH JUNE 2018

TEMPORARY EVENT NOTICE. POPLARS INN, PONDSIDE, JOHNSTOWN, CARMARTHEN SA31 3HU.

Key Decisions Required:

The Sub Committee considers whether or not to issue a counter notice in respect of the above Temporary Event Notice, having regard to the objection notices and evidence that have been submitted as well as the Authority's Licensing Policy and National Guidance.

Reasons:

1) The committee is obliged to promote the licensing objectives which are: -

- The prevention of Crime and Disorder.
- Public Safety.
- The Prevention of Public Nuisance.
- The Protection of Children from Harm.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor P.M. Hughes

Directorate: Communities
Name of Head of Service
Mr Jonathan Morgan

Report Author
Mr Andrew Rees

Designation:

Acting Head of Homes and
Safer Communities

Licensing Officer

Tel No.

E Mail Address:

01554 899285

jmorgan@carmarthenshire.gov.uk

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rarees@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
LICENSING SUB COMMITTEE 'B'
26TH JUNE 2018

TEMPORARY EVENT NOTICE.
POPLARS INN, PONDSIDE, JOHNSTOWN,
CARMARTHEN SA31 3HU.

To consider an objection notice submitted by the Environmental Health Officer of Carmarthenshire County Council, in relation to a Temporary Event Notices submitted by Mr Mark Howell of the Poplars Inn. The Temporary Event Notice relates to the sale by retail of alcohol, the provision of Regulated Entertainment and Late Night Refreshment, on the premises on the following day.

Saturday 30th June 2018 12:00 – 00:00

Environmental Health have objected to the notice on the grounds that they believe that the Prevention of Public Nuisance objective will not be met.

The Environmental Health objection is attached as Appendix **A**.

Copies of the Temporary Event Notice will be circulated at the meeting.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Jonathan Morgan

Acting Head of Homes and Safer Communities

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Jonathan Morgan

Acting Head of Homes and Safer Communities

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

The Responsible Authorities have been consulted regarding the application.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
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Licensing Policy		Licensing Section, 3 Spilman Street, Carmarthen
National Guidance		Licensing Section, 3 Spilman Street, Carmarthen

Eich cyf / Your ref: Gofynner am / Please ask for: Aled Morgan
 Fy nghyf / My ref: AWM/127734 Llinell Uniongyrchol / Direct Line: 01269 598262
 Dyddiad / Date: 18th June 2018 E-bost / E-mail: PublicProtection@carmarthenshire.gov.uk

Licensing Section,
Carmarthenshire County Council,
3 Spilman Street,
Carmarthen,
SA31 1LE

Dear Sir/Madam,

Re: Temporary Event Notice application for Poplars Inn, 1 Pondsides, Johnstown, Carmarthen, SA31 3HU

I write further to receiving the above Temporary Event Notice (TEN) application, for an event to be held on the 30/06/2018.

Whilst considering the details of the application the Environmental Health Section would like to **object** to the application due to the fact that we believe that the "Prevention of a Public Nuisance" objective will not be met. I have outlined the reasons why below:

- The applicant is seeking to provide Regulated Entertainment in an external area from 12:00 until 00:00.
- The external area of the above premises area adjoins a domestic property.
- Noise Apps recordings submitted on the 15th of June 2018 contained loud music from regulated entertainment held outside the above premises.
- Noise complaints have been received in relation to loud music being played at the above premises.
- No information has been provided by the applicant of the TEN to outline how the event will not undermine the Prevention of a Public Nuisance objectives of the Licensing Act.

Should you have any further queries or concerns with regards to the above then please do not hesitate to contact me.

Yours Faithfully

Mr A W Morgan
Environmental Health Practitioner
Environmental Health Section

Robin Staines BA (Hons.), MA, MCIH

Pennaeth Tai & Diogelu'r Cyhoedd
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Town Hall, Iscennen Road, Ammanford, SA18 3BE.



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