

Document Pack



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

TUESDAY, 11 SEPTEMBER 2018

TO: ALL MEMBERS OF LICENSING SUB-COMMITTEE "A"

I HEREBY SUMMON YOU TO ATTEND A MEETING OF **LICENSING SUB-COMMITTEE "A"** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 AM, ON TUESDAY, 18TH SEPTEMBER, 2018** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Martin S. Davies
Telephone (direct line):	01267 224059
E-Mail:	MSDavies@carmarthenshire.gov.uk
Ref:	AD016-001

LICENSING SUB- COMMITTEE "A"
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 Fozia Akhtar | (Labour Group) |
| 2. Councillor Mansel Charles [Chair] | (Plaid Cymru Group) |
| 3. Councillor Ann Davies | (Plaid Cymru Group) |
| 4. Councillor Rob Evans | (Independent Group) |
| 5. Councillor Amanda Fox | (Labour Group) |
| 6. Councillor Ken Howell | (Plaid Cymru Group) |
| 7. Councillor Elwyn Williams | (Plaid Cymru Group) |

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.

A G E N D A

1. DECLARATIONS OF PERSONAL INTEREST.
2. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - 5 - 48
PELICAN INN, SYCAMORE STREET, NEWCASTLE EMLYN.

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LICENSING SUB COMMITTEE 'A'

18/09/2018

**APPLICATION FOR THE VARIATION OF A PREMISES LICENCE.
 PELICAN INN, SYCAMORE STREET,
 NEWCASTLE EMLYN SA38 9AP**

KEY DECISIONS REQUIRED:

The Sub Committee considers the application and all the representations and evidence that have been submitted and have regard to the Authority's Licensing Policy and National Guidance.

REASONS:

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 Portfolio Holder: Councillor P M Hughes (Environmental & Public Protection)

Directorate: Communities Name of Head of Service Mr Jonathan Morgan Report Author Andrew Rees	Designation: Head of Homes and Safer Communities Licensing Officer	Tel No. 01267 228285 E Mail Address: jmorgan@carmarthenshire.gov.uk Tel No. 01267 228787 rarees@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY
Licensing Sub Committee 'A'
18/09/2018

Application for the Variation of a Premises Licence.
Pelican Inn, Sycamore Street, Newcastle Emlyn
SA38 9AP

To consider an application from Mr Cefin Llewelyn Evans to vary a premises licence in respect of the above premises.

To allow:

The provision of Late Night Refreshment Sunday to Thursday 23:00-00:00;
 Friday & Saturday 23:00-02:30.

The Supply of Alcohol Friday & Saturday 10:00-02:00.

Opening Hours Friday & Saturday 10:00-02:30.

A copy of the original application is attached as Appendix **A**. The existing premises licence is attached as Appendix **B**.

The Licensing Authority has made representations. These are attached as Appendix **C**.

Dyfed Powys Police have made representations. These are attached as Appendix **D**.

Other persons have made representations. These are attached as Appendix **E**.

The remaining Responsible Authorities have not made representations in respect of the application.

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

Head of Homes and Safer Communities

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

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below
 Signed: **Mr Jonathan Morgan** **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.	Pelican Inn, Sycamore Street, Newcastle Emlyn SA38 9AP.	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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* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Cefin Llewelyn

* Family name

Evans

* E-mail

cefinevans@talktalk.net

Main telephone number

01239 711084

Include country code.

Other telephone number

07879841673

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

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Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

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VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Public House, Increase hours for sale of alcohol on Friday and Saturday / increase hours for Late Night refreshments through the week.

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

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Continued from previous page...

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS

Continued from previous page...

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

A7

Continued from previous page...

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

As Existing

c) Public safety

As Existing

d) The prevention of public nuisance

As Existing

e) The protection of children from harm

As Existing

Continued from previous page...

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. For detailed guidance on the fee structure, please refer to the table on Page 4, 5 and 6 of the guidance document.

* Fee amount (£)

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

* I understand that I must now advertise my application.

* I understand that if I do not comply with the requirements my application will be rejected.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date

 / /
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/carmarthenshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

PREMISES LICENCE LICENSING ACT 2003

Premises licence number

No: OONU-PRM-00916

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description
Address Pelican Inn/Paned Un Sycamore Street Newcastle Emlyn Carmarthenshire SA38 9AP
Telephone number 01239 710606

Where the licence is time limited the dates This Premises Licence is not time limited.
--

Licensable activities authorised by the licence <ul style="list-style-type: none">▪ Sale by retail of alcohol.▪ Regulated Entertainment. (As specified overleaf) <p>The above activities may only be conducted within the areas of the premises licensed for those specific activities, as shown on the plan attached to this licence as Annex 4.</p>

**The Times The Licence Authorises The Carrying Out Of
Licensable Activities**

Supply of alcohol

Standard days and timings

**Sunday – Thursday 10:00-23:30
Friday – Saturday 10:00-00:00**

On New Years Eve from the end of permitted hours on new Years Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, until midnight on the 31st December)

Live Music

Standard days and timings

Monday – Sunday 10:00-23:00

Indoors

In the areas licensed at the premises for this activity.

Recorded Music

Standard days and timings

Monday – Sunday 10:00-23:00

Indoors

In the areas licensed at the premises for this activity.

Performance of dance

Standard days and timings

Monday – Sunday 10:00-23:00

Indoors

In the areas licensed at the premises for this activity.

Provision of facilities for making music

Standard days and timings

Monday – Sunday 10:00-23:00

Indoors

In the areas licensed at the premises for this activity.

Provision of facilities for dancing

Standard days and timings

Monday – Sunday 10:00-23:00

Indoors

In the areas licensed at the premises for this activity.

Late Night Refreshment

Standard days and timings

Monday – Sunday 23:00-23:30

Indoors

In the areas licensed at the premises for this activity.

The opening hours of the premises

Standard days and timings

**Sunday – Thursday 10:00-00:00
Friday – Saturday 10:00-00:30**

Seasonal Variations

On New Years Eve from the end of permitted hours on new Years Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, until midnight on the 31st December)

In relation to the morning on which summertime begins, where the terminal hour specified in the licence is 1am or later, it shall be extended by one hour.

Where the licence authorises supplies of alcohol whether these are on and or off supplies

This premises licence authorises the supply of alcohol for consumption both on and off the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: Mr Cefin Llewelyn Evans

Address: Swn Yr Awel
Penlon Road
Newcastle Emlyn
Carmarthenshire
SA38 9HR

Telephone number: 01239 711084

Email:

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name: Mr Cefin Llewelyn Evans

Address:



Telephone number:



Email:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: OONU-IND-00134

Issuing Authority: Carmarthenshire County Council

Dated: 21/03/2014

Signed:

Head of Public Protection.

Mandatory conditions.

Mandatory conditions where licence authorises supply of alcohol.

- a. No supply of alcohol may be made under the premises licence-
 - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- b. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions

Sections 19A and 73A of the Licensing Act 2003

- 1. —
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. —

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that –

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Conditions Consistent with the Operating Schedule

a) General – all four licensing objectives (b, c, d, e)

[Empty rectangular box]

b) The prevention of crime and disorder

1. Crime prevention notices displayed.
2. Proof of age cards
3. Active member of pub watch
4. Notices will be put in place requesting that no open or glass vessels should be taken off the premises and no consumption of alcohol to take place on the public pavement to the front of the premises.

c) Public Safety

1. Emergency lighting in place.
2. First aid box on premises
3. Fire action notices in place
4. Curtains and upholstery fire proof.
5. The occupancy figure for the Pelican Inn is 60. Seating area at Paned Un is for 20 people.

d) The prevention of public nuisance

1. No tipping of glass bottles during late hours.
2. Terminal hour of beer garden to be 22:30 Monday to Sunday, other than people who wish to smoke.
3. The café takeaway is mainly for food and consumption of alcohol will be permitted when a substantial meal or buffet has been provided.

e) The protection of children from harm

1. No under 18's in bar area.
2. Age restriction signage in place
3. Proof of age cards used.
4. No under 18's will be employed on the premises.
5. No under 16's to remain on the premises after 21:00 unless part of a pre-booked party.

Annex 3

Conditions attached after a hearing by the Licensing Authority.

N/A

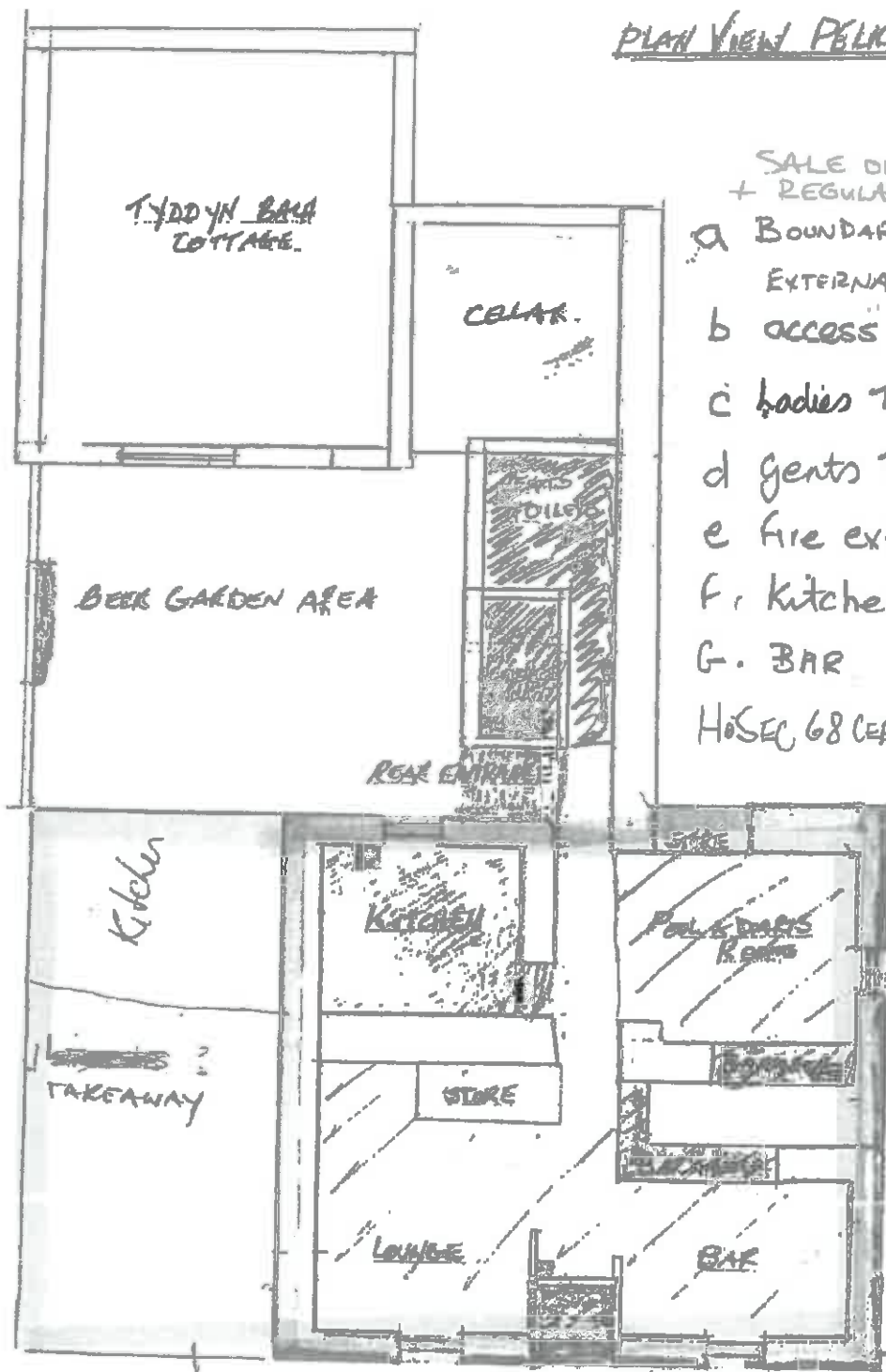
Annex 4 – Containing plans of the licensed premises is attached.

PLAN VIEW PELKAMIN NCEMLYN
(SCALE 1:100)


SALE OF ALCOHOL
+ REGULATED ENTERTAINMENT

- a BOUNDARY
- EXTERNAL WALLS
- b access to and egress
- c ladies Toilet
- d gents Toilet
- e fire extinguisher
- f kitchen
- G. BAR
- HOSEC 68 CERT

CARMS C.C.
- 8 JUL 2005
C.S.C. CARMARTHEN
CHIEF EXECUTIVE'S DEPT



MAIN ENTRANCE
FROM MAW STREET NCEMLYN

ANNEX 4 - PLANS

NOT TO SCALE
DATE: 01/09/05
LICENCE NUMBER: OONU - PRM - 00/68
PAGE 1 OF 1
LICENSED AREA(S)
LICENSED AREA(S): All licensable activities authorised by this

Eich cyf / Your ref:

Gofynnwr am / Please ask for:

Emyr Jones

Fy nghyf / My ref:

Llinell Uniongyrchol / Direct Line:

(01267) 228717

Dyddiad / Date:

23rd August 2018

E-bost / E-mail:

publicprotection@carmarthenshire.gov.uk

Head of Homes and Safer Communities
Carmarthenshire County Council
3 Spilman Street,
Carmarthen
SA31 1LE

Dear Sir,

**RE: Application to vary a Premises Licence
PELICAN INN/PANED UN, Sycamore Street, Newcastle Emlyn,
Carmarthenshire, SA38 9AP
Application Date 26/07/2018**

Further to the receipt of the above application, the Licensing Authority make the following representations:

a) Previous Enforcement Action / Prosecutions

There have been no previous prosecutions taken by the licensing authority in relation to these premises. However following referrals from the Dyfed Powys Police, outlined in c below, licensing officers along with the Police Licensing Officer have met with the premises licence holder and designated premises supervisor on both occasions to discuss the management of the premises.

b) Complaints.

There have been no complaints received by the licensing authority in relation to these premises.

c) Responsible Authority Referrals.

The licensing authority has received two referrals from the Police in relation to the above premises. The first in May 2016 when the Police were called to a fight at the premises and subsequently witnessed loud music being played at the premises at 3.50 am. The second referral was received in March 2017, following receipt of a complaint of noise from a local resident.

d) Relevant Sections of the Statutory Guidance.

Cartrefi a Chymunedau Mwy Ddiogel

Adran Cymunedau

3 Heol Spilman, Caerfyrddin, SA31 1LE

Tŷ Elwyn, Llanelli, SA15 3AP

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

Homes and Safer Communities

Department for Communities

3 Spilman Street, Carmarthen, SA31 1LE

Tŷ Elwyn, Llanelli, SA15 3AP

Town Hall, Iscennen Road, Ammanford, SA18 3BE



BUDDSODDWR | **INVESTORS**
MEWN POBL | **IN PEOPLE**

Mae Cyngor Sir Caerfyrddin yn croesawu goheblaeth yn Gymraeg neu yn Saesneg | Carmarthenshire County Council welcomes correspondence in Welsh or English

CI

The Licensing Authority believes that the following sections of the Statutory Guidance are relevant to this licence application: - Section 1 Introduction, Section 2 relating to The Licensing Objectives, Section 5 relating to Premises Licences, Section 8 relating to Applications for Premises Licences and Section 10 relating to Licence Conditions.

e) Relevant Sections of the Local Licensing Policy.

The Licensing Authority believes that the following sections of Carmarthenshire's Licensing Policy are relevant to this licence application:- Section 3 Fundamental principles, Section 4 Conditions of Licence, Sections 5 – 9 relating to The Licensing Objectives and Section 11 relating to Licensing Hours.

f) Proposed Operating Schedule.

Having considered the current application and the operating schedule put forward by the applicant, the Licensing Authority believes that, if the application were granted, the wording set out in the operating schedule, which refers to the existing licence conditions, is not sufficiently precise to enable it to form clear enforceable licence conditions in accordance with section 18(2)(a) of the Licensing Act .

The Police have submitted a letter of representation in relation to the application. The Police representation does not object to the application but requests that additional conditions be attached to the licence should the application be granted.

Further representations has been received from other persons, which sets out their objection to the application. The subcommittee will have to be satisfied that granting the application will not undermine the licensing objectives.

If the application is granted, given the location of the premises and the permitted hours sought, I believe it would be appropriate to attach conditions numbered 1 -19, requested by the Police in their letter of the 7th of August. In addition to the Police conditions I believe that it would be appropriate to attach a further condition requiring the licence holder to place prominent signs both inside and outside at the entrances to the premises advising customers that no persons may enter or re-enter the premises after midnight.

These representations have been prepared on the 23rd of August 2018 with the benefit of viewing the original application and representations from the Police and other parties.

I would be grateful if the applicant could contact me to discuss the above representations at the earliest opportunity and certainly prior to the application being referred to a Licensing Sub Committee hearing for determination.

If you require any further information or assistance, please do not hesitate to contact me.

Yours faithfully,



Mr E O R Jones
Principal Licensing Officer



Heddlu Police
DYFED-POWYS

**Gorsaf yr Heddlu Rhydaman
Ammanford Police Station**

Heol Ffowndri, Rhydaman, Sir Gaerfyrddin, SA18 2LS.
Foundry Road, Ammanford, Carmarthenshire, SA18 2LS.

• Ffôn / Tel : 101 - Rhydaman / Ammanford
01267 222020 y tu allan i ardal Dyfed-Powys
if outside the Dyfed-Powys area
• Ffacs / Fax : 01269 591892

Eich cyf. / Your ref.

Efn cyf. / Our ref.

Gofynnwch am: / Please ask for: 13vary/MP.

Mike Price
Divisional Licensing Officer
Telephone 101 extension 26464
email mike.price@dyfed-powys.pnn.police.uk

Mr. EOR Jones
Principal Licensing Officer
Carmarthenshire County Council
3 Spilman Street
Carmarthen
SA31 1LE

Mr. Cefin Evans
Pelican Inn
Sycamore Street
Newcastle Emlyn
Carmarthenshire
SA38 9AP

Tuesday 7th. August 2018

Dear Sir,

**Re: Variation of Premises Licence – Pelican Inn/Paned Un Sycamore Street,
Newcastle Emlyn, Carmarthenshire SA38 9AP.**

Applicant – Cefin Evans.

Date completed application received – 26/07/2018

With reference to the above application for the Grant of a Premises Licence the following Licensing Activities are applied for.

Supply of Alcohol on premises only.
Friday and Saturday 10.00 to 02.00.

Late Night Refreshment
Sunday to Thursday 23.00 to 00.00.
Friday and Saturday 23.00 to 02.30.

With the premises open to the public.
Friday and Saturday 10.00 to 02.30.

Prif Gwnstabl • **Mark Collins** • Chief Constable.



Page 34

Mae Heddlu Dyfed-Powys yn croeseawu goheblaeth yn Gymraeg a Saesneg. Byddwn ni'n sicrhau ein bod ni'n ymateb yn eich dewis iaith ac ni fydd oedl mewn perthynas ag unrhyw oholebiaeth drwy'r Gymraeg.

Dyfed-Powys Police welcomes correspondence in Welsh and in English, and we will ensure that we respond to any correspondence through the language of your choice. Corresponding via the medium of Welsh will not endure any delay.

BUDDRODDIADAU Mewn Pŵel
INVESTOR IN PEOPLE

www.dyfed-powys.police.uk



No Seasonal Variations.

No Non Standard Timings.

Currently the Premises Licence holder and DPS is Cefin Evans, Mr Evans does not have day to day control at the premises.

Mr. Andrew Giles has for some time been in charge of the day to day business of running the premises. The Police therefore request that Cefin Evans be replaced as the DPS with a person who has the day to day control of the business.

There are no Police objections to the proposed variation; the Carmarthenshire Division of the Dyfed Powys Police will make the following representations.

With the later hours applied for the Police have asked for strong and robust conditions to promote the licensing objectives.

- 1. The whole of the licensed area with entry and exit areas must be covered by CCTV cameras, and there must not be any hidden or obscured areas .This will deal with issues which may have arisen outside the premises when customers have been arriving or leaving.**
- 2. The System must be installed by a company certified by SSAIB or NSI Gold standard.**
- 3. Main entrance exit to have a camera meeting a minimum of 100%R image quality.**
- 4. All footage must be of good quality and of a minimum performance capability sufficient to identify individuals.**
- 5. It must be in colour.**
- 6. It must record at a minimum of 12 images per second.**
- 7. All images will be time and date stamped.**
- 8. All footage during the hours of Licensable activities to be retained for a period of 30 days.**
- 9. The CCTV system must operate continuously, and if a defect arises the police must be informed and immediate arrangements must be made to rectify the fault**
- 10. All footage must on demand be made available to a Police Officer, Police Community Support Officer and Local authority Officer for viewing and a copy of that footage made immediately available to the above officers.**

11. At all times during the period of operation of the premises there must be a competent person on the premises capable of reply and be able to undertake the export of recordings quickly onto a removable storage medium. Memory Stick, CD, or DVD format is acceptable to the police. The master copy will be available to the police on demand.
12. The system must incorporate a means of transferring images from the hard-drive to a format that can be played back on any Microsoft Windows or MAC compatible computer. The application software required to launch and view recorded images must either be included as part of the standard operating system installed or be installed to the recorded media when the data is copied to that media.
- 13 The system must be registered with the Information Commissioner (Tel 0303 123 1113 or email registration@ico.org.uk)

Please refer to the Dyfed Powys Police CCTV requirement document for full specification. This can be accessed by contacting Pc. Rob Chapman at the Neighbourhood Development Office at Ammanford Police Station telephone number 01269 590580 as a matter of urgency to discuss the above CCTV conditions prior to any agreement being reached. To ensure that any system installed complies with the requirements of the proposed licence conditions.

14. No open glass or glass vessels/bottles to be removed from the boundary of the Premises.
 - 15 .The DPS to become a member of the local Pub Watch scheme and to support the BOBB scheme, 'Behave or be Banned'.
- As per paragraph 6.7 within the Licensing Policy*
16. The challenge 21 scheme to be adopted at the premises with notices and posters to be clearly displayed in the premises, near the entrances and bar areas. To emphasise to customers that they will be challenged if they look 21 and under.
 17. No person under the age of 18 shall be employed on the premises whether paid or unpaid for the purpose of serving alcohol.
 18. The consumption of alcohol by customers at the premises must cease at or before the end of opening hours as specified in the premises licence. Staff are required to collect all alcoholic drinks prior to the end of the opening hours as set out in the licence.
 19. No persons to be allowed entry or to re-enter the premises after midnight.

The above conditions the police believe are necessary and appropriate to promote the

Licensing Objectives.

I would grateful if you could contact me to discuss the above representations at your earliest convenience.

I submit the above for your consideration and comment.

Yours Sincerely

Mike Price

Divisional Licensing Officer

The
Maker's
Mark

15 Sycamore Street
Newcastle Emlyn,
Carmarthenshire
SA38 9AP

Cartrefl a Chymunedau
Mwy Diogel

22 AUG 2018

600
Homes and Safer
Communities

20 August 2018

Ref The Pelican Inn

Dear Sirs

For the past 20 years I've run a business, The
Maker's Mark, retailing locally produced Arts
& Crafts at No 15 Sycamore Street, some 20 odd
paces from the Pelican Inn. I live above my
business & my garden is at the rear of the property.
I wish to voice my strong objections to increase the
licensing hours at the Pelican Inn from

Sunday - Thursday 11pm to midnight

Friday - Saturday, from 11pm to 2.30 am

And here are the reasons why — but first

you'll have to bear in mind that I assumed that
the Pelican was legitimately open until 1-1.30 am
so you'll have to read some of this as the
problems the proposed extension to the opening hours
almost always cause

Taxis

2

Cars & Minibusses, even the odd small coach on occasion but it's not uncommon to have up to 3 assorted vehicles all sat in the vicinity outside the pelican with their engines idling in the early hours of the morning.

You're thinking now that it's just for a few minutes before they pick up their clients aren't you?

I know that you are because this would be logical/reasonable/sensible. But no! whether they are waiting 15 minutes or an hour they ALL without exception leave their engines running.

It is usual for taxis to be waiting 20-40 mins.

This is annoying because in the quiet of the night the sound of the idling engines immerse my home in a pulsating drone with a maah ta-ta-ta rrrraaaaah ta-ta-ta beat if their engines arn't up to scratch and, it stinks.

It's really relaxing to get some clean fresh air at night. Taxis idling for long periods of time really stink my home out more than cars driving past during the day. It makes me feel quite nauseous sometimes!

Other neighbours complaining to me about this

gave me incentive; on occasion to go out & ask the taxi drivers if they would mind turning their engines off whilst they're waiting & explained why. Most were Sweethearts, a few have been gruff & arsie and have gone & sat with their engines running around by the clock-tower instead. but people live by there too, so.

This issue is still an ongoing nuisance & a completely unnecessary one by my reasoning.

The third issue with the taxi drivers collecting clients from the Pelican in the early hours of the morning is that by that time the front doors are closed to new arrivals but the pub is still busy & playing loud music inside.

Consequently the taxi drivers have to hammer with some force on the front door of the pub in order to be heard above the noise inside.

Frankly this would wake the dead but oftentimes is not loud enough to alert the clients inside the pub, so, repeat until desired results are obtained.

It's very alarming, would certainly wake me if I was naive enough to go to sleep before 2am. I've got used to it - still gives me a start but no

longer creates that flight or fight anxiety response when you recognise that it's not a neighbour's door getting kicked in. This door hammering also occurs with drunk people desperate for more booze having already spent the evening in another pub, I presume.

Despite that these issues occur well past midnight, I do understand that the above issues are not directly within the control of the manager of the Pelican Inn. Regardless they are still problems in relation to the Pelican that I fear would continue from Midnight ~ 4am should this extension to the license be granted.

Now for the issues that are under the control of the licensee. Motorhead, & other such heavy metal bands. I am not a fan. I am not a fan of much of the music played at The Pelican & I don't want to have to listen to it in my home. The Pelican goes through phases where all is good & I get on with mine & my life. There may be a degree of background noise in my house of course but not to the extent of being

particularity intrusive or really interfering with the enjoyment of my home. Then there are phases and single occasions where the volume of the music is completely unacceptable & completely disrespectful of the lives of local residents.

By an unacceptable level I mean being able to hear clearly which tracks are being played whilst working inside No. 17 with all the doors & windows closed.

I mean thoroughly anti-social

It's meant to be a pub (not a nightclub). I don't want to be ringing the police at 3am to get the Pelican to stop when the pub is going through a loud phase. Certainly I, & I'm sure the Police have better things to do.

The last issue, not entirely unrelated to the above fairly frequent breeches of the current licensing hours. I've had previous issues which should be on file regarding heavy metal music from the Pelican being audible in my home at 2-3am. I must stress this was from the pub not from the flat above. I don't know where those files are now but when I met with the police I could prove this, it was absolutely evident from the

recordings that the pub was very much in full swing. At that time I was given to understand by the police that the license to play music was until 11pm?

Still to this day the music from the Pelican is frequently at its loudest from 11pm - 1am.

I have no issue with quiet lock-ins. I object when the whole neighbourhood has to share in them. It's anti-social & drunk people coming out of a noisy environment make a lot of noise.

I can understand the Pelican wanting to even out the playing field in regard to its licensing hours compared to the licensing hours of other pubs in town. And, by comparison, the frequent breaching of license & anti-social behaviour arising from the Bunch of Grapes, desited even though it is much further away from my property has had (its been behaving itself for the last few months) a vastly bigger detrimental impact on my life & the town. For all Andrews playing outside the rules, he runs a darn clean pub. It's the pub the towns traders meet for a pint. He puts a lot of effort in to his window displays, amusing chalk boards, flower displays. They always look brilliant, lots of care & thought

7
goes in to them. He has a reputation for
throwing people out — which is a positive thing!
He has standards & he won't tolerate drug taking,
drug dealing, aggressive drunken idiots, louts & yobs.
It's the pub I recommend to my customers. I'm
confident the experience they have there won't leave
me ashamed of my town. They'll be safe there.

I can understand the publican 'sibling-ish'
rivalry of 'Well they're getting away with it &
then some, so why can't I'.
Well because two wrongs don't make a right

Allowing pubs to be open until 2-2.30 in
the morning has been a disaster for the
town — good gosh I thought that Sir Ceredigion
only granted Hookers nightclub a license till
2am to spite Sir Gaerffyrddyn, it shouldn't
have set a precedent. That lesson should
have been learnt a decade + ago.

Right & fair would be to bring all the pubs
in line to close earlier & to enforce it.

Newcastle Emlyn is not a large town such as Llanelli or Carmarthen. It is a small narrow street of a market town, still with a high residential population living on the high street. When are we meant to get some sleep? From 3am till 7am, when the street cleaners & deliveries start?

As I said at the start of my letter, I've been in business for 20 years & in that time I've put over a million £'s directly back in to the local economy. I didn't achieve that by just sitting behind the counter & looking pretty. It's hard-bloody-work, & it's constant, a lifestyle rather than a job & a juggle to make ends meet.

It's the same for everyone along the high street. So why are Publicans/nightclub owners etc regarded like Chinese sons when it should be regarded as if we are all in it together.

Because we are

If the goal is towards a town full of charity shops, pubs & DHSS tenants then you're going about it the right way because the

Noise/music pollution from pubs & the opening till the middle of the night has had a colossal detrimental impact on my mental health & physical well being.

It has had a colossal detrimental impact on the peaceful enjoyment of my home & environs.

It has had a colossal detrimental impact on my income & the ability to run my business.

It costs me. In the hundreds & hundreds

For my part, Mrs Thomas doesn't like my Glenn Ibbitson canvases of nude men in the shop window. That's the extent of my 'negative' impact on the community

You can see the inequality here surely?

I appeal to you not to dish out more late licenses, rather reign it in for all pubs & get some order in this town to really 'improve the way we live & work' as a community

Regards
Narda Mantle

Ysgawen. Church Lane. Newcastle Emlyn. SA38 9AB

Licensing Section

Carmarthenshire County Council

18th August 2018

I hope I can express how strongly I object to the extended licensing hours at The Pelican Inn, Newcastle Emlyn.

I live at the back of Sycamore Street - a garden and an alleyway from the rear of the Pelican - and I'm frequently disturbed by loud music, swearing, shouting & general alcohol-fuelled noise from the 'smoking area' - many times past midnight & beyond. I cannot have any windows open nor can I go to sleep on these occasions - the thought of it going on until 2.30/3am is intolerable. The landlord already breaches his licensing hours & shows little consideration to this being a residential area (at least 8 people in close proximity) however much he talks the talk in our conversations.

Newcastle Emlyn is a small, unique market town & having the proposed opening hours would not be of ANY benefit to the town, only the landlord. Experience has taught me that people who drink alcohol until the early hours tend to be loud, aggressive, rowdy and have anti-social behaviour. Also with 5 public houses in the main street, if these extended opening

hours are considered, what about another pub
... and another ... and another!

The jewel of the Teify Valley would be ruined.

Please, I appeal to you to reject this application

Yours

Fiona Mantle