

# Document Pack



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

**WEDNESDAY, 13 FEBRUARY 2019**

**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. SA31 1JP. AT 10.00 AM, ON THURSDAY, 21ST FEBRUARY, 2019 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA**

*Mark James* CBE

**CHIEF EXECUTIVE**



PLEASE RECYCLE

<b>Democratic Officer:</b>	<b>Emma Bryer</b>
<b>Telephone (direct line):</b>	<b>01267 224029</b>
<b>E-Mail:</b>	<b>ebryer@carmarthenshire.gov.uk</b>
<b>Ref:</b>	<b>AD016-001</b>

LICENSING SUB- COMMITTEE - B 7 MEMBERS
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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.

# A G E N D A

1. DECLARATIONS OF PERSONAL INTEREST.
2. TEMPORARY EVENT NOTICE - DERWYDD MANSION, DERWYDD ROAD, AMMANFORD, CARMARTHENSHIRE, SA18 3LQ 5 - 10

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## LICENSING SUB COMMITTEE 21<sup>ST</sup> FEBRUARY, 2019

**SUBJECT AND PURPOSE**  
**TEMPORARY EVENT NOTICE.**  
**DERWYDD MANSION, DERWYDD ROAD, AMMANFORD,**  
**CARMARTHENSHIRE, SA18 3LQ**

### 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 notice 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

Mrs Kirsten Smith

Designation:

Head of Homes and Safer  
Communities

Licensing Officer

Tel No.

E Mail Address:

01554 899285

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01267 228801

ksmith@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY**  
**Licensing Sub Committee**  
**21<sup>ST</sup> FEBRUARY, 2019**

**SUBJECT**  
**APPLICATION FOR 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 a Temporary Event Notice submitted by Mrs Maria Dallavalle of La Scala, 15 Bryn Mawr Avenue, Ammanford, SA18 2DA. 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 and hours.

To allow:-

Temporary Event Notice – Saturday 25<sup>th</sup> May 2019 - Great Hall, Derwydd Mansion.

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

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 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

Head of Homes and Safer Communities

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

**LEGAL:** The legal implication of issuing a counter notice is that the applicant may lodge an appeal.

## 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.	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:

Fy nghyf / My ref: AWM

Dyddiad / Date: 31/01/2019

Gofynner am / Please ask for:

Aled Morgan

Llinell Uniongyrchol / Direct Line:

01269 598262

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, with regards to an event on the 25<sup>th</sup> of May 2019, may I make the following observations.

Whilst considering the details of the application the Environmental Protection Section would like to **object** to the application. We are not satisfied that the "Prevention of a Public Nuisance" objective will 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 2018 have resulted in noise related complaints being received from a nearby resident.
- Noise monitoring undertaken during weddings held in 2017 and 2018 confirmed that both music and people noise from the above premises can be clearly audible at the complainants property.
- The Licensing Sub-committee on the 26<sup>th</sup> of September 2018 decided to issue a counter notice to a similar TEN application.
- Prior to receiving this TEN no formal or informal communication has been received from the applicant, in order to discuss the issue of noise from events at the property.
- 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.
- A notice under section 80 of the Environmental Protection Act 1990 has been served on the premises prohibiting the recurrence of a Statutory Noise Nuisance from "*Loud amplified music arising from Derwydd Mansion*". It is likely that without having reasoned confirmation on how noise from the event will be controlled and monitored, that the event may lead to a breach of the notice.

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.

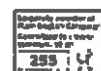
Head of Housing & Public Protection

Department for Communities

3 Spilman Street, Carmarthen, SA31 1LE.

Tŷ Elwyn, Llanelli, SA15 3AP.

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



Therefore I would invite the applicant to provide some information and clarity on how the above event will be managed, and what control measures will be put in place to ensure that the event does not undermine the Prevention of a Public Nuisance objectives of the Licensing Act.

In addition to the above points I would also like to seek clarity from the applicant on the following two issues-

1. I am aware that the Mid and West Wales Fire Authority served a Prohibition Notice (Ref No PN/20835/03) on the above premises on the 12<sup>th</sup> of December 2018. Therefore I would like to seek clarity from the applicant on what is the current status with regards to the above Notice and what impact does this have on the Public Safety Objective of the above event.
2. I am aware that there has been issues with the drainage system of the above premises. Whereby foul water effluent has discharged onto a neighbouring property. Therefore I would be grateful if the applicant could clarify or provide an update on whether the issues regarding the drainage system has been rectified. If the drainage issue has not been resolved could the applicant outline what alternative measures will be put into place for toilet facilities for guests attending the wedding.

Should the information provided be sufficient to alleviate the above concerns, then the Environmental Health Section may reconsider its objection to the issuing of the TEN.

Yours Faithfully



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