



Eich cyf / Your ref:

Fy nghyf / My ref: AWM/183312

Dyddiad / Date: 16th September 2022

Gofynner am / Please ask for:

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

Dear Sir,

**Re - : Application for the Review of a Premises Licence
Blue Bell Inn, 19 High Street, Llandovery, Carmarthenshire, SA20 OPU**

Further to the receipt of the above application the Pollution Team would like to make the following representations.

Since the 28/ 6/2021 the Pollution Team have received several noise complaints in relation to the above premises.

The following complaints have been registered to date

- 28/06/2021** - Jo Lambert "Complainant A"
- 01/ 9/2021** - Jo Lambert "Complainant A" -
- 06/09/2021** - Catherine Povey "Complainant B"
- 07/09/2021** – "Complainant C"
- 13/09/2021** – "Complainant D"
- 20/09/2021** - "Complainant E"
- 27/09/2021** - Catherine Povey "Complainant B"
- 02/11/2021** – "Complaint F"
- 29/11/2021** - Catherine Povey "Complaint B"
- 31/01/2021** - Jo Lambert "Complainant A"
- 20/04/2022** - Catherine Povey "Complainant B"



30/05/2022 - Jo Lambert "Complainant A"

Three of the above complainants have used the Noise App, therefore they have submitted either recordings or reports when the noise from the above premises was causing them a disturbance.

The written summary of Noise app recordings from Complainant A is located as **Exhibit Blue/1** and a copy of the recordings is attached **Exhibit Blue/2**

The written summary of Noise app recordings from Complainant B is located as **Exhibit Blue/3** and a copy of the recordings is attached as **Exhibit Blue/4** .

The written summary of Noise app recordings from Complainant E is located as **Exhibit Blue/5** and a copy of the recordings is attached as **Exhibit Blue/6**.

Following the receipt of the above complaints, Officers from the Pollution Team have undertaken a number of actions in order to try and resolve the complaints informally. These are as follows

- On the 12th of July 2021 (**Exhibit Blue/7**) and again on the 31st of August 2021 (**Exhibit Blue/8**) correspondence was sent to the Blue Bell Inn, 19 High Street, Llandovery. The correspondence informed them of the complaints received and that a noise investigation would now be undertaken.
- On the 24th of November 2021, Mr Rhys Thomas Environmental Health Officer from the Pollution Team visited the Blue Bell Inn and discussed the complaints with Mrs Anna-Marie Elizabeth Reed Premises Licence Holder (PLH).
- On the 15th of December 2021 a site meeting was arranged between Ms K Smith Licensing Officer, Mrs Anna-Marie Elizabeth Reed PLH and myself. During the meeting we discussed the noise complaints with PLH and I also advised Mrs Reed that the noise observed from the submitted noise app recordings indicated that noise levels were extremely high. Advice was given to Mrs Reed PLH to contact us prior to deciding resuming outdoor live music in the spring of 2022.

- On the 2nd of February 2022 correspondence (**Exhibit Blue/9**) was sent to Mrs Anna-Marie Elizabeth Reed DPS informing her of a complaint received regarding loud amplified music emanating from the above mentioned property at 11:10pm on the 29th of January 2022.
- On the 27th of April 2022 another site meeting was arranged between the Licensing Section, Police Licensing Officer, Mrs Anna-Marie Elizabeth Reed PLH and myself. During the meeting we spoke with Mrs Reed PLH and provided our opinion and informed her this was the 2nd occasion for us meet and speak with her. Mrs Reed was informed should we continue to receive complaints then a more of a formal route would be adopted. I informed her on the potential outcomes of such formal action in that we could apply to Review the Premises Licence **and/or** issue a noise abatement notice. Mrs Reed informed me that there were a few bands **scheduled to play in the** outside area. This was despite the concerns I had highlighted during a previous visit on using the outdoor area to hold music events. Mrs Reeds also informed me that a number of bands were booked up until end of summer however these would be located indoors.
- On the 16th of June 2022 correspondence was sent to Mrs Anna-Marie Elizabeth Reed **Exhibit Blue/10**. The correspondence informs Mrs Reed of continuing complaints we were receiving and strongly advise **not** to submit any Late TENs as they are likely to be objected without the option of being determined at a Licensing Sub Committee.

Following our failed attempts to informally resolve the ongoing noise complaints, on the 24th of June 2022 I installed noise monitoring equipment. The equipment was installed in the rear garden of 17 High Street, Llandovery, Carmarthenshire. The summary of the noise monitoring can be found in **Exhibit Blue/11** and a copy of the noise monitoring can be found in **Exhibit Blue/12**.

Considering the analysis of the noise monitoring undertaken and the evidence submitted via the Noise App from complainants we determined that a Noise Abatement Notice should be issued on noise from amplified music at the Blue Bell Inn, 19 High Street, Llandovery,

Carmarthenshire, SA20 OPU. On the 21/07/2022 a Noise Abatement notice was served a copy of the notice **Exhibit Blue/13**.

Subsequent to serving the Noise Abatement Notice we have received several noise app recordings from complainants as highlighted in yellow in **Exhibit Blue/1** and **Exhibit Blue/3**

Significant resources and efforts have gone into trying to resolve the issue informally with Mrs Anna-Marie Elizabeth Reed . We continued to receive noise complaints, as a result we served a legal notice on 24th of June 2022, on Mrs Anna-Marie Elizabeth Reed. Despite using our formal enforcement powers we continue to receive noise complaints, therefore based on the above Pollution Team supports the review application submitted by the Licensing Team and what has been requested.

On hearing evidence from all parties should the committee decide that it would be more proportionate to amend the conditions of the Premises Licence as opposed to revocation. Then the Pollution Team would like to suggest the following as potential conditions .

The conditions proposed would be based on the points below - :

1. Install adequate CCTV at the premises and ensure that all relevant areas are covered including all access and egress points and any external areas.
2. Remove the Live Music entitlement under the Live Music Act 2003 for all outside areas. This would result in the use of TEN's for any Live Music in outside areas.
3. Doors to be provided with self-closures.
4. Improve the management of entertainment at the premises.
5. Prohibit the playing of any amplified music /entertainment from all outside areas.
6. Ensure that all premises licence conditions apply between 08.00 and 23.00 each day.

The application seeks to attach all the conditions requested above in accordance with section 177A(4) of the Licensing Act 2003 and also to give renewed effect to all existing licence conditions in accordance with section 177A(3) of the Licensing Act 2003. In all instances it is proposed that a statement be included as part of all premises licence conditions indicating that S177A of the Licensing Act 2003 does not apply to the conditions.

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

Yours Faithfully

Aled Morgan
Environmental Health Officer
Homes and Safer Communities