



Eich cyf / Your ref:

Fy nghyf / My ref: AWM/184738

Dyddiad / Date: 10 October 2022

Gofynner am / Please ask for:

Llinell Uniongyrchol / Direct Line:

E-bost / E-mail:

Aled Morgan

01269 598310/262/246/208

publicprotection@carmarthenshire.gov.uk

Mrs Anna-Marie Elizabeth Reed,
Blue Bell Inn
19 High Street
Llandovery
Carmarthenshire
SA20 0PU

Dear Madam,

ENVIRONMENTAL PROTECTION ACT 1990, PART 3

Re: Alleged Statutory Noise Nuisance arising from the Blue Bell Inn, 19 High Street, Llandovery, Carmarthenshire, , SA20 0PU

Further to my previous correspondence to you on the 2nd of February 2022 and also the two site visits undertaken on the 15th of December 2021 and 27th of April 2022 may I confirm the following. We have received further noise complaints with regards to loud music and customer noises arising from the above premises on the following dates

28th of May 2022

3rd of June 2022

4th of June 2022

11th of June 2022.

Noise recordings submitted to the Local Authority via the Noise App contains evidence of loud music being clearly audible at the complainant's property. The level of music during the Temporary Event held on the 3rd and 4th of June 2022 were extremely loud and most concerning.

I would like to reiterate to you the advice provided to you during our site visit on the 27th of April 2022. During the visit I informed you that should we continue to receive complaints and gather evidence of loud music emanating from the above premises that I will be considering taking formal action via the following legislation.

Environmental Protection Act 1990

Should monitoring establish an existence of a Statutory Nuisance as defined under Section 79 of The Environmental Protection Act 1990; the Local Authority will have a duty to serve an abatement notice.

It is an offence if a person on whom an abatement notice is served, without reasonable excuse



contravenes or fails to comply with any requirement or prohibition imposed by the notice. A person who commits such an offence on industrial, trade or business premises shall be liable summary conviction to an unlimited fine.

Licensing Act 2003

You will be aware that under the Licensing Act 2003 you have a duty to promote the four licensing objectives; one of which being “the prevention of public nuisance” objective.

You are advised to familiarise yourself with the conditions of the current premises licence, and ensure that all current conditions are being adhered to.

Failure to comply with any conditions attached to a licence is a **criminal offence**, which on conviction would be punishable by an unlimited fine or up to six months imprisonment or both.

If it is found that activities undertaken at your property are undermining the licensing objectives, the Public Health Section may consider making an application to review the premises licence.

A review of a premises application may result in the following:-

- Modify or add conditions to the licence
- Exclude a licensable activity from the licence
- Remove the designated premises supervisor
- Suspend the licence for a period (not exceeding 3 months)
- Revoke the licence

I trust you will take heed of the content of this letter, and if appropriate, control measures will be implemented in order to prevent further complaints and therefore avoiding the need for formal action.

In addition to the above should wish to apply for any further TENs applications, then I would strongly advise you to submit them early enough to enable the application to be objected to and determined in a Licensing Sub Committee. Should you wish to receive further advice on this process please do not hesitate to contact the Licensing Section in order that they can provide you with the appropriate advice. I would also strongly advise you **not** to submit any Late TENs as they are likely to be objected but without the option of being determined at a Licensing Sub Committee.

I trust that the above is of some information should you wish to discuss the above then please do not hesitate to contact me on 01269 598262.

Yours faithfully,

Aled Morgan
Environmental Health Officer
Environmental Health Section