
CENTRAL LICENSING SUB-COMMITTEE, 18.04.08

Present: Councillor J.R.Jones (Chairman); Tudor Owen and Gwilym Williams

Also present: Sion Huws, (Propriety Officer), Amlyn ab Iorwerth (Licensing Manager) and Ioan Hughes, (Committee Officer).

Others invited to the Meeting:

Representing the Police: Mark Holland, (Community Beat Officer)

Representing the Administration and Public Protection Unit of Gwynedd Council: (Alun Evans)

The applicant: David Martin Roberts, Eiliw Alwyn, (applicant's partner)

Owner of the Site: Arthur Parry

Local Member: Councillor Margaret Griffith

1. APPLICATION FOR A PREMISES LICENCE FOR AFONWEN FARM, PWLLHELI

Submitted - the report of the Licensing Manager on the application for a Premises Licence for the land of Afonwen Farm, Pwllheli to permit film, live and recorded music and dancing between 12:00pm and 01:00am, and the provision of late night refreshments and supply of alcohol between 12:00pm and 12:00am, with the premises open to the public between 12:00pm and 01:00am.

Reference was made to the number of letters received involving the application and the Licensing Manager noted that some letters had not been considered because the people who wrote in lived an unacceptably long distance from the site.

He added that a letter had been received from Gwynedd Council's Planning Department, objecting to the application because of the lack of details submitted. No observations had been received from the Fire Service.

When considering the application, the following procedure was followed:

1. A written report was presented by the Licensing Section with a recommendation.
2. Members of the Sub-committee were given the opportunity to ask questions of the Council's representative.
3. The applicant or his representative was invited to ask questions of the Council's representative.
4. Each Consultee was invited to support any written observations.
5. The applicant was given an opportunity to elaborate on his application and then to call witnesses.
6. Members of the Sub-committee were given an opportunity to ask questions of the applicant and / or his representative.
7. The Council's representative was invited to ask questions of the applicant or his

representative.

8. The Council's representative and the applicant were given the opportunity to summarise their case.

All were reminded of the four principles of the Licensing Act 2003 to be considered, namely:-

1. Crime and Disorder prevention
2. Public safety
3. Public Nuisance prevention; and
4. Protection of Children from Harm.

Elaborating on the information received from the Police, the Community Beat Officer referred to their concerns in respect of traffic. He noted that the access would lead on to the A497, which was a busy road.

The Police were also concerned about the suitability of the car park as part of it was on a relatively steep slope. Although events had been held at Afonwen Farm in the past, the Police Officer noted that none had been on this scale.

In response to an enquiry, the Police Officer stated that there would be no Police presence on the site during an event, unless a request had been made by the Gwynedd Events Safety Advisory Group.

However, the Licensing Officer confirmed that a condition could be imposed to ensure Police presence.

The Environmental Health Officer, Gwynedd Council, reported that he had two main concerns, namely, the problems which could arise as a consequence of the car park, especially in inclement weather and the main concern was the noise which would have a detrimental impact on nearby residents. He noted that some people lived within 320 metres of the site. He added that the Unit had recommended imposing nine conditions for noise management, should the application be approved.

The local Councillor noted that the lack of information provided regarding the application caused concern. She added that detailed information regarding the type of events which would be held on the site or the number of days in the year when the licence would be used had not been submitted.

The Councillor also referred to concerns regarding noise, road safety and considering that approximately 6,000 people would be attending, safety in general caused her concern.

An opportunity was given to objectors present to submit their observations in support of the reasons noted by them in their letters. The following made observations:

Mr T. Elwyn Griffiths, (on behalf of Llanystumdwy Community Council), Mr Tony Hulatt, Glenydd Lôn Goed, Afonwen, Mrs Margaret Hulatt, Glenydd Lôn Goed, Afonwen, L. H. Williams, Sŵn y Don, Ifan and Anne Jones, Bodarwen, Afonwen, Mrs Pamela Bateman, Hen Efail Farm, Chwilog, Mrs Elaine Cowley, 1 Penybont, Afonwen, Mr Rhys Jones, Tŷ'n Ffridd, Chwilog, Mrs A. Widdicombe, The Bungalow, Bryn Marsli Farm, Chwilog, M. J. Williams, 1 Pen-y-Groes, Chwilog, D.W. and A. S. Jones, Tŷ'n Lôn, Afonwen, Mrs Sian Jones, Talar Deg, Chwilog, Joyce Allenby, Bryn Tirion, Chwilog.

Concern was expressed by them on the following grounds:

- Noise in a rural area would have a detrimental effect on nearby residents
- Road safety
- Unsuitable car park
- The number of people attending an event
- Dangers regarding the nearby railway
- Concern regarding law and order

The owner of the site emphasised that he had considered the situation in detail and he lived closest to the land in question.

He drew further attention to the following:

- He had a family himself as well as ten holiday homes and he would not wish these to be detrimentally impaired in any way.
- The success of events held on the site in the past and the way in which these had benefited the local community.
- The means by which local businesses could benefit, should the application be approved.
- He would not be willing for any event to be held on the land should problems become evident.

The applicant and his partner were eager for all to realise that this would not be a major event. They explained that they intended to hold an event of four evenings, with separate evening events being held with a different musical taste for each evening's music. This would mean that the site would be completely cleared each night and nobody would be allowed to sleep in cars on the site.

It would be possible to hold other events because the application was for a Premises licence, but the applicant and his partner stated that they had no intention of holding another event on this scale.

They further noted that they would be arranging the four night event because of their love of music and they had an extremely experienced team of organisers to assist them.

Reference was made to traffic and the applicant emphasised that there would be stewards available to ensure traffic management in and out of the site. It was also confirmed that it would be possible to cancel the train service between Criccieth and Pwllheli on the four evenings, should the applicant give assurance that a bus service would be available between the two towns.

He added that a taxi rank and bus stop would be created near the site.

In response to an enquiry, the applicant stated that the entertainment for the four evenings would be advertised on the internet but the tickets would be sold in advance to ensure that unreasonable numbers of people would not turn up at the site.

The applicant emphasised that he had fully co-operated with the Gwynedd Events Safety Advisory Group and he would be willing to comply with any condition. However, he referred to the comments of the Police, who wished to ensure that nobody under the age of 16 would attend the festival, and asked whether there could be more flexibility in this respect so that one of the four evenings could be set aside for families.

When summarising, the Licensing Officer stated that it would be possible to monitor noise levels and that this would usually be done in events of this type.

The application was given due consideration by members of the Sub-committee and during the discussion considerable concern was expressed in respect of the possible detrimental impact of

noise on nearby residents, road hazards and the unsuitable position of Afonwen Farm for such an event.

Considering the evidence provided by the Police and local residents and in order to adhere to the following principles:

- a) Crime and Disorder prevention
- b) Public Nuisance prevention
- c) Protection of Children from Harm.

RESOLVED to refuse the application on the grounds of:

- a) concern regarding traffic travelling to and from the site on the A497, which is a busy road, noting that this is in accordance with observations made by the Police,**
- b) the impact of noise on nearby residents and the nuisance which this could cause,**
- c) concern regarding the suitability of the site which could make it impossible for vehicles to travel into and leave the field safely, especially in wet weather,**
- ch) concern because of the difficulty in complying with conditions imposed in respect of noise management**
- d) the site was completely unsuitable for such an event, despite the applicant's willingness to co-operate with the Gwynedd Events Safety Advisory Group.**

The Propriety Officer reported that a letter would be sent to the applicant within seven days, confirming the decision of the Sub-committee and everyone was reminded of the right of appeal against the decision of the Sub-committee within twenty-one days of receipt of the letter.

The meeting commenced at 10:30am and concluded at 12:45pm