
CENTRAL LICENSING SUB-COMMITTEE, 15-09-09

Present: Councillor W. Tudor Owen (Chairman);
Councillor Louise Hughes and Gwilym Williams

Also present Sion Huws (Propriety Officer), Amlyn ab Iorwerth, (Licensing Manager), Heilyn Williams (Licensing Officer) and Barbara Owen (Committee Officer)

Others invited to the Meeting:

Applicant: Ms Caroline Evans, Mr Michael Roberts (owners)

Representing the Police: Sergeant Wyn Lane

Objectors: Mr M. Gilbert, Mr Johnson, Mrs Howie, Mrs P Ryan, Mrs J.Price, Mr I and Mrs M. Hall, Mr M Scott and Mr E Johnson.

Apology: Brian Williams, South Gwynedd Fire Service Officer

1. APPLICATION FOR A NEW PREMISES LICENCE – PLAS GWYNFRYN, LLANBEDR

The Licensing Manager submitted a report regarding Plas Gwynfryn, Llanbedr for a new premises licence to permit plays, films, live and recorded music between the hours of 09.00 and 03.00, provision for dancing between the hours of 10.00 and 3.00, late night hot refreshments between the hours of 23.00 and 03.00 and the supply of alcohol between the hours of 10.00 and 03.00.

The officer reported that the response of the Police and the Fire Service had been received providing observations; the Planning Department and Trading Standards Department, providing no observations and several letters from neighbouring residents stating their objection to specific aspects of the application. Copies of an e-mail were distributed to the sub-committee from the Community Council that had come to hand within the consultation period but had not been included with the agenda, in which it was stated that they supported the application but were concerned about the effect of noise on local residents and suggesting that alcohol should not be supplied after 2.00a.m., in line with other licensed premises in the village. Copies were also provided, for information, of a letter from Mrs K. Roberts, of which an incomplete copy had been included with the agenda.

At the beginning of the meeting, the Chairman reported that two matters of order had been drawn to the Council's attention and these matters should be discussed prior to determining whether to discuss the application or not, namely:

1. Advertising the application locally It was reported that only one notice had been placed on the application site and the notice faced inside the property and, therefore, it was not conspicuous to local residents that would be passing the property on the road. After the Enforcement Officer had drawn the applicant's attention to the matter, it was reported that a further notice had been placed on the rear entrance of the property with a new closing date for the consultation period. However, the date on the original notice had not been changed and, therefore, the requirements of the law regarding advertising had not been satisfied. It was reported that a notice had been placed in the local press in accordance with requirements.

2. Plan of the property Although the application stated a marquee, the location and size of a marquee had not been shown on the plan. The Licensing Manager reported that in examples of applications where there was a moveable element, an applicant had to agree on those elements with Environmental Health Officers prior to any event.

In response to a question, the Licensing Manager reported that only one person had contacted him by phone to complain about the notice within the consultation period.

Objectors were invited to provide their observations on the matter of the local notice and it was reported that the majority had been unable to see the notice and it was only through local connections that it had been brought to their attention.

The applicant noted that she had made an effort to follow the guidance provided by the Council with regard to the local notice and she was not aware of the need to place a notice every 50m on the property as the Licensing Manager had stated.

It was decided to discuss these matters before continuing with the application and everyone except members of the Sub-committee, the Solicitor and the Committee Officer were asked to withdraw from the room. Having considered the observations of all witnesses, it was decided that it was fairly clear that the local residents had received the information in good time and there would be no advantage in deferring the application so that it could be re-advertised. The explanation provided by the Licensing Manger was accepted regarding the size and location of any marquee that would be erected on the land of the premises. Consequently, it was decided to proceed with discussing the application for a premises licence for Plas Gwynfryn.

When considering the application, the following procedure was followed:-

1. Members of the Sub-committee were given an opportunity to ask questions of the Council representative.
2. The applicant was given an opportunity to ask questions of the Council's representative.
3. An opportunity was given to every Consultee to support any written observations.
4. The applicant was invited to elaborate on her application and to call witnesses.
5. Members of the sub-committee were given an opportunity to ask questions of the applicant.
6. The Council's representative was invited to ask questions of the applicant.
7. The Council's representative and the applicant were given an opportunity to summarise their cases.

The consultees were invited to support any observations submitted in writing by them and Sergeant Wyn Lane reported that he had had discussions with the applicant because of his concern that the property would develop as a public house and he noted that the applicant had stated that she would be willing to bring the music to an end at midnight and not to supply

alcohol after 23.30. In response to a question from a member of the sub-committee regarding controlling numbers, it was noted that it would be possible for the applicant to prepare a list of guests for every event.

The Licensing Manager reported that he had received a letter from the Fire Service officer stating that there were no objections to the application but a fire alarm would have to be installed in the property and the guidelines of the Fire Service would have to be complied with prior to permission being granted to allow more people into the building.

To inform the meeting, it was reported that one of the objectors, Mr D. Newbound, following further discussions with the applicant, had withdrawn his objection.

All the objectors present took advantage of the opportunity to endorse the observations noted in the letters, drawing specific attention to the following points:

- The majority were in favour of the application to hold weddings and to provide afternoon teas as were currently occurring.
- Noise – everyone was concerned about the effect that noise emanating from any activity on the site would have on the tranquillity of local residents, noting that the valley was very tranquil and had a rural atmosphere.
- Light – the lights which would be on inside and around the property as well as the lights of additional vehicles for any gathering of people on the land of the property would have a detrimental effect on the amenities of local residents.
- Traffic – as the road towards the property and which went past it was narrow and winding, the increase in traffic could potentially lead to accidents.
- Litter – concern was expressed on the amount of litter that would be created following an event for the public.
- Road safety – concern about the lack of visibility when exiting the main entrance of the property.
- Alcohol – concern that the guests would drink excessively and create a public nuisance until the early hours of the morning.
- Tranquillity – concern that noise would have a detrimental effect on the tranquillity of guests in nearby houses and would prevent young families from sleeping.
- Rough ground – it was reported that there were rough and steep areas on the property's land which could be dangerous for those wandering around in the dark.
- Boundary – concern was expressed that it would be easy for those without an invitation to enter the property through gaps in the boundary.
- Website – disappointment was expressed that the property's website noted that the premises were already licensed.

In supporting the application and responding to the above comments, Michael Roberts stated on behalf of the applicant that Plas Gwynfryn had been the family home of the applicant for forty years but because of its size it was now necessary to find a means of creating income in order to maintain the house. The applicant already offered afternoon teas for visitors and was keen to offer the site for weddings or conferences and using part of the eight acres of land, along with the house itself. He emphasised that there was no intention of running the place as a public house or for it to be open to the public in general for them to turn in to purchase alcohol. The responses to the concerns were submitted as follows:

Events - These would only be occasionally, for instance, weddings and conferences and it was anticipated that at the most there would only be two a week and those would be more likely to occur during the summer season.

Noise - The applicant understood concerns of local residents regarding noise and the applicant was willing to amend the application hours to satisfy these concerns. It was noted that it was

proposed to retain the character of the building and the tranquillity of the area as far as possible and to collaborate closely with the Environmental Health Department regarding noise levels.

Transport – It would be arranged for any goods to be transported during the day as far as possible.

Parking – It was proposed to provide hard surface parking on the land of the property.

Accommodation – It was proposed to provide accommodation for guests only rather than advertise as a permanent hotel.

Refuse Collection – The applicant had already contacted the Council to make satisfactory arrangements for the collection of refuse.

Access – The applicant was willing to modify the access in order to make it safer by lowering the level of the wall. Also, there was a possibility that customers could be directed to exit the property through the rear entrance.

Pizza Evenings – Such evening activity would be arranged once or twice weekly during the holiday season with alcohol being offered as part of the meal and not sold separately. It was foreseen that this would attract visitors from a nearby caravan park.

Pubwatch – the applicant agreed to join the local Pubwatch scheme.

The applicant's agent added that they totally understood the concerns of nearby residents and they were willing to collaborate closely with all agencies in order to ensure the safety of the public and the satisfaction of neighbours. Their ultimate intention was to establish a business that would benefit the local community and economy.

The applicants, the Police representative, the Licensing officers and the objectors left the meeting and the application was discussed at length by members of the Sub-committee, considering all the evidence submitted and particular attention was given to the principles of the Act, namely:

- Prevention of Crime and Disorder
- Public Protection
- Prevention of Public Nuisance
- Protection of Children from Harm

After detailed discussions a majority decision was reached as follows:

RESOLVED to approve the premises licence for Plas Gwynfryn, Llanbedr, inside the property and inside any marquee with the following conditions:

- a) To approve plays, films, live and recorded music, the provision of dancing from 10.00 until 24.00 Friday and Saturday and from 10.00 until 23.00 from Sunday until Thursday;
- b) Supplying alcohol from 10.00 until 00.30 Friday and Saturday and from 10.00 until 23.00 from Sunday until Thursday;
- c) Provision of hot refreshments to the public from 23.00 until 24.00 Friday and Saturday and from 10.00 until 23.00 Sunday until Thursday;
- d) The property will be open to the public from 10.00 until 01.00 Friday and Saturday and from 10.00 until 23.30 Sunday until Thursday;
- e) Guests will leave the property by 00.30 Friday and Saturday;
- f) Alcohol will only be supplied with a meal;
- g) Noise levels and any noise controlling measures to be agreed with Environmental Health Department officers;
- h) The size and location of any marquee will be arranged prior to its installation with officers of the Environmental Health Department and the Fire Service;
- i) Notices warning of the dangers in the garden will be placed around the land in appropriate places;

- j) Signs will be placed in the property that are visible to guests, encouraging them to leave quietly;**
- k) Vehicles that are leaving the property late at night to leave by the main entrance**
- l) The applicant to join the local Pubwatch scheme;**
- m) To conform to the requirements of the Fire and Rescue Service.**

The Propriety Officer reported that a letter would be sent to everyone within five working days, confirming the decision of the Sub-committee and informing everyone of their right to appeal and the appeal process against the decision of the Sub-committee.

The meeting commenced at 2.30pm and concluded at 5.50pm