



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CENTRAL LICENSING SUB COMMITTEE

Date and Time

1.00 pm, WEDNESDAY, 13TH SEPTEMBER, 2023

Location

Virtual Meeting

Contact Point

Lowri Haf Evans

01286 679878

lowrihafevans@gwynedd.llyw.cymru

(DISTRIBUTED 05/09/23)

CENTRAL LICENSING SUB COMMITTEE

MEMBERSHIP (3)

Councillors

Edgar Wyn Owen

Huw Rowlands

Elfed Williams (Chair)

Gareth Tudor Jones (Substitute)

Local Member

Councillor John Pughe Roberts

A G E N D A

1. APOLOGIES

To receive any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

**3. URGENT ITEM - OBJECTION TO TEMPORARY EVENT 5 - 6
APPLICATION - BRAICH GOCH INN, CORRIS**

To consider the application

PROCEDURE IN LICENSING HEARINGS.

1. A written report will be presented by the Licensing Section
(with a recommendation).
2. Members of the Sub-committee may ask questions of the Council's representative.
3. At the Chairman's discretion the applicant or his representative may ask questions of the Council's representative.
4. The applicant and/or his representative may expand upon the application and call witnesses
5. Members of the sub-committee may ask questions of the applicant and/or his representative
6. At the Chairman's discretion, the Council's representative may ask questions of the applicant or his representative
7. There will be an invitation for each Consultee to support any written observations
8. At the chairman's discretion, the Council's representative, and the applicant or his representative may summarise their case.

All are reminded of the four principles of the Licensing Act 2003 to be considered in all deliberations, namely:

- 1) Crime and Disorder Prevention;**
- 2) Public safety;**
- 3) Public Nuisance Prevention; and**
- 4) Protection of Children from Harm:**

Agenda Item 3

COMMITTEE:	CENTRAL LICENSING SUB-COMMITTEE
DATE:	13 SEPTEMBER 2023
TITLE:	URGENT ITEM - OBJECTION TO TEMPORARY EVENT APPLICATIONS - BRAICH GOCH INN, CORRIS
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT

1. APPLICATION RECEIVED

- 1.1 A temporary event notice application is attached, from Maria De La Pava Catano for Braich Goch Inn, Corris Machynlleth SY20 9RD, for an extension to the hours of licensable activities inside the property for a charity fundraising event on 22 September 2023.
- 1.2 An objection has been received to the application from the Public Protection Enforcement Officer because the applicant had not responded to an e-mail asking for a discussion on a compromise on the hours requested, and because noise complaints of music had been received in May 2022 after hosting late music without the authorisation of a Temporary Event Notice to extend hours.
- 1.3 It is only the Council, in exercising its Environmental Health responsibilities, and the Police who have the power to object any temporary events notice. There is no public consultation procedure for the temporary events system.
- 1.4 Because objections have been received in accordance with section 104 of the Licensing Act, the application has therefore been referred to you as the Sub-committee for a decision. Details of the application are as follows, and a copy can be found in the appendix to this report.
- 1.5 Permission for the following is sought in the Temporary Event Notice in addition to the premises licence –
 - Use of the indoor bar area that is connected to a bunkhouse building to sell alcohol and host live music until 11pm and a DJ until 02:00am
 - It is proposed to provide licensed activities for a maximum of 100 persons

2. Current Licence

- 2.1 The existing premises licence granted by this Committee in 2019 allows the premises to sell alcohol with permission for music (live and recorded) indoors only in accordance with the agreement reached with the Public Protection Service due to noise concerns. The hours are as follows -
 - Mon - Thurs 22:30
 - Fri - Sat 00:00
 - Sun 22:00

3 Grounds for objection and evidence

- 3.1 The objection has been submitted by the Public Protection Enforcement Officer due to concern that the event will undermine the following licensing objectives -

- Prevention of public nuisance

3.2 Specifically, service officers have received 2 noise complaints about a noise disturbance caused by loud music in May 2022 until 01:30, outside of the hours permitted under the licence. A temporary event notice was not in place to approve the licensed activities beyond what had been permitted under the licence.

3.3 In an e-mail to the licence holder on 21 August, due to noise complaints from unauthorised licensed activities received in May 2022, it was noted that the terminal hour for regulated entertainment is 02:00 on the application and that the Public Protection service was willing to offer a compromise of allowing the termination of regulated entertainment at 00:30, half an hour later than the current licence. It was noted that this was a fair compromise, and that it would give the licence holder an opportunity to prove their ability to organise late entertainment without disturbing nearby residents.

3.4 No response was received from the applicant to the offer of compromise.

Full details of correspondence between the Public Protection Officer and the applicant can be seen in the appendix.

4 RECOMMENDATION

It is recommended that the temporary event notice be REFUSED on the following grounds:

- A complaint of hosting licensed activities outside the licence's time limit
- Complaints of a noise disturbance following entertainment held in May 2022
- The applicant's lack of any response to the offer of compromise on the hours requested; to allow the event to proceed.