

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD AT COUNTY HALL, LLANDRINDDOD WELLS ON 21ST MAY, 2013

PRESENT: County Councillors D.R. Price [Chair]
County Councillor W.J. Evans and P.J. Medicott

Officers

Martin Phillips, Licensing Officer
Lynne Coughlan, Solicitor, Clerk to the Sub-Committee

1. APOLOGIES

There were no apologies for absence.

2. PROCEDURAL GUIDELINES

The Chair introduced the Sub-Committee and its Clerk.

The Clerk to the Sub-Committee on behalf of the Head of Legal, Scrutiny and Democratic Services explained the procedures to be followed by the Sub-committee.

3. APPLICATION FOR A PREMISES LICENCE – The Workhouse, Presteigne Industrial Estate, Presteigne

The Licensing Officer advised that the Applicant was unable to attend and had sent a letter to the Sub-Committee [copy filed with signed minutes]. In addition one objector had written to the Sub-Committee withdrawing their objection [copy filed with signed minutes].

The Licensing Officer presented the licensing authority's position as outlined in the report [copy filed with the signed minutes]. He advised that the Licensing Section was happy with the consultation undertaken by the applicant.

The Licensing Officer read out the Applicant's letter.

The Sub-Committee noted that following the introduction of the Live Music Act 2012 on 1st October, 2012 and the hours applied for in respect of live music, this aspect of the application was no longer regulated entertainment under the Licensing Act 2003.

The Sub-Committee withdrew to consider, in private, the application and the evidence they had heard, with the support of the Clerk.

On their return the Chair announced their decision. In reaching the decision members took into account the relevant written and verbal representations.

RESOLVED that the application be granted subject to the following:

- 1. Suitable lighting is to be provided to outdoor areas to assist the safe access and egress.**
- 2. A satisfactory NICEIC or ECA periodic electrical installation report will be provided. The inspection will be carried out annually or as otherwise stated by a qualified competent electrician [up to a maximum period of five years and a new report on completion of each**

test will be provided].

3. **30 milliamp residual current device protection will be provided to electrical sockets used for public entertainment equipment.**

4. PROCEDURAL GUIDELINES

The Chair introduced the Sub-Committee and its Clerk.

The Clerk to the Sub-Committee on behalf of the Head of Legal, Scrutiny and Democratic Services explained the procedures to be followed by the Sub-committee.

5. APPLICATION FOR A PREMISES LICENCE – Hay Castle, Hay-on-Wye

The Applicant:

Mrs E. Haycock, Chairman, Hay Castle Trust

Responsible Authorities:

Dan Thomas, Environmental Health Officer, Environmental Protection

Interested parties:

Mr and Mrs Gamon

The Licensing Officer presented the licensing authority's position as outlined in the report [copy filed with the signed minutes]. He advised that the Licensing section was happy with the consultation undertaken by the applicant. In response to a question from the Sub-Committee the Licensing Officer confirmed that all parties had been sent a letter advising them of the revised hours applied for based on the agreements with the Responsible Authorities.

Mrs Haycock advised that the Hay Castle Trust wanted to focus on the history of the Castle, arts and education. However, it needed to generate income to enable this to be sustainable. She advised that last year the Castle was used by Hay Festival but the Trust did not want to hold last night music events. She indicated that they had worked with the Brecon Beacons National Park Authority and had agreed to the amendments suggested by the Responsible Authorities. In response to questions from the objectors she advised that they would hold different type of events to other premises in Hay. She also advised that she held a Premises Licence for another venue in Hay and was not aware of any concerns regarding the management of this.

Dan Thomas, Environmental Health Officer, Environmental Protection advised that last year the Hay Festival had a one year licence for the venue. He acknowledged the problems at this event and that noise levels were turned down. He confirmed his request for the limits on the hours. In response to questions he advised how a review of a licence could be sought. The Licensing Officer also advised on the process for the consideration of a review.

Mr & Mrs Gamon acknowledged the need for the Castle to develop but were worried about the noise levels and the impact on them. They noted the suggested alterations to the operating times.

All parties confirmed that they had been able to make their representations.

The Sub-Committee withdrew to consider, in private, the application and the evidence they had heard, with the support of the Clerk.

On their return the Chair announced their decision. In reaching the decision members took into account the relevant written and verbal representations.

RESOLVED that the licence be granted for the following to promote the licensing objectives:

Supply of Alcohol

Indoors 10:00 – 01:30
Outdoors 10:00 – 22.30 Friday & Saturday
 10:00 – 22:00 Sunday – Thursday

Plays, Live Music Recorded Music, Performance of Dance and Anything of a Similar Description

Indoors 07:00 – 02:00
Outdoors 07:00 – 23:00 Friday & Saturday
 07:00 – 22:30 Sunday – Thursday

Late Night Refreshment

Indoors 23:00 – 02:00
Outdoors 23:00 – 00:00

Opening Hours

07:00 – 02:00

[For the purposes of this decision “Indoors” means in the permanent buildings on the Premises]

subject to the following conditions:

- 1. The sale of alcohol will end 30 minutes prior to closure to the public during all licensed events indoors and outdoors.**
- 2. Windows and doors to be kept closed when the premises is used for entertainment after 23.00 hours.**
- 3. Powys Environmental Health to be given prior notice of any amplified music events to be located outside in the Castle grounds.**
- 4. Signage is displayed on all relevant public exits and external smoking areas to request that noise is kept to a minimum to respect residents in the area.**
- 5. Regular checks are to be made to identify and remove any broken glass from the Castle garden.**
- 6. Suitable lighting is to be provided to outdoor areas to assist the safe access and egress.**
- 7. A satisfactory NICEIC or ECA periodic electrical installation report will be provided. The inspection will be carried out annually or as otherwise stated by a qualified competent electrician [up to a maximum period of five years and a new report on completion of each test will be provided].**
- 8. 30 milliamp residual current device protection will be provided to electrical sockets used for public entertainment**

equipment.

The Clerk to the Sub-Committee advised the applicant and the local residents that she would confirm the decision in writing and reminded them of their right to appeal.

The Chair thanked all for attending. He advised that the Sub-Committee considered that having the Environmental Health Officer present was extremely useful and considered that such attendance should be at all meetings.

County Councillor D.R. Price
Chair