

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD AT COUNTY HALL, LLANDRINDOD WELLS ON 31ST MARCH, 2015

PRESENT: County Councillor D.R. Jones [Chair]
County Councillors P.R. Medlicott and K. Tampin

Officers

Martin Philipps, Licensing Officer
Colin Edwards, 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 TO REVIEW A PREMISES LICENCE – THE WHITE HORSE, HIGH STREET, BUILTH WELLS, POWYS LD1 3DN

The Applicant: Dan Thomas, Environmental Health Officer

License Holder:

Mr D. Crail, Solicitor representing the applicants Mr R. Owen and Mr D. Owen
Mr P. Trew, Acoustic Noise Consultant

Interested parties:

County Councillor M. Mackenzie
Mr R. Southcott

The Licensing Officer advised the Sub-Committee that the Environmental Health Officer had requested the review of the license as outlined in the report [copy filed with the signed minutes]. The Sub-Committee noted that the Dyfed Powys Police had made representations and that the applicant had agreed to amendments to the premises licence. A copy of these amendments were circulated to all parties.

The Environmental Health Officer outlined his reasons for calling a review of the premises licence. In response to questions he advised that complaints were received each year since 2008 and the noise levels were monitored each year. The noise levels in 2014 were much worse than other years. He advised that the review was just in respect of the period of the Royal Welsh Show as no complaints had been received regarding other periods. The Sub-Committee noted that the License Holder had agreed to use a Noise Management Plan. This would take the responsibility for managing the noise levels off the License Holder and give this to a qualified acoustic engineer who would control levels. He advised that Environmental Health wanted to work with the Licence Holder, to ensure that he could continue to operate but also to ensure that the impact on the local residents was managed.

County Councillor M. Mackenzie advised that since 2008 concerns regarding various noise and other issues during the Royal Welsh Show period had been

raised at the PACT meetings. After some discussions with landlords etc. noise levels would reduce for a period of time but then would increase. The local people who had made complaints did not want to stop events but they wanted to be able to have a reasonable life during the show period.

In response to a question the Environmental Health Officer advised that with the Noise Management Plan noise levels would be set so that noise could not be heard in house after 11.00 p.m. Noise levels would be monitored at agreed locations around the town.

The Sub-Committee noted that due to the fact that the Environmental Health Officer had sought a review of the Premises Licence a meeting of the Sub-Committee was required.

Mr Southcott advised that in 2014 there was a new licence holder at the premises and the noise, especially the bass level was unbearable. He advised that from his house you could easily tell where the music came from.

Mr Crail represented the Licence Holder. He noted how important the Royal Welsh Show is to the area. The legitimate work of the premises need to be balanced against the needs of the local people and so a balance was required. The Licence Holder had engaged him and a Noise Consultant to ensure that measures are taken to manage the noise levels. Mr Trew advised that the Noise Management Plan was based on a plan used in Hay for the "When the light gets in" Festival and will manage noise levels up to 11.00 p.m. and after 11.00 p.m. Two engineers will be in attendance to set, monitor and adjust noise levels. The Noise Management Plan should be seen as a live document. Mr Trew advised that the Plan would cover the period 18th – 23rd July, 2015.

In response to a question the Environmental Health Officer advised that he had considered the Noise Management Plan and that he agreed with the proposals.

In summing up the Environmental Health Officer advised that the Premises Licence holder had engaged with him and had produced an appropriate Noise Management Plan. County Councillor Mackenzie advised she was pleased with the development of a Noise Management Plan and hoped that it would work.

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:	Reason for decision:
That the Premises Licence would be modified to refer to the Noise Management Plan proposed by the White Horse, High Street, Builth and agreed by the parties.	To manage the noise during the period of the Royal Welsh Show 18th – 23rd July, 2015.

The Clerk to the Sub-Committee advised the parties that he would confirm the decision in writing.

The Chair thanked all for attending.

4. APPLICATION TO REVIEW A PREMISES LICENCE – THE FOUNTAIN INN, BROAD STREET, BUILTH WELLS, POWYS LD1 3DT

The Applicant: Dan Thomas, Environmental Health Officer

License Holder:

Mrs V.A. Morgan

Ms L.A. Griffiths

Interested parties:

County Councillor M. Mackenzie

Mr R. Southcott

The Licensing Officer advised the Sub-Committee that the Environmental Health Officer had requested the review of the license as outlined in the report [copy filed with the signed minutes]. The Sub-Committee noted that the Dyfed Powys Police had made representations and that the applicant had agreed to amendments to the premises licence. A copy of these amendments were circulated to all parties.

The Environmental Health Officer outlined his reasons for calling a review of the premises licence. He had monitored the noise levels due to complaints being received and had discussed these with the landlord. The landlord had agreed not to have music during the Royal Welsh Show in 2015 and would watch what happens at the White Horse which had agreed a Noise Management Plan.

In response to questions the Environmental Health Officer confirmed that Builth Town Council had not complained about this premises. He advised that as a result of a complaint in 2014 he called at the premises and the noise level was reduced. He confirmed that it was the responsibility of License Holders to manage noise levels and landlords should not just respond to complaints being pursued by Environmental Health.

Mrs Morgan apologised for the inconvenience caused in 2013. She advised that she wished to work with the Authorities and noted the Noise Management Plan agreed by the White Horse. However, due to the cost of such a plan and the impact on her business of this, she advised that music would not be played at her premises during the Royal Welsh Show in 2015. She advised that updated CCTV had been installed, in response to a request from the police.

In response to the Environmental Health Officer regarding how noise would be managed Mrs Morgan advised that no amplified music would be provided in 2015. She indicated the impact of the Noise Management Plan at the White Horse would be monitored.

Mr Southcott advised that in 2013 the loud music was turned down but in 2014 it was not.

In summing up the Environmental Health Officer noted that the licence Holder had stated that no music would be played in 2015. He however indicated that in the future the Licence Holder will have to manage any music played and that the responsibility for noise management is theirs and the Authority would call for a

review again if this is not being done. County Councillor Mackenzie advised that local people would watch what happens in 2015. Mrs Morgan reiterated that they would not provide any live music outside the premises and would not play amplified music during the period of the Royal Welsh Show in 2015.

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:	Reason for decision:
That the Premises Licence for the Fountain Inn would be modified to prohibit the provision of entertainment outside the licensed premises for the period of the Royal Welsh Show unless previously agreed by the Environmental Health Officer.	To manage the noise during the period of the Royal Welsh Show 18th – 23rd July, 2015.

The Clerk to the Sub-Committee advised the parties that he would confirm the decision in writing.

The Chair thanked all for attending.

County Councillor D.R. Jones
Chair