



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CENTRAL LICENSING SUB COMMITTEE

Date and Time

10.00 am, FRIDAY, 14TH JULY, 2023

Location

Virtual Meeting

Contact Point

Lowri Haf Evans

01286 679878

lowrihafevans@gwynedd.llyw.cymru

(DISTRIBUTED 0707/23)

CENTRAL LICENSING SUB COMMITTEE

MEMBERSHIP (3)

Councillors

Gareth Tudor Jones

Huw Rowlands

Elfed Williams (Chair)

Edgar Wyn Owen (Substitute)

Local Member

Councillor Dyfrig Siencyn

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 - 7
APPLICATIONS - BEECHWOOD HOUSE, DOLGELLAU**

To consider the report

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:	14 July 2023
TITLE:	URGENT ITEM - OBJECTION TO TEMPORARY EVENT APPLICATIONS - BEECHWOOD HOUSE, DOLGELLAU
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF ENVIRONMENT

1. APPLICATIONS RECEIVED

1.1 Two applications are attached for a temporary event from Dean Hawkins, licence holder of Beechwood House Gin Bar, Heol y Bont, Dolgellau LL40 1AU in relation to internal and external licensed activities. An objection has been received to both applications from the Environmental Health Service, with comments also supporting concerns received from the Police. Only the Council exercising its Environmental Health responsibilities and the Police have the right to object any temporary events notice. There is no procedure for public consultation for the temporary events system.

1.2 Because objections have been received in accordance with section 104 of the Licensing Act, the applications have therefore been referred to you as the Sub-committee for a determination. Details of the applications are as follows, and there are copies in the appendix to this report.

1.3 **Application 1 - Temporary Event Notice to hold extended licensable activities to what is currently on the licence as part of the activities of Sesiwn Fawr Dolgellau 21, 22 and 23 July.** The following is requested in addition to the premises licence -

- Use of the premises' outdoor area for the sale of alcohol to customers with recorded and live music from 10am until 01:00am the following morning; Friday, Saturday and Sunday.
- It is proposed to provide licensed activities for a maximum of 499 persons
- It is proposed to sell late night refreshments from 23:00 until 01:00 the following morning
- It is proposed to use a 'foam cannon' for the entertainment of external customers on Saturday 22 July between 18:00 and 21:00 at night.

1.4 **Application 2 - Temporary Event Notice for music outside and external bar on the Marian Mawr, Dolgellau as part of the activities of Hwyl yr Haf Dolgellau, 19 August**

- The right is sought to hold licensed activities 200m away from Beechwood House on the Marian Mawr to include a bar and recorded music between 10am and 10pm.
- A request is made for permission for an audience of up to 499 persons

2. Current Licence – Beechwood House

2.1 The existing premises licence granted by this Committee in 2020, allows the premises to sell alcohol along with recorded music indoors in accordance with noise conditions. The hours are as follows -

- Mon - Thurs 22:30
- Fri - Sat 00:00
- Sunday 22:00

2.2 When the licence application was originally referred to this Committee for determination due to concerns about noise impact, the applicant agreed to accept noise conditions on the licence in accordance with the Environmental Health recommendation, and on this basis the application was granted.

2.3 The noise conditions are specifically regarding the measures required to control noise and condition 4 states - *"To prevent noise or vibration emanating from the premises, doors and windows at the premises shall be kept closed during regulated entertainment, except for access in and out of the premises"*. See the appendix for a copy of the full noise conditions on the licence.

3 Grounds for objection and evidence

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

- Prevention of crime and disorder
- Prevention of public nuisance
- Safeguarding public health

3.2 Specifically, service officers have received complaints from residents that music is being played during the day and late at night, with low frequency noise from the type of music played is causing a disturbance to residents. It is noted that complaints have occasionally been received last year, however the number and frequency of complaints received have increased during the last few months. Complaints have been received about 7 occasions between 25 May and 9 June.

3.3 Residents also bear witness that there is insufficient control of customers by the licence holder, with customers convening and continuing to drink outside the premises beyond closing hours.

3.4 The complainants note that windows and doors are open often when music is played, increasing noise impact, contrary to the licence conditions

3.5 Service officers have themselves on occasion witnessed that the licence holder is not complying with condition 4 of the noise conditions on the licence. One officer has witnessed music with a low beat frequency being played, with windows and doors open and the speaker located near an open window.

3.6 In response to a request for comments by the Council, the Police have confirmed that calls regarding disturbance are received occasionally, with residents complaining about noise, music, and anti-social behaviour of customers convening outside the premises.

3.7 Furthermore, in an e-mail dated 21 June, Sergeant Simon Barlow confirmed that the Police shared the Council's concerns, and in relation to the application regarding the Sesiwn Fawr, he confirmed that the festival organisers had noted that the premises were not part of the Sesiwn Fawr event itself, therefore competent door supervisors would not be available at the premises to maintain order. He added that it was not clear why the premises was submitting a temporary event notice; as it was not part of the Sesiwn Fawr activities in any way.

3.8 He noted that the town of Dolgellau had been very busy during the Sesiwn Fawr last year, with monitoring the numbers and behaviour of customers limited to public houses who were part of the activities. He noted that the proposal was to get a late licence for the external space

to Beechwood House, with no arrangements to close the road in a prominent place : potentially having a negative impact on the safety of road users and customers in a dangerous location on a busy junction near the Marian turning.

- 3.9 Attention was drawn to the fact that the Police had noted how busy the location was on weekends last year, with many customers convening outside, especially on a Saturday night.
- 3.10 He also noted that Police resources were under great pressure during the Sesiwn Fawr weekend and events such as this were likely to increase the demand on emergency services.
- 3.11 He confirmed that the Police had received several noise complaints from nearby residents.
- 3.12 Regarding the Hwyl yr Haf event notice, the Police agreed that insufficient details had been provided regarding the event in terms of the number of attendees and safety measures. The Police therefore support the Council's objection for these reasons and for the concerns noted about the location in general.

Full details of correspondence between the Environmental Health Office and the Police can be seen in the appendix.

4 **RECOMMENDATION**

Although the Environmental Health officer confirmed with the applicant the intention to object should no further information be received to satisfy the concerns of the Council and the Police regarding both events; there has been no response from the applicant. In accordance with the procedure under the Licensing Act 2003, it is therefore recommended that the Committee considers the concerns and evidence submitted and REFUSE both temporary events notices.