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## CENTRAL LICENSING SUB-COMMITTEE 09.08.16

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**Present:**

**Councillors :** W Tudor Owen (Chair), Ann Williams and Annwen Hughes

**Officers:** Geraint Brython Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), and Lowri H Evans (Member Support Officer)

**1. APOLOGIES**

None to note

**2. DECLARATION OF PERSONAL INTEREST**

None to note.

**3. URGENT ITEMS**

None to note

**4. APPLICATION FOR A VARIATION TO A PREMISES LICENCE – GLASS BUTTER BEACH, CARREG Y DEFAID, LLANBEDROG, PWLLHELI**

The panel and the officers were introduced to everyone present. It was announced that everybody had up to 10 minutes to share their observations on the application.

**On behalf of the premises:** Mr Mark Roberts (applicant)

**Local Members:** Councillor Angela Russell (Llanbedrog) and R. H. Wyn Williams – Abersoch.

**Others in attendance:** Inspector Dewi Owen (North Wales Police), Ian Williams (Licensing Officer - North Wales Police), Euron Thomas (Senior Environmental Health Officer)

**The report and recommendation of the Licensing Section.**

- a) A report was submitted to the Licensing Manager detailing the application to vary the premises licence for Glass Butter Beach, Carreg y Defaid, Llanbedrog in relation to the sale of alcohol, recorded music, live music, dance performance, showing of films and plays, any other entertainment and the supply of late night refreshment. It was noted that the Licensing Authority was satisfied that the application had been presented in accordance with the Licensing Act 2003 and the relevant regulations.

It was highlighted that an existing licence for the event at the present location had been in place since 2014, and attention was drawn to the details of the proposed hours along with the event hours on the existing licence.

Some background information to the Festival was presented and the main reasons for submitting the application anew were highlighted.

- The intention is to expand the Festival to receive an audience of up to 9,999

- extend the weekend to include managed entertainment and other licensed activities
- begin the licensed activities earlier on the Thursday afternoon, supplying alcohol one hour later on the Thursday evening (until 00:30), but bring other licensed activities (with the exception of the provision of late night refreshments) to an end at midnight, as in the current licence.
- supply alcohol until two hours later on the Friday and Saturday nights until 02:00
- have an extra half an hour for other licensed activities including live and recorded music until 01:30.

It was noted that the applicant had included the appropriate steps to promote the four licensing objectives as part of the application.

It was noted that, following a consultation period, only recommendations and observations to the application had been received and not objections. Reference was made to observations received by Llanbedrog Community Council, North Wales Police, North Wales Fire and Rescue Service and Gwynedd Council's Public Protection Department.

- b) In considering the application, the following procedure was followed:-
- Members of the Sub-committee and the applicant were given an opportunity to ask questions of the Licensing Manager.
  - The applicant was invited to expand on the application.
  - Consultees were given an opportunity to submit their observations
  - The licensee, or his representative, was invited to respond to the observations
  - Members of the Sub-committee were given an opportunity to ask questions of the licensee.
  - Members of the Sub-committee were given an opportunity to ask questions of the consultees.
- c) In expanding on the application, the applicant noted that he was happy with what had been submitted and reiterated the following observations:
- Outside investors now supported the Festival and therefore a new structure was introduced for the Festival. It was highlighted that a decision had been made to restrict the age of the audience (16+ - 35) and that the Festival was now being tailored for this.
  - A Three-year Business Plan had been submitted - the intention was to expand the Festival to attract an audience of up to 9,999.
  - Professional services would be employed to monitor noise, collect litter, monitor admittance of over 16s, and health and safety
  - Apologise that the communication element had been slow
  - Challenge 21 and Challenge 25 would be supported
  - That he was ready to cooperate in order to ensure success

In response to a question about the site of the Festival, the main location was confirmed along with the events and arrangements for each field.

In response to a question about the historical complaints that had been received with regard to the Festival, it was highlighted that a number of complaints about noise had been submitted over the years by one person. The Licensing Officer highlighted that no official complaints had been received last year, but that a number of people had highlighted concerns about the clearance work, the entrance and the noise of the music.

In response to a question, it was confirmed that 16+ was attendance age for the Festival and that it had not been tailored for families this year. In response to a question about how to ensure that under 16s would not be admitted and how to control behaviour, the applicant

noted that a professional security company would be on site to monitor the audience's behaviour along with the presence of medical staff and well-being resources. It was noted that a robust policy was in place on all bars to sell alcohol to 18+ only and that there would be a 'holding tent' for under 16s who had attempted entry until a responsible adult came to collect them from the site. It was noted that good teams had been recruited to manage each situation and that all preparations had been made in anticipation of a crowd of 5,000 (although the number of tickets currently sold was around 3,500)

ch) Taking advantage of the right to speak, Councillor Angela Russell (Local Member and representative of Llanbedrog Community Council) said that Llanbedrog welcomed the Festival, on the whole, but that concerns had been raised at a recent meeting. The Local Member noted the following observations:

- Application to keep the Coastal Path open
- Place a 30 miles per hour restriction on the road to avoid traffic problems
- That the whole site would need to be cleared after the Festival had ended
- August is a very busy month in the area - how to deal with the expansion
- That the applicant needed to communicate better with the Community Council so that it was possible to hold discussions before presenting observations

In response to a question, it was noted that no complaints had been received by the Community Council or the Local Member

d) On obtaining the right to speak from the Chair, Councillor Wyn Williams (Member for neighbouring ward) noted that he knew the applicant well and was very supportive of the event. Nevertheless, he identified concerns that he would like the applicant to consider in future, such as

- holding the event outside the busy August period
- considering moving the site if the Festival expanded
- respond quicker to the requests of the Police and Public Protection - strengthen collaboration

dd) Taking advantage of his right to speak, Mr Ian Williams, on behalf of North Wales Police, confirmed that he did not object to the application. He, nevertheless, noted that the Police had not been given an opportunity to fully respond to the application as documents had arrived shortly before the closing date for the application. It was confirmed that framework and plans for the Festival were in place

Taking advantage of the right to speak, Inspector Dewi Jones added that the Police were in favour of the Festival and that such an event was important for the local economy. Nevertheless, some concerns and observations were highlighted: in addition to the conditions submitted.

- The priority for the Police is public health and safety and, as such, the relevant documentation must be presented within a reasonable time frame to ensure good collaboration and a successful Festival. It was proposed that a condition be placed on the licence for a three month time notice with regard to the plans for the Festival arrangements. An request was also made for information on anticipated numbers.
- Ticket sales - it was highlighted that the Police had undertaken a sales test with four of the ticket selling organisations. It was reported that all four sites had failed the test by selling tickets to children under 16 years old. As a result, a request was made to impose a condition that the applicant tested other organisations responsible for selling tickets to prove that this was being implemented.
- A request for the applicant to sign up to and collaborate with Pubwatch Gwynedd
- Ensure that the Security Company inform the Police of any crime and disorder at once

- Request to include a condition to hold a debrief meeting within three months following the event in order to learn lessons and prepare for the following year. Request that information from this meeting be coordinated with the Event Safety Consultation Group
- Request that the fairground music be turned off at the same time as the Festival's music
- Request that the applicant undertake alcohol sales tests during the Festival and that the test results be shared with all responsible authorities.

It was confirmed that Extra Police Services had been arranged for the Festival and that the applicant had cooperated fully, although details were late arriving. In response to one question, it was highlighted that, in the event of crime and disorder, custody would be in Caernarfon. A request was made that the Inspector prepare wording for the additional conditions he proposed in order that a decision be reached.

- e) A letter received from the Fire Service was acknowledged. It was once more highlighted that an observation was made about receiving plans / documentation at least a month before the event.
- f) Taking advantage of his right to speak, the Senior Health and Safety Officer highlighted the changes to the current licence along with concerns about the applicant's intention to extend the hours of entertainment. It was noted that, historically, the Festival had provoked noise complaints from local residents and that, furthermore, the organisers had been unable to appoint anyone to manage the issues of noise emanating from the Festival.

Following discussions with the applicant, it was clear that it would be necessary to comply with noise control conditions. It was reported that the applicant had, by now, appointed two companies to develop a Noise Control Plan for the Festival and oversee the issue of noise during the Festival with assurances that noise would be strictly controlled. It was reported that Aria Acoustics was an experienced and qualified company that had shown ability to successfully control noise under challenging circumstances. It was noted that the Department had received a robust noise management plan, reflecting the conditions proposed by the Environmental Health Department.

- ff) In summarising the application, and in response to the comments, the applicant noted that he accepted the observations and acknowledged the necessity of a discussion beforehand. He highlighted the fact that speed restrictions had been discussed with the Highways Department and apologised that the site had not been fully cleared up after the 2015 Festival. He promised that this would not happen again. He also accepted the observations made to hold discussions if there was a significant expansion to the Festival (in terms of the site) and the need to consider moving the Festival outside of the August holiday period. He highlighted that a number of professional companies supported the Festival with clever solutions for waste management and traffic control - he stated that shuttle buses were being used for the first time this year.

He apologised that sharing documentation with the responsible authorities had been delayed and that this had been due to the hard work undertaken to coordinate companies, delegate responsibilities and in concentrating on improving the quality of the information that was to be presented. It was also noted that safety aspects had received full consideration.

As a result of failing the sales tests, he noted that each organisation had received an official letter and that every ticket sold should receive an admission control note. He also reported that he had worked closely with the Senior Environmental Health Officer to ensure a successful Festival.

The relevant parties left the meeting.

Members of the Sub-committee discussed the application, and considered all the evidence submitted, including the written and verbal observations made by the interested parties. Specific attention was given to the Licensing Act 2003, namely

- Crime and Disorder
- Public Safety
- Preventing Public Nuisance
- Safeguarding Children from Harm, and Home Office Guidance.

**RESOLVED - to approve the application subject to recommendations by the Police and Environmental Health**

It was noted specifically that no objections had come from any party that had submitted observations but that concerns had arisen about road safety, under age sales, litter and noise. The Sub-committee was satisfied, however, that the conditions recommended by the applicant in his application form, along with the closed circuit television conditions and conditions on briefing and debriefing as recommended by the Police, and the noise control conditions as recommended by the Environmental Health, were appropriate steps in promoting the four licensing objectives.

The Sub-committee did not consider a need to introduce conditions on the licence in terms of the licensee having to monitor the compliance of outlets that sell tickets on his behalf. In the opinion of the Sub-committee, it is the responsibility of individual shops to ensure compliance with the age restriction.

The Sub-committee did not consider membership of Pubwatch, reporting crime and disorder to the Police or appointing a special policing service to be necessary conditions. The Sub-committee deemed that these things should be arranged voluntarily between the licensee and the Police.

With regard to speed restrictions on the main road, the Sub-committee considered this to be a highways issue that is beyond the scope of the Licensing Act 2003. Similarly, any littering problem on the site would be an issue for the licensee and the land owner, and would not, as such, fall within the Act.

The licence was varied as follows:

1. The permitted hours were varied in relation to licensed activities as requested in the application.
2. That the issues in section M of the application were included as conditions on the licence.
3. That a condition be included on the licence stating that the licensee maintain a closed circuit television system to oversee entrances to the main site and the camping area; that this system is of sufficient quality to be able to record during hours of darkness; that unedited recordings are kept for a period of no less than a month; that recordings are available at once upon the Police or the Licensing Authority's request.
4. That a condition be included stating that the Police must receive a notice of at least three months from the date of the event, and that at the same time plans must be submitted to the responsible authorities including details of the proposed numbers, times and dates.
5. That a condition be added to the licence stating that a debrief meeting be held within three months of any event, to be coordinated with the Event Safety Consultation Group.
6. Include, as a condition to the licence, the prospective noise control conditions as recommended by the Environmental Health.

- 7. Remove from the licence any conditions that already exist and that are not congruent with the new conditions submitted by the Sub-committee in allowing this application.**

The Solicitor reported that the decision would be formally confirmed to everyone present by letter. They were also notified of their right to appeal the decision within 21 days of receipt of the letter.

The meeting commenced at 2:00pm and concluded at 3:50pm.