

LICENSING SUB-COMMITTEE

19 MAY 2014

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold CH7 6NA on Monday, 19 May 2014

PRESENT: Councillor Tony Sharps (Chairman)

Councillors David Cox and Mike Reece

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:

Licensing Officer (James Lowe), Solicitor (Peter Evans), and Committee Officer

INTERESTED PERSONS:

Mr. Glyn Hollywell, Mr. Keith Powell, and Mr. Steven Thomas

APPLICANT:

Mold Town Council

ALSO PRESENT:

Councillor Robin Guest, Councillor Anthony Parry, and Councillor Geoff Collett. Mr. David Hill, Mold Town Centre Manager, and Mr. Charles Broadhurst, Event Sound Limited.

1. APOLOGIES

Apologies were received from Councillor Haydn Bateman, Local Member, Mold Broncoed Ward.

2. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

3. HEARING AND DETERMINATION OF THE APPLICATION

The Chairman explained the procedure for hearing and determining the application and detailed the order in which speakers would be able to address the Sub-Committee.

4. APPLICATION FOR A PREMISES LICENCE

The Sub-Committee considered the report of the Director of Environment which was presented by the Licensing Officer for determination of an application for a premises licence. He advised that the area that the proposed licence would cover included Maes Bodlonfa Recreation Field, Kendrick's Field and Mold

Approved		Date
----------	--	------

Ornamental Park. The application was to include plays, live music, recorded music, performance of dance, and the supply of alcohol between the hours of 10:00 am and 10:30 pm. The Licensing Officer reported that it was intended to use the licence on ten occasions per year.

The Licensing Officer confirmed that the application had been advertised in the correct manner and drew attention to the additional steps to be taken by the applicant to promote the licensing objectives. Representations had been received from members of the public.

The Licensing Officer advised that a number of concerns had been raised against the application by residents from the area and were appended to the report.

4.1 Representations by Responsible Authorities

There were no representations by Responsible Authorities.

The Licensing Officer reported that North Wales Police had not objected to the application.

4.2 Representations by the Applicant

Councillor Robin Guest presented the case for the application on behalf of the applicant and explained that he was Mayor of Mold Town Council at the time the application was made. He referred to a reduction in “footfall” in Mold town centre, an increase in pub closures and vacant units, and the fragile trading conditions experienced by many local businesses. He explained that maintaining Mold’s vibrancy and vitality was a key objective of the Town Council, County Council, and Town Partnership. The promotion of events and initiatives to bring people into Mold was a key consideration for the development of the town. He said Mold aspired to being known as a Festival Town and this objective had been widely consulted on and was supported by residents, traders and visitors.

Councillor Guest advised that the Mold Sense of Place study had identified that the community wished to see a specific events area developed for the town. Ten different sites had been considered and Kendrick’s Field had been identified as the best option due to its proximity to the town centre, its services, and overall accessibility. He reported that Kendrick’s Field, the Maes Bodlonfa Recreation Field, and the Mold Ornamental Gardens had been used previously to hold a number of events, and he cited the Town Carnival and music festivals as examples, without problems. Councillor Guest commented that the areas the proposed licence would cover were recreation facilities owned by the community through Flintshire County Council and that the type of events suggested in the application were in keeping with the intended use of the areas.

Councillor Guest referred to the number of events which had been held successfully by Mold Town Council under Temporary Event Notices, however, due to an increase in the general public attending such events this procedure was no longer appropriate. In summary he drew attention to the recent granting

Approved		Date
-----------------	--	-------------

of a Premises Licence for the majority of the town centre under the same conditions requested in the application. He commented that objections for any licensed premises could be made to the Licensing Authority at any time should unreasonable or unacceptable circumstances arise and gave an assurance that the Town Council would address any issues reported to it to reach a satisfactory outcome.

Councillor Anthony Parry, representative of Mold Business Forum, outlined his support for the application. He commented on the need to diversify and introduce more events in Mold to increase the number of visitors to the area which in turn would promote trade in the town centre. He said he had been involved with a number of previous events in the area which had been successful and had not created any significant issues for local residents.

Councillor Geoff Collett, representative of Cittaslow Mold, also spoke in support of the application and referred to the community's desire to bring about more events to develop and promote Mold for the future. He explained that he had assisted with many recreational events in the area and no formal complaints had been made as a result of the activities.

4.3 Representations by Interested Parties

Mr. Glyn Hollywell advised that he was a local resident who opposed the application and referred to his letter of representations contained in an appendix to the Committee report. He explained that he had concerns around the number of events which would take place in a year and said that a single event could last for the duration of a weekend or up to 3 days. It was anticipated that such functions would take place during the Summer months and could impact on residents enjoyment of their own homes and gardens. He referred to the application to supply alcohol between the hours of 10.00 am and 10.30 pm and highlighted problems, based on previous experience in the Kendrick's Field area, concerning excess alcohol consumption, anti-social behaviour, noise, health hazards, and lack of public toilet facilities. He also commented on matters of safety in relation to large numbers of people leaving events in the dark after 10.30 pm in the evening.

Mr. Keith Powell explained that he was a local resident who lived on the boundary of one of the locations identified to hold events in the application and outlined the reasons why he opposed it. He referred to his letter of representations contained in an appendix to the Committee report. He expressed concern at the number of events proposed to be held each year and sought details around the type of events and at which site they would be held. He referred to the Mold Ornamental Park site and commented on issues of anti social behaviour which had taken place in the past but were now less prevalent due to the Park being designated an alcohol free zone and locked at 7.00 pm each day.

Mr. Steven Thomas was a local resident who expressed further concerns around the proposed number of events and the intention to sell alcohol until 10.30 pm. He referred to the letter of representations from his family contained

Approved		Date
-----------------	--	-------------

in an appendix to the Committee report. He commented on the number of people who may potentially attend such events and the impact on the areas identified as suitable locations in terms of noise, anti social behaviour, litter, congestion, traffic, and parking facilities.

4.4 Summing Up

The Chairman allowed all parties present the opportunity to ask questions and sum up.

Mr. David Hill, Mold Town Centre Manager, acknowledged the concerns raised and emphasised the need to work with local residents to minimise any potential impact in the areas concerned. He advised that all residents would receive written notification to inform them when and where such events were being held. He explained that the hours requested in the application were the maximum to allow time for the “setting up” and “closing down” of events and that it was anticipated events would finish between 9.30 pm and 10.00 pm. Concerning the sale of alcohol he said it would be appropriate for the sale and consumption of alcohol to take place at some events but not at others and gave an assurance that all events would be professionally organised, insured, and stewarded.

Councillor Robin Guest responded to the concerns raised around the number of occasions proposed to hold events each year. He explained that the number requested made provision for any future requests which may arise and did not mean that 10 events would be held on an annual basis. He also referred to the Mold Ornamental Park site and said it was not envisaged that there would be any change to the closure of the Park at 7.00pm except in circumstances where it may be deemed suitable to hold an event such as a carol concert.

Mr. Holywell reiterated his concerns around the intention to serve alcohol until 10.30 pm at events and expressed the view that distress would be caused to local residents as individuals finished drinking and made their way home late in the evening. He suggested that a limit of 9.00 pm should be put on the sale of alcohol at events.

Mr. Powell raised the issue of lack of detail around the type, number, and location of future events to be held. Councillor Guest reiterated that the proposed 10 events was the maximum figure estimated to accommodate future planning and that the Town Council had only 2 or 3 specific events planned at the present time.

In response to a question from the Chairman concerning noise levels at live music events, Mr. Charles Broadhurst provided clarification on the type of music which would be played and technical details in relation to matters around amplified sound.

The Chairman raised a further query concerning the sale of alcohol at appropriate events. Mr. Hill advised that the sale of alcohol at an appropriate event would act as a deterrent to individuals bringing their own alcohol into or off

Approved		Date
-----------------	--	-------------

the site and would enable event organisers to have more control over the consumption of alcohol and ensure adequate stewardship of the event.

Councillor David Cox sought and received assurance that there would be no provision for “camping” facilities overnight at such events and commented on the need to provide adequate advance warning to local residents concerning when events were to be held.

In response to the further questions raised Mr. Hill confirmed that North Wales Police had made no objection to the application and had supported it. He emphasised that the Town Council worked with the Police at an early stage in all organised events and their involvement and contribution was valued to ensure they were successfully managed.

4.5 Determination of the Application and Decision

All those present, with the exception of the Chairman, Committee Members, Solicitor and Committee Officer, left the room.

In discussing the application the Sub Committee considered the representations made by all parties including the written representations. The Panel noted the concerns of the Interested Parties in respect of the number of occasions the applicant intended to use the licence per year, the sale of alcohol until 10.30 pm, and the potential for anti-social behaviour and drunkenness in the areas the proposed licence would cover.

The Sub Committee considered the Licensing Objectives contained within the Licensing Act 2003. In considering the Licensing Objectives, the Sub Committee was committed to protecting and promoting the Licensing Objectives.

When the meeting was reconvened the Chairman stated that following consideration by the Panel it was agreed that the application for a premises licence be granted, however, it was suggested that the following conditions be imposed:

- (i) No alcohol to be sold after 9.30 pm
- (ii) A maximum of 10 days a year to be allowed for holding such events
- (iii) Mold Town Council is to notify North Wales Police and local residents at least a week in advance of such events
- (iv) Adequate portable toilets are to be provided
- (v) Adequate fire safety measures are to be in place
- (vi) Mold Ornamental Park to only to be used for carol concerts which are to finish by 9.30 pm
- (vii) The applicant is to comply with Challenge 21 and any other Police advice
- (viii) No alcohol to be taken into or off the site during an event

The Chairman invited all parties to consider the proposed conditions and gave them the opportunity to make representations on them before the Sub Committee made its final decision.

Approved		Date
-----------------	--	-------------

Councillor Guest queried the condition in relation to Mold Ornamental Park. He said the Park had been used previously in conjunction with the Carnival event and may be deemed as a suitable location for performances by Mold Town Band as well as carol concerts in the future.

Mr. Hollywell expressed his satisfaction that a maximum of 10 days a year be allowed for holding events and that no alcohol be sold after 9.30 pm. However, he reiterated concerns around noise, anti social behaviour, and the disturbance of peace and privacy by events continuing until 10.30 pm and suggested that they should finish earlier.

Mr. Powell sought clarification around the proposed use of Mold Ornamental Park for events and the finishing times. He requested that the current arrangement for closure of the Park at 7.00 pm be reinforced with the exception of holding carol concerts.

The Chairman asked all those present, with the exception of the Committee Members, Solicitor, and Committee Officer, to leave the room whilst the Panel considered the further views expressed on behalf of the applicant and the interested parties.

The meeting was reconvened and the Chairman advised that following further consideration of the representations made the Panel had agreed to amend the proposed conditions relating to the sale of alcohol and the Mold Ornamental Park as follows:

- (i) No alcohol to be sold after 9.30 pm and all events to be finished by 10.00 pm.
- (vi) Mold Ornamental Park to close at 7.00 pm with the exception of carol concert events which are to finish by 9.30 pm.

The Chairman thanked the applicant and the interested parties for their attendance.

RESOLVED

That the Premises Licence be granted to Mold Town Council in respect of events such as plays, live music, recorded music, performance of dance, and the supply of alcohol from 10.00 am, with the following conditions imposed:

- (i) No alcohol to be sold after 9.30 pm and all events to be finished by 10.00 pm.
- (ii) A maximum of 10 days a year to be allowed for holding such events
- (iii) Mold Town Council is to notify North Wales Police and local residents at least a week in advance of such events
- (iv) Adequate portable toilets are to be provided
- (v) Adequate fire safety measures are to be in place
- (vi) Mold Ornamental Park to close at 7.00 pm with the exception of carol concert events which are to finish by 9.30 pm

Approved		Date
-----------------	--	-------------

- (vii) The applicant is to comply with Challenge 21 and any other Police advice
- (viii) No alcohol to be taken into or off the site during an event

5. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press and seven members of the public in attendance.

(The meeting started at 10.00 am and ended at 11.55 am)

Approved		Date
-----------------	--	-------------