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Contact Officer:
Nicola Gittins 01352 702345
nicola.gittins@flintshire.gov.uk

To: Councillor Tony Sharps (Chairman)
Councillors: Brian Lloyd and Mike Reece

29 August 2017

Dear Councillor

You are invited to attend a meeting of the Licensing Sub-Committee which will be held at 11.30 am on Monday, 4th September, 2017 in the Delyn Committee Room, County Hall, Mold CH7 6NA to consider the following items

A G E N D A

1 APOLOGIES

Purpose: To receive any apologies.

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

3 APPLICATION FOR VARIATION OF PREMISES LICENCE (Pages 3 - 16)

Purpose: For Members to consider and determine an application to vary a premises licence.

Yours sincerely

Robert Robins
Democratic Services Manager

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LICENSING SUB COMMITTEE

Date of Meeting	Monday 4 th September 11:30 am
Report Subject	Application to Vary a Premises Licence
Report Author	Chief Officer (Planning and Environment)

EXECUTIVE SUMMARY

For Members to consider and determine an application under the Licensing Act 2003 to vary a Premises Licence held by Punch Taverns Plc.

RECOMMENDATIONS

1	That Members consider and determine the application to vary a Premises Licence by Punch Taverns Plc.
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REPORT DETAILS

1.00	EXPLAINING THE APPLICATION
1.01	The premises concerned is the Nant Inn, Padeswood Road, Buckley, CH7 2JN. Its location can be seen in Appendix A.
1.02	The applicant is Punch Taverns Plc.
1.03	The application is to vary an existing Premises Licence which has been held by Punch Taverns Plc for over ten years.
1.04	The applicant has applied to vary the licence to include an external bar which can be seen in Appendix B.
1.05	All licensable activities will cease outdoors at 23:00h.
1.06	North Wales Fire and Rescue Service have confirmed in writing that they will not be making any representations to the Licensing Authority regarding the application.
1.07	A representation was received from a local resident which was later withdrawn after they were notified that their representation could not be made anonymously.
1.08	North Wales Police have confirmed in writing that the application has been discussed with Acting Inspector Geraint Richards, the officer responsible for the area, and that they wish to make representations as shown in Appendix C.
1.09	Flintshire County Council's Pollution Control Section have made representations as shown in Appendix D.
1.10	The steps that the applicant intends to take to promote the four licensing objectives are set out in Appendix E
1.11	The application was advertised in the correct manner.

2.00	RESOURCE IMPLICATIONS
2.01	None in respect of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None required.

4.00	RISK MANAGEMENT
4.01	All risks are addressed in the steps taken to promote the four licensing objectives shown in the Operating Schedule.

5.00	APPENDICES
5.01	Appendix A: Location plans Appendix B: Plan showing external bar Appendix C: Representation made by North Wales Police Appendix D: Representations made by Flintshire County Council Pollution Control. Appendix E: Steps taken to promote the licensing objectives.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Licensing Act 2003 Section 182 Guidance for Licensing Authorities Flintshire County Council's Statement of Licensing Policy Contact Officer: James Lowe, Licensing Officer Telephone: 01352 703376 E-mail: james.lowe@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	<p>Licensing Act 2003 – referred to as the Act.</p> <p>Premises Licence – means a licence granted under the Act, in respect of any premises, which authorises the premises to be used for one or more licensable activities.</p> <p>Time limited – its duration is limited to a set date(s) and time(s).</p> <p>Licensable activities – these are the sale by retail of alcohol, the supply of alcohol by or on behalf of a club to, or on the order of, a member of the club, the provision of regulated entertainment, and the provision of late night refreshment.</p> <p>Regulated entertainment - is defined as a performance of a play, an exhibition of a film, an indoor sporting event, a boxing or wrestling entertainment (both indoors and outdoors), a performance of live music, any playing of recorded music, or a performance of dance</p> <p>Late night refreshment – a person provides late night refreshment if at any time between the hours of 11.00pm and 5.00am., he supplies hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises.</p>

<p>Supply of alcohol – means the sale by retail of alcohol, or the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.</p>

<p>Licensing Objectives - the Act sets out four licensing objectives. These are the prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm.</p>
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Map Legend

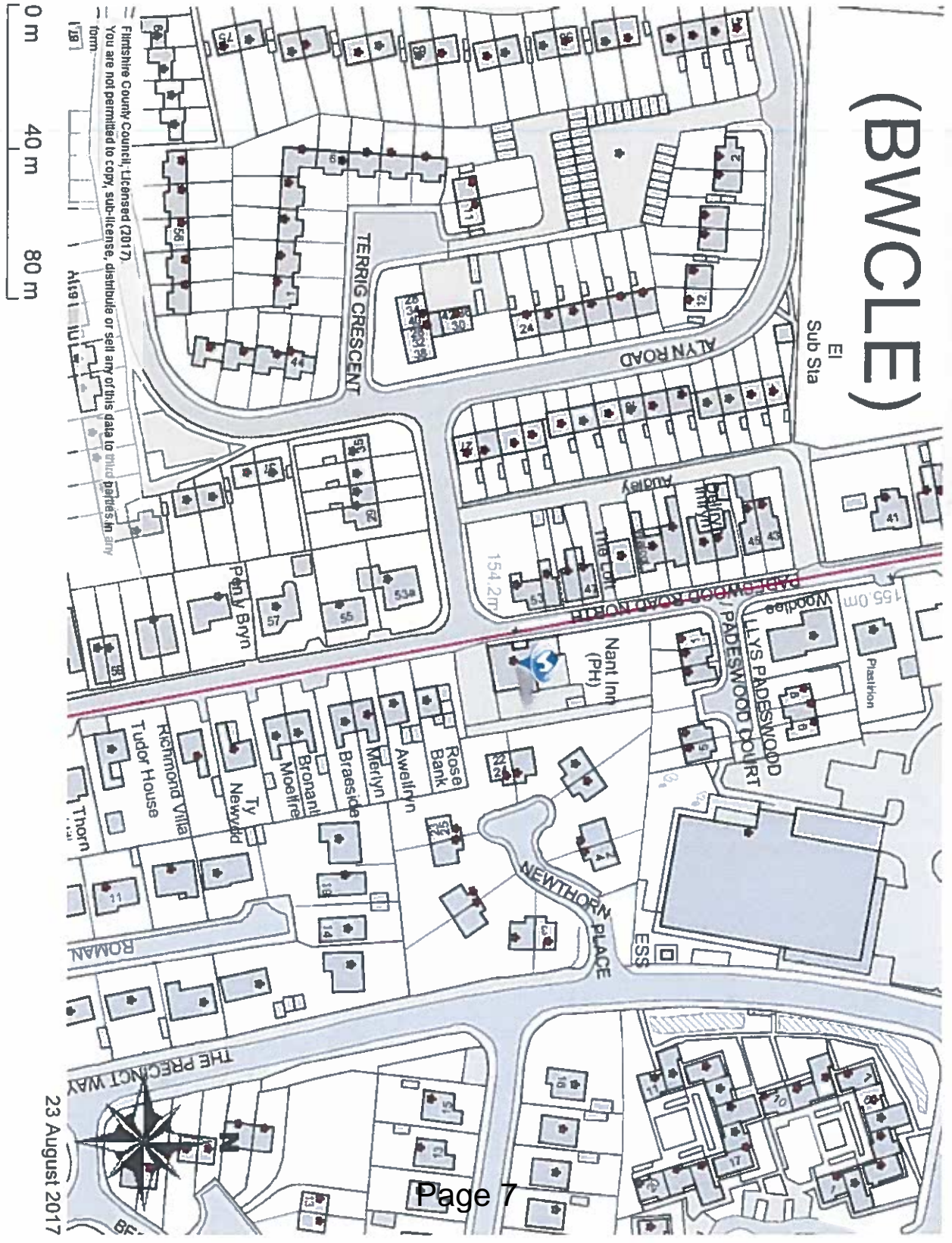
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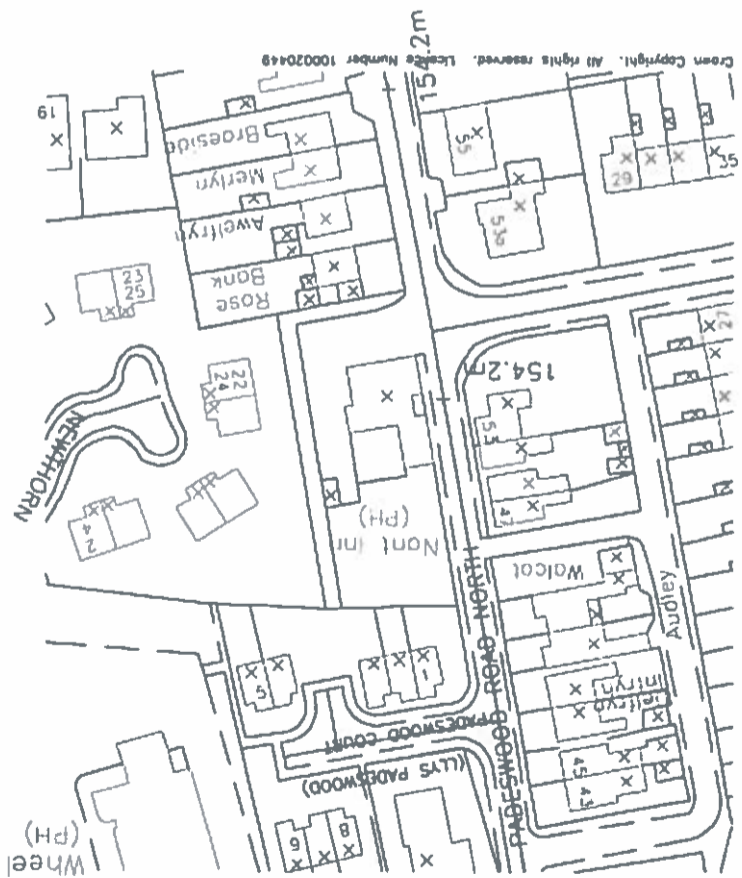
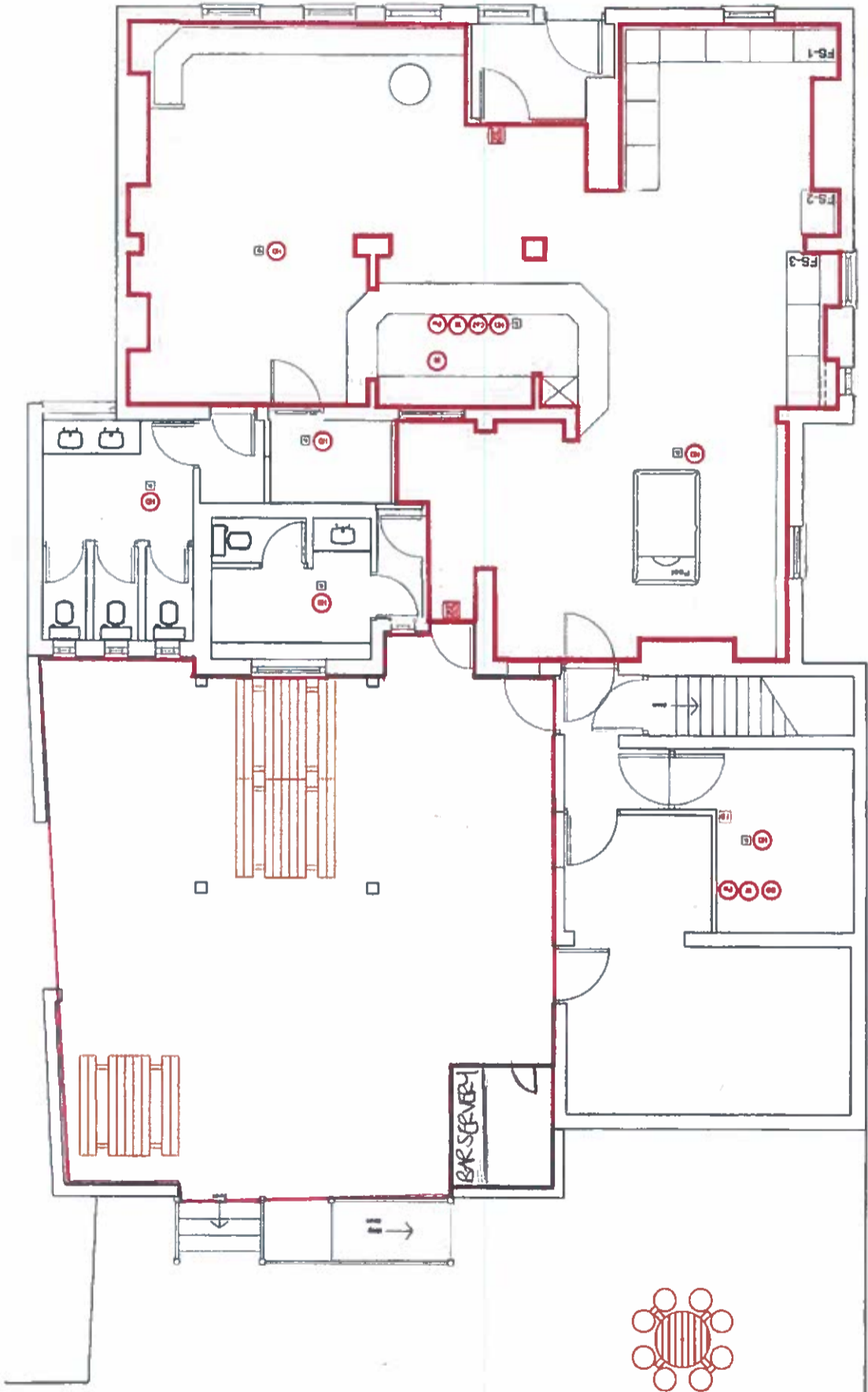
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 FLINTSHIRE COUNTY COUNCIL
 DIRECTORATE OF
 ENVIRONMENT & REGENERATION

FIRE DETAILS:	
	CO2 EXTINGUISHER
	WATER EXTINGUISHER
	POWDER EXTINGUISHER
	FIRE ALARM SOUNDER
	BREAK GLASS POINT
	NEW ALARMA BREAK GLASS POINTS COMPLETE
	LOCATED AS SHOWN ON PLAN

LEGEND:

 AREA FOR LICENSABLE ACTIVITIES



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Appendix C

HEDDLU GOGLEDD CYMRU
Gogledd Cymru diogelach

NORTH WALES POLICE
A safer North Wales

10th August, 2017

Mrs. Gemma Potter,
Licensing Team Leader,
Flintshire County Council,
County Hall,
Mold.
CH7 6NF

Dear Mrs.Potter,

APPLICATION TO VARY PREMISES LICENCE –
NANT INN, PADESWOOD ROAD, BUCKLEY CH7 2JN

I write with reference to the above application which has been discussed with Acting Inspector Geraint Richards, the officer responsible for this area.

It is noted that since receipt of this application, there has been a change in Designated Premises Supervisor at this premises.

On Wednesday 26th July, 2017, Acting Inspector Geraint Richards and Ann Williams visited the premises and spoke with Mr. Charlie Gilmartin and his partner Jess.

Mr. Gilmartin was aware of the application and informed us that work had been carried out at the premises, with the new external bar and stage area already in situ in the beer garden, which he welcomed us to view.

Concerns were raised by North Wales Police at the terminal hour of 2300 hours for licensable activity. It was explained to Mr. Gilmartin that North Wales Police believed this to be excessive and proposed a terminal hour of 2100 hours. Mr. Gilmartin stated that he also felt that 2300 hours was excessive and was happy to accept proposed time of 2100 hours.

On acceptance of a terminal hour of 2100 hours for licensable activity, North Wales Police make no objection to this application. However it is requested that the following conditions be attached to the premises licence under the licensing objective of Prevention of Crime and Disorder:-

- **A digital, colour, hard disc CCTV system must be installed and maintained in good working order. Recordings to be kept for a minimum of 28 days and made available for inspection by the Police or local authority upon request.**

www.heddlu-gogledd-cymru.police.uk

www.north-wales.police.uk

Swyddog Trwyddedu'r
Gorsaf Heddlu,
Bodhyfryd, Wrexham. LL12 7BW
E mail-ann.williams@nthwales.pnn.police.uk
Ffon – 01978 348553
Svmudol - 07896172313

Cont/...

Page 11E **[mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)**

Licensing Officer
Police Station
Bodhyfryd, Wrexham LL12 7BW
Tel – 01978 348553
Mobile - 07896172313

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James Lowe

From: Phil J Foster
Sent: 15 August 2017 15:16
To: James Lowe
Subject: RE: Nant Rep

Hi James

Previous outdoor events in the beer garden of the Nant have generated considerable numbers of complaints. Complaints were received earlier this year in relation to an event in the beer garden in April this year and in previous years.

The pub is surrounded by houses and any music or amplified entertainment is likely to cause public nuisance and statutory nuisance to residents.

I, therefore, object to the granting of the outdoor entertainment part of this application.

Regards

Phil Foster

Environmental Health Officer | Swyddog Iechyd yr Amgylchedd
Environmental Protection | Diogelu'r Amgylchedd
Environment | Amgylchedd
Flintshire County Council | Cyngor Sir y Fflint

Tel | Ffôn | 01352 703397
Email | Ebst | phil.j.foster@flintshire.gov.uk

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Appendix E

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General

As per the existing premises licence conditions.

b) The prevention of crime and disorder

As per the existing premises licence conditions.

Public safety

As per the existing premises licence conditions.

d) The prevention of public nuisance

As per the existing premises licence conditions save for the following additions:

- When in use, the outdoor bar servery will be supervised at all times.
- All licensable activities will cease outdoors at 23:00h.

e) The protection of children from harm

As per the existing premises licence conditions.

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