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Contact Officer:
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maureen.potter@flintshire.gov.uk

To: Cllr Tony Sharps (Chairman)

Councillors: Ron Davies and Adele Davies-Cooke

27 July 2020

Dear Sir/Madam

NOTICE OF REMOTE MEETING
LICENSING SUB-COMMITTEE
FRIDAY, 31ST JULY, 2020 at 9.30 AM

Yours faithfully

Robert Robins
Democratic Services Manager

Please note: Due to the current restrictions on travel and the requirement for physical distancing, this meeting will not be held at its usual location. This will be a remote meeting and 'attendance' will be restricted to Committee Members . The meeting will be recorded.

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345

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 **CONSIDERATION OF A TEMPORARY EVENT NOTICE** (Pages 3 - 8)

Purpose: For Members to consider an objection made in relation to three Temporary Event Notices.



LICENSING SUB COMMITTEE

Date of Meeting	Friday, 31 st July, 2020
Report Subject	Consideration of a Temporary Event Notice
Report Author	Chief Officer, Planning, Environment & Economy

EXECUTIVE SUMMARY

For Members to consider an objection made in relation to three Temporary Event Notices submitted by Mr Yan Chan, for MPH Limited (Mountain Park Hotel), Northop Road, Flint Mountain, CH6 5QG.

RECOMMENDATIONS

1	That Members consider an objection made in relation to three Temporary Event Notices (TEN) submitted to the Authority by Mr Yan Chan.
2	That Members decide whether the notice should :- <ul style="list-style-type: none"> • proceed, with all licensable activities as stated in the notice • impose licence conditions on the TEN • issue a counter notice to prevent the event taking place
3	If Members decide to impose conditions on the TEN, consideration should be given to the duration and timings of the regulated licensable activity.

REPORT DETAILS

1.00	EXPLAINING THE APPLICATION
1.01	The premises concerned is the MPH Hotel Limited (Mountain Park Hotel), Northop Road, Flint Mountain, Flint, Flintshire CH6 5QG.

1.02	The Notice was submitted to the Authority by Mr Yan Chan. Mr Chan holds the Premises Licence for the Mountain Park Hotel, and is named as the Designated Premises Supervisor
1.03	The premises currently hold a Premises Licence for :- The supply of alcohol on and off the premises Monday to Saturday 10.00am – 11.00pm Sunday 12.00 – 10.30pm Live music, recorded music, dance (indoors only) Monday to Saturday 11.00am – midnight Sunday 12.00 – 11.30pm Late Night refreshment (indoors only) Monday 23.00 – 05.00 Tuesday to Sunday 23.00 - midnight
1.04	The notices were made electronically on 21 st July 2020 and complied with the requirement to give 10 clear working days' notice. They were copied to the Police and Environmental Health Department by the Licensing Officer the same day.
1.05	The TEN's are for regulated entertainment only and describes the location of the event as outdoor dining – background music.
1.06	The dates and times of each notice are as follows: Notice 1 6 th – 8 th August 2020 – 12.00 – 22.00 Notice 2 13 th – 16 th August 2020 – 12.00 – 22.00 Notice 3 20 th – 23 rd August – 12.00 – 22.00
1.07	The system of permitted temporary activities gives police and Environmental Health (EH) the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives. This is characterised by an extremely light touch bureaucracy.
1.08	If the police or EH believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN

1.09	An Objection Notice was received from Dave Jones, Pollution Control Officer on 24 th July 2020. The objection was in relation to the prevention of public nuisance and the objection was made against all three notices. This objection is shown at Appendix A.
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2.00	RESOURCE IMPLICATIONS
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2.01	The applicant has the right of appeal to the Magistrates Court which may involve the use of officer time and a cost to the Authority.
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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
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3.01	None
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4.00	RISK MANAGEMENT
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4.01	<p>That the event may undermine one of more of the Licensing objectives which are :</p> <ul style="list-style-type: none"> • The prevention of crime and disorder. • Public safety. • The prevention of public nuisance. • The protection of children from harm
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5.00	APPENDICES
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5.01	Appendix A: Notice of Objection from Pollution Control.
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6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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6.01	<p>Contact Officer: Jacqui Dale, Licensing Officer Telephone: 01352 703377 E-mail: jacqui.dale@flintshire.gov.uk</p>
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7.00	GLOSSARY OF TERMS
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7.01	<p>TEN – The Government introduced Temporary Event Notices (TEN) to make provision for small scale one off events, or situations where Premises Licences do not meet the needs of a particular function</p> <p>The Licensing Objectives - The four main principles of the Licensing Act 2003 are known as the “licensing objectives” and must be considered throughout the licensing process</p>
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| | <ul style="list-style-type: none">• The prevention of crime and disorder.• Public safety.• The prevention of public nuisance.• The protection of children from harm |
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From: Dave L Jones

Sent: 24 July 2020 16:05

To: 'reception@flintmountainparkhotel.co.uk' <reception@flintmountainparkhotel.co.uk>

Cc: Jenny Prendergast <Jenny.Prendergast@flintshire.gov.uk>; Jacqui Dale <jacqui.dale@flintshire.gov.uk>

Subject: Objection to TENS and for extension of music licence for outside area

Dear Mr Chan,

I wish to give you notice that I am raising an objection to your application for TENS and a variation of your Licence to allow for music to be played in the outside seating area at your premises.

The reason is because we had a noise complaint regarding your first event last weekend and there is every likelihood that it will not be possible to play music or have any other entertainments outside your premises without disturbing your neighbours.

Regards

Dave Jones

Pollution Control Officer | Swyddog Rheoli Llygredd

Public Protection | Diogelu'r Cyhoedd

Environment | Amgylchedd

Flintshire County Council | Cyngor Sir y Fflint

Work Tel | Ffôn Gwaith | 01352 703276

Pollution Control Tel | Ffôn Rheoli Llygredd | 01352 703440

Email | Ebst | dave.l.jones@flintshire.gov.uk

<http://www.flintshire.gov.uk> | <http://www.siryfflint.gov.uk>

<http://www.twitter.com/flintshirecc> | <http://www.twitter.com/csyfflint>

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The Housing (Wales) Act 2014

Do you rent out a property in Wales?

As of the 23rd November 2015 Landlords and agents are now required by law to be registered or licenced. A new law has been introduced in Wales which applies to all landlords and agents of private residential property. If you own, rent out, manage and/or live in a rented property then this law will impact on you. To find out more and to apply Visit www.rentsmart.gov.wales or call 03000 133344

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