

Eich cyf / Your ref:

Fy nghyf / My ref:

Dyddiad / Date: 19<sup>th</sup> September  
2017

Gofynner am / Please ask for:

Llinell Uniongyrchol / Direct Line:

E-bost / E-mail:

**Appendix B1**  
Emyr Jones

(01267) 228717

publicprotection@carmarthenshire.gov.uk

Head of Housing and Public Protection  
Carmarthenshire County Council  
3 Spilman Street,  
Carmarthen  
SA31 1LE

Dear Sir,

**RE: Application for a Premises Licence**  
**NATIONAL BOTANIC GARDEN OF WALES, Llanarthne, Carmarthen,**  
**Carmarthenshire, SA32 8HG**  
**Application Date 22/08/2017**

Further to the receipt of the above application, the Licensing Authority make the following representations:

a) Previous Enforcement Action / Prosecutions

The premises currently has the benefit of a premises licence granted in 2005 relating to some of the permanent buildings and seasonal marquee as identified on the licence plan. There have been no previous prosecutions or enforcement action taken by the licensing authority in relation to these premises.

b) Complaints.

There have been no complaints received by the licensing authority in relation to these premises.

c) Responsible Authority Referrals.

The licensing authority has not received any referrals from the other responsible authorities in relation to the above premises.

d) Relevant Sections of the Statutory Guidance.

The Licensing Authority believes that the following sections of the Statutory Guidance are relevant to this licence application: - Section 1 Introduction, Section 2 relating to The Licensing Objectives, Section 5 relating to Premises

**Robin Staines BA (Hons.), MA, MCIH**

**Pennaeth Tal & Diogelu'r Cyhoedd**

**Adran Cymunedau**

3 Heol Spilman, Caerfyrddin, SA31 1LE.

Tŷ Elwyn, Llanelli, SA15 3AP.

Neuadd y Dref, Heol Iscennen, Rhydaman, SA18 3BE.

**Head of Housing & Public Protection**

**Department for Communities**

3 Spilman Street, Carmarthen, SA31 1LE.

Tŷ Elwyn, Llanelli, SA15 3AP.

Town Hall, Iscennen Road, Ammanford, SA18 3BE.



**BUDDSODDWR MEWN POBL | INVESTORS IN PEOPLE**

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licences, Section 8 relating to Applications for Premises Licences and Section 10 relating to Licence Conditions.

e) Relevant Sections of the Local Licensing Policy.

The Licensing Authority believes that the following sections of Carmarthenshire's Licensing Policy are relevant to this licence application:- Section 3 Fundamental principles, Section 4 Conditions of Licence, Sections 5 – 9 relating to The Licensing Objectives and Section 11 relating to Licensing Hours.

f) Proposed Operating Schedule.

Having considered the current application and the operating schedule put forward by the applicant, the Licensing Authority believes that, if the application were granted, the wording set out in the operating schedule, which refers to the existing licence conditions, is not sufficiently precise to enable it to form clear enforceable licence conditions in accordance with section 18(2)(a) of the Licensing Act .

From experience in dealing with licensing other large events and licensed venues and given the wide range of activities sought by the applicant , the requested permitted hours of operation and the large capacity of the premises within this rural location, the licensing authority believes that it would be appropriate to attach the following licence conditions to the premises licence, if granted:-

The Environmental Health representation outlines licence conditions which they believe are appropriate to attach to the licence if the application is granted. The licensing authority supports their request for the reasons outlined above, however I suggest that the condition requires the Event Management Plan to be approved in writing by the licensing authority following consultation with the Safety Advisory Group.

I would also suggest that the condition prohibiting licensing activities taking place without the above written approval be amended to clarify that it only applies to licensable activities forming part of events requiring an event management plan to be submitted.

The suggestion made by the Environmental Health Officer to identify an area where events with an audience capacity of 499 or less appears to be a sensible suggestion, that will allow smaller events to take place within the existing licensed areas without engaging the requirements for an event management plan.

In addition, for the same reasons as outlined above, the licensing authority would request the following additional licence condition :-

1. The licence holder shall give the licensing authority 14 days' notice of any event which includes licensable activity which is to take place in the open at any location within the licensed areas. This notice period can be reduced by agreement with the licensing authority in consultation with the Safety Advisory Group.

The Environmental Health officer has outlined the sorts of information that would be expected to be included within an Event Management Plan. For the applicant's information, I have attached two sample Event Management Plan templates to demonstrate the type of information and detail which would be considered appropriate for event organisers to provide.

The Dyfed Powys Police have also submitted a letter of representation in relation to the application. The Police representation requests that twenty two additional conditions be attached to the licence should the application be granted.

The licensing authority supports the Police request, however it believes that the authorities need to agree with the applicant the areas to be covered by the CCTV system sought by conditions 1-13.

Further representation has been received from other persons, which sets out their concerns regarding the application. The subcommittee will have to be satisfied that granting the application will not undermine the licensing objectives.

If the application is granted, I believe it would be appropriate to replace all the statements made in the operating schedule with the conditions requested by the responsible authorities.

These representations have been prepared on the 19<sup>th</sup> of September 2017 with the benefit of viewing the original application and the representations from the responsible authorities and other persons.

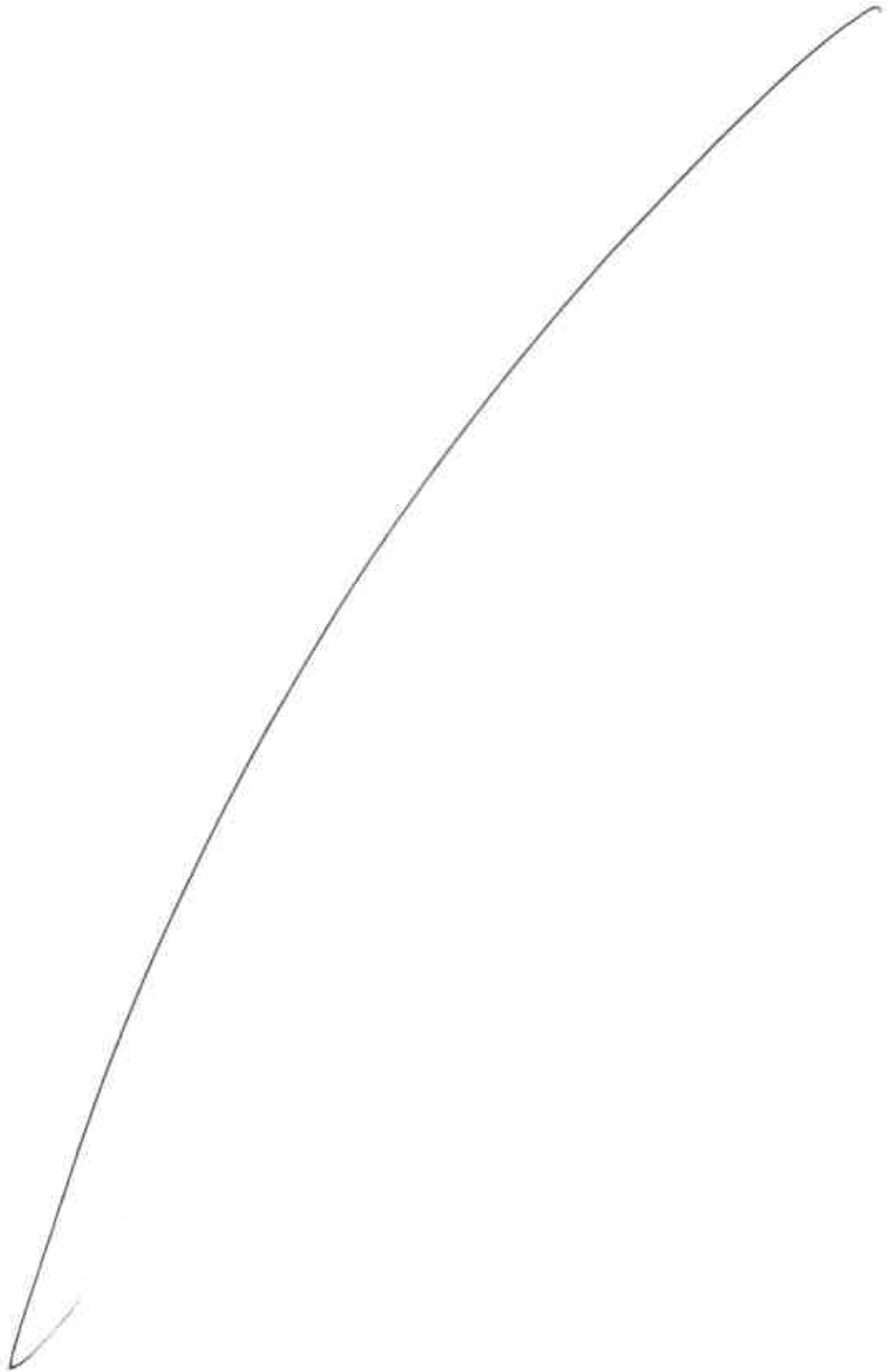
I would be grateful if the applicant could contact me to discuss the above representations at the earliest opportunity and certainly prior to the application being referred to a Licensing Sub Committee hearing for determination.

If you require any further information or assistance, please do not hesitate to contact me.

Yours faithfully,



**Mr E O R Jones**  
**Principal Licensing Officer**



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