

RE: Objection to Licensing application

Dear Ms Smith:

Thank you very much for speaking to me this morning. This is to serve as my objection to the potential approval of the licensing application submitted by the National Botanic Garden of Wales for extended supply of alcohol hours; extended live music hours; extended late night refreshment hours; and extended holding of drama, films, indoor sports, boxing/wrestling, and performance of dance.

I live in the vicinity of the National Botanic Garden of Wales, and my wife and I moved here in great part to enjoy the peace and quiet of the countryside. We have long supported the Botanic Gardens, and are Life Members.

However, we are concerned that an extension of licensing hours, particularly in conjunction with the current planning efforts to construct hard-standing pitches for motorhomes, tent pitches, and timber-cladded wigwam cabins – and the resulting increase in numbers of visitors at the edges of the Botanic Gardens – will change the dynamic of both the National Botanic Garden and its surrounding areas.

My objections to the granting of this application fall under three of the licensing objectives of the licensing authority:

- 1. The prevention of public nuisance.** An extension of the license will encourage more events that will be louder and continue later than previously. This would cause considerable disturbance to both local residents and their stock animals, as well as to visitors to local holiday homes. This would be exacerbated by the noise of traffic associated with the arrival and departure of people to these events. In the past, I have been able to hear events at the Botanic Gardens, and this should not be increased by frequency or duration.
- 2. Protection of children from harm.** There are a number of houses along the small lanes that run near the back of the Botanic Gardens. Events held at the Botanic Gardens will increase the traffic (particularly that of individuals unfamiliar with the area) and therefore will create unnecessary danger to children.
- 3. Public safety.** There is a danger to local residents, their pets, and their stock animals due to the potential for increased traffic going to and leaving from the Botanic Gardens on small lanes. People leaving the back entrance to the Botanic Gardens already drive at unsafe speeds down local lanes, and the potential for accidents would be greatly increased by the late sales of alcohol at the Botanic Gardens.

Thank you very much for considering this letter and its points. I have attached this objection as well, in case it is easier for you to reproduce it that way.

I would be most grateful if you could acknowledge receipt of this email, so that I know it has been received in time.

E2

Yours truly,

Dr Beau Riffenburgh

Re NBGW Licensing Application: objection

Dear Ms Smith,

I write with reference to the application for extended licensing mentioned above. My objections to allowing the extension fall into three categories.

1. Public nuisance: the extended hours will cause considerable disturbance to local residents. Events continuing until one in the morning on all days of the week are unacceptable, and will cause distress, aggravation and loss of sleep. There will also be increased traffic noise from visitors arriving and leaving the events -- and who wants cars roaring past their homes in the small hours of the morning? The licence also wants the freedom to host a range of different events, some of which will be noisy and will attract large numbers of people. This will disturb local residents and those people who are staying in a number of local holiday homes.

2. Protection of children: the increased traffic along small rural lanes (there is currently an application for cabins, tents and caravans near the back gates of the Gardens, which will necessitate the use of these lanes) will cause risk to small children who play in the gardens off these lanes.

3. Public safety: there is also a risk to local residents from the increased volume of traffic on local roads. One neighbour has lost a cat to speeding cars, and I have also witnessed near misses with those local residents who walk their dogs. The area has also seen a huge increase in cycling over the last five years. More cars attending late events pose a risk to them.

Many thanks.

Yours sincerely,

Liz Cruwys

E4

Dear Ms Smith,

I am writing about the application to extend the licence for holding events in the National Botanic Garden of Wales. I have lived in the area for more than 15 years, and have already noticed a steady increase in noise and traffic from the Gardens in that time. I am very concerned that the licence will allow a significant increase in frequency and lateness of noise, and will disturb not only me and my family, but the visitors/customers who stay in my holiday cottage. Such a public nuisance is highly undesirable.

In addition, I have young grandchildren who visit me evenings and at weekends, and I am concerned for their safety with the increased traffic along my road. I have already lost two much-loved cats to speeding cars.

Finally, I am also concerned that large numbers of people attending events with alcohol being served late in the evening will result in public disorder. I have already heard of unruly events at the Gardens, when wedding parties have been left unsupervised, resulting in damage to vehicles and flower beds, and I do not want this sort of behaviour overflowing onto my doorstep.

Thank you for the opportunity to give my views.

Yours faithfully,

Gethin Davies

18/9/17

Head of Public Protection,
Carmarthenshire County Council,
3 Spillman Street,
Carmarthen

Dear Sir/Madam,

We write as current members of the National Botanic Garden of Wales and as local residents with a property that includes a holiday cottage located within one mile of the NBGW rear hospitality entrance.

We are enthusiastic advocates and supporters of the gardens located as it is within the tranquil Towy Valley. We fully understand that the National Botanic Garden of Wales must be a viable and thriving business and support the initiatives to increase visitor footfall. However we wish to object strongly in respect of the licencing objective of 'Prevention of Public Nuisance' namely the application to have:

Live and recorded music Mon to Sun 8am – 1am, Alcohol Mon to Sun 8am – 1am and Hot food and Non- alcoholic drinks/late night refreshment again until 1am

The NBGW currently holds occasional weekend events which are tolerated in terms of noise pollution and in the interest of the Garden's revenue, participation and community interest. The consumption of alcohol is minimal and not necessary to the enjoyment of such occasions. The playing of live music, recorded music and late night drinking during the week and weekend would not be in the community interest and has the potential to seriously impact on the reason so many people seek to visit and live in the area, to experience peace and tranquillity within a beautiful setting.

Local hostelrys and premises such as Llanarthne Hall which occasionally uses a licence for community and fund raising purposes, stop serving at an appropriate time and we see no reason for the NBGW not to comply with the same licencing regulations imposed at weekends and during the week.

There is strength of feeling in Llanarthne and the surrounding area against Live and Recorded music and late night/ early morning alcohol consumption and we do hope that in the interests of Prevention of Public Nuisance that the premises licence will be restricted and with conditions commensurate with the best interests of the community as a whole.

Yours faithfully,

Glenn and Marguerite Jones

E6

I assist Ms Lynne Roberts

I am instructed to confirm objection to the proposal for a premises licence which would allow for the sale of alcohol, live music and recorded music and the provision of late night refreshments at the Botanical Gardens, extending to 1am.

The Botanical Gardens is situate in a quiet and rural area. There are a number of properties within the vicinity of the Botanical Gardens, including my client's property, which would be adversely affected by noise emanating from the Botanical Gardens. The location of the Botanical Gardens is such that music and noise from the gardens travels within the surrounding environment. You are asked to consider that a premises licence, especially permitting for extended hours, would be inappropriate, taking into account the nature and position of residential properties to the vicinity of the site.

**Gary Jones Solicitors
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Thank you for your email. I confirm our client's consent for her representations to be forwarded to the applicant. In doing so please confirm that whilst our client is appreciative of the good work carried out at the Botanical Gardens, the concern rests with the lateness of the hours required, and the risk that once a premises licence is granted allowing for seven day use to 1am, there is the risk that instead of the premises being used for the occasional concert or function, it could be used for various licensing / music activities on a regular patter and especially if the pending planning application in respect of part of the site is successful.

**Gary Jones Solicitors
42 College St
Ammanford
SA18 3AF**

16 September 2017

Dear Sirs

Objection to the Application for a Premises Licence under Section 17 of the Licensing Act 2003 by the National Botanical Garden of Wales.

According to the entry in Wikipedia, the National Botanical Garden of Wales (the Gardens) consists of 568 acres. Judging by the appearance of numerous signs, this appears to be the area of extent that the applicant wishes to consider as being licensed for the range of activities for which they have applied.

Irrespective of whether the whole of this area or a slightly reduced area is to be the subject of the application, it also appears that, if granted, this will be one of the largest areas of land provided with such a licence in England and Wales. The Council Licensing Committee should therefore be aware that, by whatever measure, we are dealing with an immense area, relative to other such applicants, for example public houses, village halls or even such as football stadia and concert venues. It is almost three square kilometres in extent. Agreement to this application in principle could set an outstanding precedent. I would suggest from the outset that an application of this sort is unreasonably large in concept.

The sheer size of the area in question, along with the diverse geography will introduce a need to address virtually whole new concepts of dealing with the need to meet the four main Licensing Objectives.

- a. How can the Gardens patrol and police such an area with qualified and experienced staff to prevent occurrences of crime and disorder? Do they intend to contract a sizeable security firm to control this area during normal and particularly special events, or their own paid steward force, or are they going to depend on a few volunteer stewards walking around with every good intention of dealing with matters by luck or judgement? The history of the Gardens so far strongly suggests that it will be the latter option they have in mind and will follow, rather than one of the more correct and appropriate first two.
- b. Likewise, within such a vast area how are they intending to ensure public safety? By means of professionals employed to prevent drunk patrons falling off dams wandering into lakes streams and bogs, or by the same group of casual stewards mentioned above? What will the Fire and Rescue Service say about having to potentially access 568 acres, some of which undoubtedly

has less than adequate road access. How will the police cope similarly if there is a major incident? Will the Gardens have dedicated all-wheel drive vehicles such as Pinzgauers on site to deal with incidents/emergencies?

c. I suggest similar concerns will extend in this context to matters of public nuisance and even the potential for the protection of children. Is the whole area of the Gardens proposed licensing area surrounded by a full security fence, with associated CCTV installations as is demanded of many other licensed premises?

d. The wide extent of the application in every respect suggests that the aim is to attract visitors in larger numbers than at present visit the gardens, as indeed is the current extent of car parking areas. Whilst it is possible in the future that many of these visitors, suitably fortified by alcohol, will go straight on to the A48 to continue their way to their various destinations, it is likely that a substantial proportion will debouch onto the various minor roads in the vicinity of the gardens. What steps will the Gardens take to deal with this potential public problem? Will they do nothing? Will they employ and pay for special police patrols to deal with potential offenders against the Drink and Driving legislation; or will they perhaps consider their public duty fulfilled by the provision of a few notices displayed in the areas in which they intend to sell alcohol within the Gardens? They will end up with many notices all over the place if they do even this conscientiously.

e. Other provisions in the application deal with public entertainment of various sorts. In particular that of music. Music, in outdoor settings, implies various degrees of amplification. From time to time the Gardens has already mounted some such outside events. I suspect that they may have not been aware of the extent that the music will carry, via the prevailing winds. The prevailing winds through the Gardens are very frequently from the south west. These carry the volume of sound through the relatively narrow valley of the Afon Gwynon to and through the village of Llanarthne itself. Many people in Llanarthne are perhaps too polite to complain about this but it could present a serious problem of noise pollution. Possibly a few outdoor concerts a year might not be objectionable but the clear intent behind this application is to increase the frequency and no doubt duration of such events until the early hours in a normally very quiet rural area. How much regard would be really paid to the views of the people within the noise envelope and what steps have the Gardens taken in the past to consult on, or minimise this? Moreover, if their application is successful, what steps would they take in future?

f. As a resident of Llanarthne, rather closer than most to the Gardens, I am completely unaware of any public consultations launched by the Gardens before the launching of this application, other than the multitude of blue notices scattered around the area. This does not appear to be good public relations on their part and rather smacks of *lesse-majeste*.

g. I feel that it is also highly relevant for the Licensing Committee to inquire what the Gardens has done to consult or research with other similar

businesses in the immediate area, as to the real effect on their trade. I am thinking here of the likes of Old Emlyn Arms pub, Wrights Restarant, the Polyn, the Prince of Wales pub in Porthyrhyd and even the village halls such as Llanddarrog and Llanarthne. Let alone the wider area. Is this development by the Gardens going to affect them adversely? I would assume here that regardless of what the Gardens may say on this, they are looking to increase their trade rather than simply share it out in a sort of egalitarian way. So many licensed premises in the area have closed in recent years or are clearly under threat. Will this application exacerbate or reverse this trend?

h. Does this proposed development by the Gardens mean that they will increase the already woefully small numbers of paid full and part time employees that they have, rather than just increase their need and dependency on volunteers? Will the effects they have on other businesses thereby diminish the number of paid employment in the area. What real benefits to the immediate area will this presumably increased traffic to the Gardens bring, as opposed to more road traffic clogging up already narrow busy roads. Whilst some of these issues might be outside the strict prerogative of the Licensing Committee, they most certainly will not be outside the remit of the full Council.

j. I am worried that the Gardens have now, or will have full and complete planning consents in place for 568 acres or so of drinking, dancing, boxing and music etc. Whilst they may have consents for some or all of these activities in some or all of their buildings, do these consents really extend to the use of woodland and agricultural land, Pantwgan Farm, for example? Where will smoking be permitted or not be permitted, to mention just one issue?

k. Finally, the actual hours being applied for under all categories seem unduly long. Seventeen hours a day of music and alcohol sale seven days a week is a lot to expect a small community (765 souls in the 2011 census for Llanarthne and 1198 for Llanddarrog) to absorb. Whilst the applicants may protest that these hours may only be exercised exceptionally, the fact remains that they want the ability to exercise them and will not be restrained by very much if they decide to do so. It will almost be complete self-interested self-regulation! Rather like the potential provisions of the Great Repeal Bill currently before the English Westminster Parliament perhaps.

Yours faithfully



Peter Roberts

