

# Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:  
Maureen Potter 01352 702322  
maureen.potter@flintshire.gov.uk

At: Cyng Tony Sharps (Cadeirydd)

Y Cynghorwyr: Ron Davies a Adele Davies-Cooke

Dydd Llun, 27 Gorffennaf 2020

Annwyl Gyngorydd,

**RHYBUDD O GYFARFOD ANGHYSBELL**  
**IS-BWYLLGOR TRWYDDEDU**  
**DYDD GWENER, 31AIN GORFFENNAF, 2020 9.30 AM**

Yn gywir

Robert Robins  
Rheolwr Gwasanaethau Democrataidd

Sylwch: Oherwydd y cyfyngiadau presennol ar deithio a'r gofyniad am gadw pellter corfforol, ni chynhelir y cyfarfod hwn yn y lleoliad arferol. Bydd hwn yn gyfarfod rhithiol a bydd 'presenoldeb' yn gyfyngedig i Aelodau'r Pwyllgor yn unig. Bydd y cyfarfod yn cael ei recordio.

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democrataidd ar 01352 702345

## R H A G L E N

### 1 YMDDIHEURIADAU

**Pwrpas:** I derbyn unrhyw ymddiheuriadau.

### 2 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

**Pwrpas:** I derbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

### 3 YSTYRIED RHYBUDD DIGWYDDIAD DROS DRO (Tudalennau 3 - 8)

Bod Aelodau'n ystyried gwrthwynebiad a wnaed mewn perthynas â'r tair Rhybudd Digwyddiad Dros Dro

# Eitem ar gyfer y Rhaglen 3



## LICENSING SUB COMMITTEE

<b>Date of Meeting</b>	Friday, 31 <sup>st</sup> July, 2020
<b>Report Subject</b>	Consideration of a Temporary Event Notice
<b>Report Author</b>	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"><li>• proceed, with all licensable activities as stated in the notice</li><li>• impose licence conditions on the TEN</li><li>• issue a counter notice to prevent the event taking place</li></ul>
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

<b>1.00</b>	<b>EXPLAINING THE APPLICATION</b>
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 <sup>st</sup> 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:  <b>Notice 1</b>  6 <sup>th</sup> – 8 <sup>th</sup> August 2020 – 12.00 – 22.00  <b>Notice 2</b>  13 <sup>th</sup> – 16 <sup>th</sup> August 2020 – 12.00 – 22.00  <b>Notice 3</b>  20 <sup>th</sup> – 23 <sup>rd</sup> 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 <sup>th</sup> 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.
------	--

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
-------------	------------------------------

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.
------	---

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
-------------	---

3.01	None
------	------

<b>4.00</b>	<b>RISK MANAGEMENT</b>
-------------	------------------------

4.01	<p>That the event may undermine one of more of the Licensing objectives which are :</p> <ul style="list-style-type: none"> <li>• The prevention of crime and disorder.</li> <li>• Public safety.</li> <li>• The prevention of public nuisance.</li> <li>• The protection of children from harm</li> </ul>
------	---

<b>5.00</b>	<b>APPENDICES</b>
-------------	-------------------

5.01	Appendix A: Notice of Objection from Pollution Control.
------	---

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
-------------	--

6.01	<p><b>Contact Officer:</b> Jacqui Dale, Licensing Officer  <b>Telephone:</b> 01352 703377  <b>E-mail:</b> jacqui.dale@flintshire.gov.uk</p>
------	---

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
-------------	--------------------------

7.01	<p><b>TEN</b> – 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><b>The Licensing Objectives</b> - The four main principles of the Licensing Act 2003 are known as the “licensing objectives” and must be considered throughout the licensing process</p>
------	--

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>• The prevention of crime and disorder.</li><li>• Public safety.</li><li>• The prevention of public nuisance.</li><li>• The protection of children from harm</li></ul> |
|--|--|

**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](mailto: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>

Rhentu  
Doeth  
Cymru  
Rent  
Smart  
Wales



**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](http://www.rentsmart.gov.wales) or call 03000 133344

Mae'r dudalen hon yn wag yn bwrpasol