

# Pecyn Dogfen Gyhoeddus

**Gareth Owens LL.B Barrister/Bargyfreithiwr**

Chief Officer (Governance)

Prif Swyddog (Llywodraethu)



Swyddog Cyswllt:

Maureen Potter 01352 702322

maureen.potter@flintshire.gov.uk

At: Cyng Rosetta Dolphin (Cadeirydd)

Y Cyngorwyr: Rob Davies a Richard Lloyd

Dydd Mawrth, 10 Hydref 2023

Annwyl Gynghorydd,

**RHYBUDD O GYFARFOD ANGHYSBELL**  
**IS-BWYLLGOR TRWYDDEDU**  
**DYDD LLUN, 16EG HYDREF, 2023 10.00 AM**

Yn gywir

Steven Goodrum

Rheolwr Gwasanaethau Democraidaidd

Sylwch: Gofynnwyd i siaradwyr cyhoeddus a hoffent gyfarch y Pwyllgor yn Gymraeg neu Saesneg.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd y ffrydio byw yn dod i ben pan fydd unrhyw eitemau cyfrinachol yn cael eu hystyried. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

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

## R H A G L E N

### 1 YMDDIHEURIADAU

**Pwrpas:** I dderbyn unrhyw ymddiheuriadau.

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

**Pwrpas:** I dderbyn unrhyw ddatganiad of sysylltiad a chynghori'r Aelodau yn unol a hynny.

### 3 DEDDF TRWYDDEDU 2003 - CAIS I ADOLYGU TRWYDDED EIDDO (Tudalennau 5 - 104)

I Aelodau ystyried a phenderfynu ynglŷn â chais i adolygu trwydded am amrywiad i drwydded eiddo, a wneir o dan Ddeddf Trwyddedu 2003, mewn perthynas â Castell Rhuthun, 73-77 Stryd Newydd, yr Wyddgrug, Sir y Fflint, CH7 1NY

***Sylwch, efallai y bydd egwyl o 10 munud os yw'r cyfarfod yn para'n hirach na dwy awr.***

## **Nodyn Gweithdrefnol ar redeg cyfarfodydd**

Bydd y Cadeirydd yn agor y cyfarfodydd ac yn cyflwyno eu hunain.

Bydd nifer o Gynghorwyr yn mynychu cyfarfodydd. Bydd swyddogion hefyd yn mynychu cyfarfodydd i gyflwyno adroddiadau, gyda swyddogion Gwasanaethau Democrataidd yn trefnu a chynnal y cyfarfodydd. Bydd Cyfreithiwr y Cyngor hefyd yn bresennol.

Gofynnir i bawb sy'n mynychu i sicrhau bod eu ffonau symudol wedi diffodd a bod unrhyw sain gefndirol yn cael ei gadw mor dawel â phosib.

Dylai'r holl feicroffonau gael eu rhoi "ar miwt" yn ystod y cyfarfod a dim ond pan fyddwch yn cael eich gwahodd i siarad gan y Cadeirydd y dylid eu rhoi ymlaen. Pan fydd gwahoddedigion wedi gorffen siarad dylen nhw roi eu hunain yn ôl "ar miwt".

Bydd y Cadeirydd yn galw ar y siaradwyr, gan gyfeirio at aelod etholedig fel 'Cynghorydd' a swyddogion yn ôl eu teitl swydd h.y. Prif Weithredwr neu enw. O bryd i'w gilydd mae'r swyddog sy'n cynghori'r Cadeirydd yn egluro pwyntiau gweithdrefnol neu'n awgrymu geiriad arall ar gyfer cynigion er mwyn cynorthwyo'r Pwyllgor.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 3



## LICENSING SUB COMMITTEE

<b>Date of Meeting</b>	Monday 16 <sup>th</sup> October 2023
<b>Report Subject</b>	Licensing Act 2003 - Application for Review of a Premises Licence
<b>Report Author</b>	Chief Officer: Planning, Environment & Economy

### EXECUTIVE SUMMARY

For Members to consider and determine an application for the review of a premises licence made under the Licensing Act 2003, in respect of Ruthin Castle, 73-77 New Street, Mold, Flintshire CH7 1NY.

### RECOMMENDATIONS

1	That Members consider and determine the application for the review of a premises licence at Ruthin Castle, 73-77 New Street, Mold, Flintshire CH7 1NY.
2	Having had regard to the representations made by all parties, the Sub-Committee must consider appropriate action for promotion of the licensing objectives.
3	Where the Sub-Committee considers action is appropriate the statutory options available are:  a) modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;  b) exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);  c) remove the designated premises supervisor, for example, because

	<p>they consider that the problems are the result of poor management;</p> <p>d) suspend the licence for a period not exceeding three months;</p> <p>e) revoke the licence</p>
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## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE APPLICATION</b>
1.01	<p>On 22<sup>nd</sup> August 2023, Gemma Potter, Licensing Team Manager acting as the Licensing Authority as a responsible Authority for Flintshire County Council submitted an application for the review of the premises licence at the Ruthin Castle, 73-77 New Street, Mold, Flintshire CH7 1NY. The review application is made on the grounds that the following licensing objectives are not being met.</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> </ul> <p>The full review application shows a chronological summary of events and is attached as Appendix A.</p>
1.02	<p>The premises concerned is Ruthin Castle, 73-77 New Street, Mold, Flintshire CH7 1NY. Its location can be seen in Appendix B.</p>
1.03	<p>The premises currently hold Premises Licence PA0338 which allows :-</p> <p><b>The supply of alcohol for consumption on and off the premises</b></p> <p>Sunday to Thursday 10.00 – midnight  Friday &amp; Saturday 10.00 – 01.00 the following morning</p> <p>There are provisions for seasonal variations which are :-</p> <p>On Friday and Saturdays prior to bank holidays, Christmas Eve, and Boxing Day the times are extended until 2am.</p> <p>On New Years eve the hours are extended until 10am the following morning to allow for 24 hour sales.</p> <p><b>The Provision of Regulated Entertainment (indoors only)</b></p> <p>Live Music, Recorded music, Dance, Plays, Films, Indoor sports and entertainment of a similar description.</p> <p>Sunday to Thursday 10.00 – 00.15 the following morning  Friday and Saturday 10.00 -01.30 the following morning</p> <p>There are provisions for seasonal variations which are:-</p>

	<p>On Friday and Saturdays prior to bank holidays, Christmas Eve, and Boxing Day the times are extended until 2am.</p> <p>On New Years eve the hours are extended until 10am the following morning to allow for 24 hour entertainment.</p> <p><b>Late Night Refreshment</b></p> <p>Sunday to Thursday 10.00 – 00.30 the following morning Friday &amp; Saturday 10.00 – 02.00 the following morning</p> <p>There are provisions for seasonal variations which are:-</p> <p>On Friday and Saturdays prior to bank holidays, Christmas Eve, and Boxing Day the times are extended until 2am.</p> <p>On New Years Eve the hours are extended until 10am the following morning.</p> <p><b>Opening Hours</b></p> <p>Sunday to Thursday 10.00 – 12.30 the following morning Friday &amp; Saturday 10.00 – 02.00 the following morning</p> <p>There are provisions for seasonal variations which are:-</p> <p>On Friday and Saturdays prior to bank holidays the times are extended until 3am. On Christmas Eve and Boxing Day the times are extended until 2.30am unless falling on a Friday or Saturday which would be extended until 3am.</p> <p>On New Years eve the hours are extended until 10am the following morning to allow for 24 hour opening.</p> <p>The current licence conditions are attached as Appendix C.</p>
1.04	The review application was advertised in the correct manner, near the site, at Council Offices and on Flintshire County Council's website.
1.05	<p>On Friday 1<sup>st</sup> September 2023 the DPS Laura Millington gave notification to North Wales Police that she was resigning as DPS of the Ruthin Castle and had been instructed by Stonegate to close the premises, effective immediately.</p> <p>On Monday 4<sup>th</sup> September, confirmation of the above was given to the Licensing section from the outgoing DPS.</p> <p>The premises have remained closed.</p>
1.06	Representations have been received from North Wales Police on 19 <sup>th</sup> September 2023. These can be seen in Appendix D

1.07	Representations have been received from Flintshire County Council's Pollution Control Section on 19th September 2023. These can be seen in Appendix E.
1.08	<p>Emails of representation were received from residents, the Town Council and the Mayor of Mold and these can be seen in Appendix F.</p> <p>Some of the representations included videos and photos which could possibly identify members of the public and therefore have been shared privately with the sub-committee members and the premises licence holder before the hearing.</p>
1.09	The letters of representation refer in part to the late hours permitted by this licence. For reference the hours of other licensed premises in the immediate vicinity are attached as Appendix G.
1.10	<p>The Solicitor acting on behalf of the premises licence holder advised that submission of a minor variation was being considered to reduce hours for alcohol sales, bring forward closing times and replace the existing conditions with enforceable conditions.</p> <p>At the time of writing this report no formal minor variation application has been submitted.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None in respect of this report.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	A 28 day consultation period was carried out following receipt of the review application, as required by the Licensing Act.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The Licensing Sub-Committee will address all risks in relation to the four licensing objectives when making their determination.

<b>5.00</b>	<b>APPENDICES</b>
5.01	<p>Appendix A: Location plan</p> <p>Appendix B: Current Licence Conditions</p> <p>Appendix C: The Review Application</p>



	<p>Appendix D: Representations from North Wales Police</p> <p>Appendix E: Representations from Pollution Control</p> <p>Appendix F: Emails of representations from interested parties</p> <p>Appendix G: Hours of premises in the vicinity</p>
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<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Licensing Act 2003</p> <p>Section 182 Guidance for Licensing Authorities</p> <p><a href="https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003">https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003</a></p> <p>Flintshire County Council's Statement of Licensing Policy</p> <p><b>Contact Officer(s): Jacqui Dale &amp; Lorraine Baxendale</b>  <b>Licensing Officers</b>  <b>Telephone: 01352 703377/703375</b></p> <p><b>E-mail: <a href="mailto:licensing@flintshire.gov.uk">licensing@flintshire.gov.uk</a></b></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Licensing Act 2003</b> – referred to as the Act.</p> <p><b>Premises Licence</b> – 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><b>Licensable activities</b> – 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><b>Regulated entertainment</b> - 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><b>Late night refreshment</b> – 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><b>Supply of alcohol</b> – 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><b>Licensing Objectives</b> - the Act sets out four licensing objectives. These are the prevention of crime and disorder, public safety, prevention of public</p>

nuisance, and the protection of children from harm.

**Live Music Act** – Live and recorded music allowed at certain venues without the benefit of a licence. Restrictions apply.

**Deregulation of Regulated Entertainment** – Exemptions for some entertainments to be licensed under the Licensing Act 2003. Including, live music, recorded music, plays, indoor sporting events and performances of dance. Restrictions apply.

**Responsible Authorities** – These are statutory bodies which are able to comment on applications made under the Licensing Act. They can make representations about the grant or variation of a licence. They can also apply for licence reviews in their own right

Flintshire County Council

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Gemma Potter- Licensing Team Manager (Responsible Authority)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description			
The Ruthin Castle 73 – 77 New Street			
Post town	Mold	Post code (if known)	CH7 1NY

Name of premises licence holder or club holding club premises certificate (if known) EI Group
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Number of premises licence or club premises certificate (if known) PA0338
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Part 2 - Applicant details

I am

Please tick  yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates

(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Please tick  yes

Mr            Mrs            Miss            Ms            Other title  
(for example, Rev)

**Surname**

**First names**

Please tick  yes

**I am 18 years old or over**

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

<p><b>Name and address</b></p> <p>Gemma Potter – Team Manager</p> <p>Licensing Section Community and Business Protection Flintshire County Council County Hall Mold Flintshire CH7 6NR</p>
<p>Telephone number (if any) 01352 703371</p>
<p>E-mail address (optional) gemma.potter@flintshire.gov.uk</p>

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

**Please state the ground(s) for review (please read guidance note 2)**

The following licensing objectives have been undermined:

**1: The Prevention of Crime and Disorder**

**2: Public Safety**

**3: The Prevention of Public Nuisance**

The premises has been and continues to be the subject of many complaints made by nearby residents in respect of noise emanating from both the premises itself and the beer garden. Complaints also relate to patrons shouting and talking loudly outside the premises both while the premises is open and after it has closed. (3)

Anti social behaviour in and around the premises, caused by customers of the premises, is not being effectively controlled or managed to minimise a disturbance to people living in the vicinity of the premises. Reports have been made by local residents who are experiencing damage to their properties, as well as frequent disturbances during antisocial hours. Reports have also been received that the issues caused by the premises are causing health and mental health concerns to those who live nearby. (1, 3)

There are frequent reports of other issues, such as shouting, fighting; urinating on the street and on properties; property damage; nuisance from car doors slamming; antisocial behaviour relating to the premises; reports of alleged drug use; litter and the congregation of large groups at antisocial hours. Steps have been taken to attempt to resolve these issues, however those persons responsible for the premises are failing to adhere to the action plan put in place and agreed by all parties following a multi agency meeting. They have failed to engage fully at other meetings designed to achieve compliance.

(1,2,3)

In addition to complaints received, Officers have observed anti social behaviour, failure of the premises to comply with the actions set out in the agreed action plan and other actions which would undermine the licensing objectives.(1,2,3)

Officers witnessed customers being admitted to the premises until 01.18am on Sunday 30<sup>th</sup> July, which indicates that it's likely the premises were serving alcohol past their permitted hours of 1am. CCTV for this, and other issues has been requested from the Premises Manager, with the knowledge of the Area Manager and Licensing Co-Ordinator acting for the Premises Licence Holder, but has not been provided at the time of submitting this review application. (contrary to permissions of licence) (2)

Officers were able to see customers inside the premises at 2.10am on Sunday 30<sup>th</sup> July 2023, which is outside the premises' permitted opening hours. (contrary to permissions of licence)

Failure of the Designated Premises Supervisor (DPS) to effectively follow the stepped process (1,2,3)

The DPS is named as the DPS on another licensed premises in the Flintshire area. Paragraph 4.67 of the guidance issued under S.182 of the Licensing Act 2003 states that '...a DPS may supervise two or more premises as long as the DPS is able to ensure that the licensing objectives are properly promoted and that each premises complies with the 2003 Act and conditions on the premises licence. The DPS is not required to be present at all times when licensed premises are used for the sale of alcohol. It is not considered that the DPS is effectively fulfilling her role at both premises. (1,2,3)

**Please provide as much information as possible to support the application (please read guidance note 3)**

The Ruthin Castle holds Premises Licence PA0338 with Flintshire County Council. A copy of the licence is shown at **GMP1**. The licence was originally granted in 2006.

A plan showing the location of the premises and surrounding area is shown at **GMP2**

The Premises Licence Holder is EI Group, a Pub Company owned by Stonegate Group.

The current Designated Premises Supervisor at the time of submitting this review is Laura Kay Millington. Mrs Millington is also the DPS of another premises within the Flintshire area.

The Licensing Authority will always attempt to work with premises licence holders and Designated Premises Supervisors of premises where complaints have been received or where it is believed the licence itself is not being adhered to or the licensing objectives are being undermined.

The Guidance issued under S.182 of the Licensing Act 2003 (S.11.10) states that:

'Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation'.

A link to this guidance is shown at **GMP3**.

To follow is a chronology of events and circumstances that have led to the application for a review and it will demonstrate that a stepped approach has been followed. However, despite the best efforts of Officers, the review process is now the most appropriate course of action, as there can be no further recommended action to remedy the situation and the DPS seems unwilling to comply with the agreed Action Plan.

**24<sup>th</sup> April 2023:** The Licensing Team received an email from a Ward Councillor advising that residents in the vicinity of the Ruthin Castle were experiencing problems with antisocial behaviour (ASB) litter and noise since the reopening of the premises. A complaint was also received from two other residents citing similar concerns the same day.

**26<sup>th</sup> April 2023:** The Licensing Officer and Police Licensing Officer visited the premises and spoke with Mike Millington (MM) who identified himself as the Manager. Laura Millington (LM), and the Designated Premises Supervisor at that time had also been asked to attend, but were not present.

**2<sup>nd</sup> May 2023:** A complaint was received from a resident, via the Council's Pollution Control Section. The complainant referred to loud music until the early hours, ASB, people knocking on doors, urinating on property and waking up 'youngsters'. A screenshot from a smartphone noise monitoring app was also provided.

**4<sup>th</sup> May 2023:** A complaint was received from a resident, stating that for the previous three weekends since the new tenant had taken over, music was 'thumping through the walls' until 2am. At 2.30am there had been ASB outside, including fighting and shouting

which continued along the street, smashed glass outside the complainant's property, children sleeping inside the property were awakened by the noise and disorder. The complainant stated that the issues are occurring each weekend.

The Licensing Officer contacted the Area Manager of the pub company and was advised the current DPS did not have anything to do with the premises anymore and Laura Millington was due to become the Designated Premises Supervisor. No application to this effect had been received.

Paragraph 4.61 of the Guidance Issued under S.182 of the Licensing Act 2003 states that 'Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the Premises Licence Holder'

**9<sup>th</sup> May 2023:** Further information was received from a Ward Councillor outlining further complaints from residents. The complaints were of karaoke, DJ sets going on into the early hours of the morning; noise from the beer garden and people being noisy as they were leaving the premises. They also stated that they were experiencing problems with car doors slamming at antisocial hours and reports of drugs and litter in the alleyway.

According to our records, no change of DPS had been received, despite advice given, and after a Licensing Officer once again contacted the Area Manager, the application to vary the DPS was then initiated.

**10<sup>th</sup> May 2023:** A Licensing Officer along with a Pollution Control Officer attended a meeting with Laura Millington, the incoming DPS at the Ruthin Castle. Complaints received in relation to the above were discussed. Laura advised that the premises were doing the following:

- Limiting numbers in the beer garden after 11pm;
- Conducting regular external sound level checks;
- Keeping doors and windows closed;
- Using only one speaker with no bass when the DJ or Karaoke was playing;
- Music kept to a level where a conversation could take place.

LM indicated that noise may be caused from patrons queuing and indicated that they would revise their admission policy to refuse entry after midnight.

Advice was given by the Pollution Control Officer during this meeting in relation to the responsibility of those in charge of the premises to ensure that they are not causing a nuisance. The Officer explained how the noise monitoring process would work if implemented.

**16<sup>th</sup> May 2023:** An email was received from Mold Town Clerk, advising of anti-social behaviour at the premises and querying the later licence.

**19<sup>th</sup> May 2023:** The Licensing Officer sent an email to the DPS to advise of the permitted hours, after seeing that a DJ was advertised at the premises until 2am.

A complaint was received on behalf of a resident from a Ward Councillor indicating that people were leaving the Ruthin Castle at 2.30am and were making noise all the way down the street.

A complaint was received from the landlord of a premises in the vicinity of the Ruthin Castle on behalf of their tenant, in relation to drunken noise, fighting and discarded illegal substance packaging.



The Licensing Team Manager, Licensing Officer and Pollution Control Officer commenced work in the Mold area at 10pm. Noise from the premises could be clearly heard in New Street Car Park approximately 200 yards from the premises, over a main road. The music (recorded at first) was extremely loud and the words to the songs being played could be heard clearly from the car park.

During the course of the evening, officers visited three different complainants inside their homes. The recorded music was followed by a live band.

Noise from the recorded music and the live music was clearly audible at a very high volume within the complainants' homes and was at a level at which they were unable to enjoy being in their own homes. The songs could be identified and the words heard from within the homes. It was also possible to feel the bass beat emanating through the walls. We listened to the music from inside the properties with the windows both open and closed. Closing the windows did not make any reasonable difference.

The noise caused by people socialising in the beer garden to the rear of the premises was extremely loud. We were not able to see inside, but it sounded like there were lots of people in the beer garden. Residents in the area would not be able to reasonably enjoy the use of their own gardens and yards due to the level of noise.

The window to the front of the premises was left open after 11pm, which is contrary to the licence condition requiring the same to be closed after 11pm.

The DPS was seen outside the premises but did not appear to be conducting external checks.

The Pollution Control Officer was handed a noise diary by one of the complainants.

**21<sup>st</sup> May 2023:** A complaint was received from a resident advising that Police had been called to a fight at around 11pm, and that people were congregating in the alley near to her home until 3.45am. Complainant asked them to move on which was found to be intimidating.

**23<sup>rd</sup> May 2023:** Update received from Pollution Control Officer. Residents had submitted noise notes from the weekend of 20<sup>th</sup> May 2023. ASB was reported to police by the complainant. An incident number was provided.

**25<sup>th</sup> May 2023:** A meeting was held at County Hall, Mold to discuss the ongoing problems at the premises. Present were the DPS, LM, an Area Manager for Stonegate, Steve Hogan, Sgt Tom Matthews of North Wales Police, Charlotte Carr, North Wales Police Licensing Officer, two Pollution Control Officers, Dave Jones and Martyn Kirby, the Licensing Manager Gemma Potter and Licensing Officer James Lowe.

At the meeting, each attendee was able to advise of complaints and issues flagged within their own section or organisation and an action plan agreed by all parties present was put in place. The letter sent on 30<sup>th</sup> May 2023 to confirm these actions in writing can be seen at GMP4. In brief, the action plan comprised of the following requirements:

- No admittance to the premises after midnight.
- Maximum number of 10 people in the beer garden after 10pm
- No drinks to be allowed in the beer garden after 10pm
- An SIA registered door supervisor to monitor the beer garden from 9:45pm
- To reduce the volume of recorded music at the premises
- The volume of the karaoke to be reduced to a level that doesn't cause a nuisance to local residents and finish earlier.

- 4 new CCTV cameras, 2 to cover the front of the premises and 2 to cover the beer garden.
- No live music at the premises.
- A commitment to improve and build relationships with local residents.
- To make staff and door staff aware of these changes via an immediate staff meeting

The DPS also made a commitment to keep the windows and doors closed after 11pm in accordance with the conditions of the licence and was also advised to contact NWP herself to advise of any reports of disorder.

North Wales Police and Pollution Control Officers also made their own contributions to this letter to ensure all matters of concern were addressed.

The Pollution Control Officer advised the Licensing Officer that noise monitoring equipment was being installed in the home of one of the complainants.

**30<sup>th</sup> May 2023:** Received reports from North Wales Police that there had been two instances of disorder at the premises the previous weekend.

An email was sent to the Licensing Officer and Police Licensing Officer from the DPS giving an update of progress with the action plan.

**7<sup>th</sup> June 2023:** Licensing became aware that Pollution Control Officers were collecting noise monitoring equipment from one of the complainants. Feedback notes that the music was less of a problem than it had been before, however noise from customers outside the premises talking and shouting goes on into the early hours, even after the premises is scheduled to have closed.

**19<sup>th</sup> June 2023:** Licensing receive further complaints of noise, antisocial behaviour and fighting at the premises from residents and the Ward Councillor.

**20<sup>th</sup> June 2023:** Pollution Control Officers advised relevant Licensing Officers that they would be installing more noise monitoring equipment at the home of one of the complainants.

**26<sup>th</sup> June 2023:** An email was received from the Police Licensing Officer advising that a complaint had been received from a Ward Councillor on behalf of her constituent. The complaint outlines problems experienced with antisocial behaviour between 2 and 4am on a Saturday and Sunday morning, including urinating in the street and fighting.

**3<sup>rd</sup> July 2023:** An email was received from Mold Town Council noting the issues at the Ruthin Castle and making an undertaking to work with agencies for the best possible outcome for the residents.

**7<sup>th</sup> July 2023:** The Licensing Officer and Police Licensing Officer visited the Ruthin Castle to discuss compliance with the action plan. It was advised by Laura Millington, the DPS, that customers were still being admitted past midnight but being charged £5 for entry to encourage arrival before midnight. She stated this had been agreed by the Police Licensing Officer – this has since been confirmed to be untrue by the Police Licensing Officer.

During the meeting, when asked about limiting customers in the beer garden to ten people, the DPS advised The Licensing Officer and Police Licensing Officer that more than 10 people were being admitted into the beer garden after 10pm, in the hot weather, contrary to the requirements laid out in the action plan, but drinks had to be left inside the pub. Spiking implications were discussed as a matter of course.

LM was advised that the 2-3am time slot, where complainants were citing noise, crowd congregation, noise from car doors slamming and other asb, needed to be managed more effectively by the premises if its customers were causing problems for people living in the vicinity. LM felt that she and the door supervisors were doing a good job and that every disturbance in the vicinity was being attributed to her premises.

Problems with noise generated by taxis pulling up outside, beeping and doors slamming had been raised, and a suggestion was made for LM to ask customers and taxis to use the rear of the New Street Car Park for pick up / drop off. The CCTV system had been upgraded and the quality was good, however it was noted that it only records visual, not sound. LM noted that she was in contact with her neighbours. LM was advised that there were still complaints coming through to Licensing, via the complainants, via other Council departments and via North Wales Police.

**11<sup>th</sup> July 2023:** Email sent to LM/MM following the visit on 7<sup>th</sup> July. This can be seen at GMP5.

The email detailed the compliance with the requirements of the action plan:

- No admittance to premises after midnight - **not being complied with**
- Max number of 10 people in the beer garden after 10pm – **not always being complied with**
- No drinks to be allowed in the beer garden after 10pm – **not checked due to daytime visit**
- SIA registered doorstaff to monitor beer garden from 9.45pm – **not always being complied with**
- To reduce the volume of recorded music at the premises – **not checked due to daytime visit**
- The volume of karaoke to be reduced – **not checked due to daytime visit**
- 4 new CCTV cameras (2 at front and 2 covering beer garden) – **currently compliant**
- A commitment to improve and build relationships with local residents – **ongoing**
- To make doorstaff aware of these changes – **not always being complied with**

Information had been received by North Wales Police, relating to an incident which took place outside the premises. One of the people involved was a customer of the premises. Although efforts had been made by the management of the premises to stop the fight, the issue was not reported to the Police by the DPS or manager, despite their involvement.

**19<sup>th</sup> July 2023:** A complaint was received via Pollution Control. The complainant states that the weekend was much worse than the previous one.

**24<sup>th</sup> July 2023:** A complaint received via Pollution Control. The complainant was advising that they have written to the mayor as the issues at the premises are impacting on their mental and physical health.

**25<sup>th</sup> July 2023:** The Licensing Manager contacted the Stonegate Area Manager by telephone to explain that despite there being in place an action plan which had been agreed by all attendees of the formal meeting, complaints were still being received in relation to the premises – particularly in relation to noise outside the premises. The position in relation to a stepped approach was clarified and the premises were still not engaged or complying.

It was explained that the Licensing Authority would consider review of the license unless the action plan was followed. The Area Manager resolved to speak with the tenants

ahead of the weekend trade and speak with Stonegate's Licensing Section. He advised that he would contact the Licensing Manager the following week.

**26<sup>th</sup> July 2023:** A complaint was received via Pollution Control. The complainant stated that music is thumping through the walls from 10pm.

**29<sup>th</sup> July 2023:** The Licensing Manager and a Licensing Officer worked in Mold in the vicinity of the Ruthin Castle from 10pm until 2.15am.

At 10.30pm, when stationed in the alley to the side of the premises, the Licensing Manager had occasion to dial 999 to report a fight between at least three males who has emerged from the rear of the premises. One male fell to the floor during the fight. The Police were seen driving past the front of the property a few minutes later but the fight had dispersed by that time.

Observations were carried out from a location on Ruthin Road before midnight. It appeared that customers were being let in the front door of the premises until at least 00:10.

At 00.30 observations were carried out from the rear of the alley to the side of the premises. The front doors to the premises were seen to be shut. A male in a black T shirt and shorts, who is now known to be the Manager of the premises, approached my vehicle and asked if we were 'waiting', which we indicated we were. He advised he was just checking as sometimes taxis stop in the alley to collect his customers. He then walked back to the front of the premises.

Between 00.37 and 01.18 on Sunday 30<sup>th</sup> July 2023, approximately 27 persons were witnessed entering the premises. They appeared to approach the front door and were then directed down the alley by the Manager and through a gate to the side of the premises which had been constructed to appear like a fence panel. Roll top bins were situated in front of the 'gate'. Access through this gate would lead into the beer garden. A member of doorstaff wearing a Security Industry Authority (the body that regulates the UK's private security industry) arm band was witnessed opening the gate from the inside to allow entry.

The premises are required to stop serving alcohol at 1am.

As customers were leaving the premises, a male was seen carrying a bottle. Customers leaving the premises did not appear to be monitored and were not leaving the area quietly as would be expected in a residential area.

At 01.55 the blind on one of the windows to the front of the property was raised, and customers were seen inside.

At 02.10, people were still present inside the premises, and one appeared to be playing pool.

The closing time of the premises is 02.00.

A photograph of this area is attached as GMP6, which was taken in the daytime on Sunday 30<sup>th</sup> July 2023.

Paragraph 67 of the judgement of Daniel Thwaites Plc v Wirral Borough Magistrates' Court v The Saughall Massie Conservation Society, Wirral Metropolitan Borough Council (stated case) indicates that the opening hours of the premises are considered to be a condition of the licence. Paragraph 67 is shown at GMP7.

**30<sup>th</sup> July 2023:** An emailed complaint was forwarded by Mold Town Council and permission was given for the same to be forwarded to North Wales Police. The complaint was in relation to ASB, drug taking and dealing, urinating on the street and crowds gathering.

**31<sup>st</sup> July 2023:** The Licensing Manager sent an email to the DPS and Manager and the Area Manager for Stonegate Group requesting a meeting at the premises the following day to discuss compliance with the action plan and other issues. Initially, the DPS advised that they were 'away for a few days' and could not make the meeting.

**1<sup>st</sup> August 2023:** After some email discussion between parties, it was agreed that the meeting would take place on Friday 4<sup>th</sup> August at 11am. An email was then received from the DPS and Manager.

The Licensing Manager responded to the email confirming the meeting and advised that these points could be addressed at that time.

**2<sup>nd</sup> August 2023:** The Police Licensing Officer was invited to join the meeting on 4<sup>th</sup> August and the DPS / Manager / Area Manager were invited.

**4<sup>th</sup> August 2023:** Meeting at the Ruthin Castle. Present were Licensing Manager, Licensing Officer, Police Licensing Officer, Premises Manager, Area Manager, Stonegate Group. The DPS was not in attendance. Attendees were advised that she had attended an alarm call out at her other premises – The Nant, in Buckley, and subsequently a member of staff had not turned up so she had to remain there. The Manager was advised that as she is the DPS, she would have been expected to be at the meeting and it would have been more appropriate for him to attend to their other premises.

The issues that the Manager and DPS had raised in their email were addressed and were shown to be incorrect.

The Manager and Area Manager were advised of the findings of the Licensing Manager and Licensing Officer from the evening of Saturday 29<sup>th</sup> July 2023. The Manager was advised that the action plan which had been put in place was to be adhered to in its entirety and not selectively.

The Licensing Manager advised that she had been the one to report the fight which occurred outside the premises around 22.30 after the Manager advised that it did not happen.

The Manager was advised that he had been seen admitting people to the premises after 12, contrary to the action plan, and after 1am, which indicated that customers may continue to be served after that time. The Manager queried the terminal hour for alcohol and asked to see a copy of the licence.

CCTV was requested to be viewed for three separate occurrences:

- The fight at the side of the premises at 22.30
- The cameras to the beer garden to see customers entering the premises after midnight.
- The camera on the bar from 1am to ensure customers were not being served.

The manager attempted to contact the DPS to get the CCTV password, but her phone was switched off. He was asked to send a member of bar staff to The Nant to retrieve the password. The member of staff contacted the Manager when she arrived to advise that the DPS was not there.

As the Licensing Manager and Licensing Officer attempted to view the CCTV in the cupboard where it was kept, the Manager advised the Police Licensing Officer that the DPS had gone shopping and we would not be shown the CCTV as the DPS 'knows the legalities.

At various points during the meeting, the manager kept stating that there is no condition on the licence for the CCTV to be kept.

Officers eventually left the premises when it became evident that the CCTV would not be provided. The Manager stated that he would send the CCTV to the Licensing Manager later that day.

**9<sup>th</sup> August 2023:** A letter was sent to DPS /Manager with Area Manager, Stonegate and Licensing Co-Ordinator, with Stonegate copied in. The letter requests copies of the CCTV and states that if the CCTV cannot be provided it should be preserved. The letter is shown as **GMP8**.

**14<sup>th</sup> August 2023:** An email was received from the DPS advising that the CCTV would be provided the following day.

**15<sup>th</sup> August 2023:** An email was received via Pollution Control. The complainant states that they have experienced another terrible weekend with people outside the Ruthin Castle until 01.30am on Monday morning.

An email was received via Mold Town Council advising that after an altercation with a group outside the Ruthin Castle in the early hours of Monday morning, he then experienced vandalism to his home.

**16<sup>th</sup> August 2023:** The Licensing Co-ordinator from Stonegate emailed to ask whether the CCTV had been provided. When receiving the response to the negative, the Area Manager was asked to follow this up. The Area Manager then sent an email to the tenants asking for the CCTV to be provided.

**21<sup>st</sup> August 2023:** Email received from Laura Millington advising that she hadn't provided the CCTV because she'd forgotten the password and had to call the company who installed it out to reset it. As a result, all the CCTV recordings were lost.

The Licensing Sub Committee are asked to consider the following:

- Whether a revocation or suspension of the licence is appropriate
- To consider removal of the Designated Premises Supervisor
- To modify the licence to exclude the permission for live music
- To modify the licence timings for all other regulated entertainment
- To modify the licence to disapply the exemptions made under the Live Music Act 2012, by way of condition.
- To modify the opening hours of the premises
- To add the following conditions relating to CCTV to the licence:

1. CCTV must be installed, and it must be digital, colour 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.
  2. A member of staff must be trained in the use of the CCTV system with the knowledge and capability to download footage at the request of the Police or Local Authority and must be available on the premises at all times that it is open.
- To add any other conditions the Committee feel are relevant.

**Appendices:**

**GMP1:** Copy of premises Licence

**GMP2:** Plan of area

**GMP3:** Link to Guidance issued under S.182 of the Licensing Act 2003

**GMP4:** Letter following meeting on 25<sup>th</sup> May 2023

**GMP5:** Email sent to DPS following 7<sup>th</sup> July visit

**GMP6:** Photo of the unofficial side entry / exit

**GMP7:** S.67 Daniel Thwaites stated case

**GMP8:** Letter requesting CCTV following meeting on 4<sup>th</sup> August 2023

**Please tick  No**

**Have you made an application for review relating to the premises before**

**If yes please state the date of that application**

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**



Please tick  **yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature   
.....

Date 22<sup>nd</sup> August 2023  
.....

Capacity Responsible Authority: Licensing Authority  
.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</b> As applicant details	
Post town	Post Code
Telephone number (If any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

### **Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



**Licensing Section**  
 Planning, Environment and  
 Economy  
 Flintshire County Council  
 Ty Dewi Sant, St David's  
 Business Park  
 Ewloe CH5 3XT

Tel: 01352 703030  
 Fax: 01352 703394  
 Email: [licensing@flintshire.gov.uk](mailto:licensing@flintshire.gov.uk)

**Licensing Act 2003  
 Premises Licence**

**PA0338**

**Part 1 - Premises Details**

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Ruthin Castle**

73-77 New Street, Mold, Flintshire, CH7 1NY.

Telephone 01352 752748 or AM M Regan 07385937108

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
<b>A. Performance of a play (Indoors)</b>	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
<b>B. Exhibition of films (Indoors)</b>	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am



Licensing Act 2003  
**Premises Licence**

**PA0338**

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
E. Performance of live music (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
G. Performance of dance (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	10:00am	Midnight



Licensing Act 2003  
**Premises Licence**

**PA0338**

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES** continued ...

Activity (and Area if applicable)	Description	Time From	Time To
<b>H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...</b>			
	New Year's Day	Midnight	10:00am
<b>I. Late night refreshment (Indoors)</b>			
	Sunday to Thursday	10:00am	12:30am
	Friday & Saturday	10:00am	2:00am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
<b>J. Supply of alcohol for consumption ON and OFF the premises</b>			
	Sunday to Thursday	10:00am	Midnight
	Friday & Saturday	10:00am	1:00am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sunday to Thursday	10:00am	12:30am
Friday & Saturday	10:00am	2:00am
Friday prior to Bank Holiday	10:00am	3:00am
Saturday prior to Bank Holiday	10:00am	3:00am
Christmas Eve	10:00am	2:30am
Boxing Day	10:00am	2:30am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am

To 3am Fri and Sat  
To 3am Fri and Sat

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2





Licensing Section  
Planning, Environment and  
Economy  
Flintshire County Council  
Ty Dewi Sant, St David's  
Business Park  
Ewloe CH5 3XT

Tel: 01352 703030  
Fax: 01352 703394  
Email: [licensing@flintshire.gov.uk](mailto:licensing@flintshire.gov.uk)

Licensing Act 2003  
**Premises Licence**

**PA0338**

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE	
Ei Group Plc	3 Monks Path Hall Road, Solihull, West Midlands, B90 4SJ. Telephone 0121 733 7700
REGISTERED NUMBER OF HOLDER (FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE))	
Ei Group Plc	2562808
NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL	
Laura Kay MILLINGTON	[REDACTED]
PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL	
Licence No 092266	Issued by Conwy



Licensing Act 2003  
**Premises Licence**

**PA0338**

ANNEXES

**Mandatory Conditions**

1 Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

2 No supply of alcohol may be made under this licence

- a. At a time when there is no designated premises supervisor in respect of it or,
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

3 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

4 In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).



Licensing Act 2003  
**Premises Licence**

**PA0338**

ANNEXES continued ...

5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature.

7 The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9 For the purposes of the condition set out in paragraph 8 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979





Licensing Act 2003  
**Premises Licence**

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ANNEXES continued

(b) "permitted price" is the price found by applying the formula-

$$P=D+(D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

10 Where the permitted price given by Paragraph (b) of paragraph 9 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

11(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 9 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions consistent with the Operating Schedule.**





**Licensing Section**  
Planning, Environment and  
Economy  
Flintshire County Council  
Ty Dewi Sant, St David's  
Business Park  
Ewloe CH5 3XT

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Fax: 01352 703394  
Email: [licensing@flintshire.gov.uk](mailto:licensing@flintshire.gov.uk)

Licensing Act 2003  
**Premises Licence**

**PA0338**

ANNEXES continued

- Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the area quietly.
- After 11:00pm windows shall be kept closed when regulated entertainment is taking place.
- After 11:00pm, doors, save for entrance and exit purposes shall be kept closed to ensure noise levels are contained when regulated entertainment is taking place.
- Designated Premises Supervisor must be an active member of pubwatch.
- CCTV cameras must be operational whilst the premises are open to the public and maintained in good working order.

Plan Ref: 25/07/2005

**Licence issued on 23 May 2023**





**Licensing Section**  
 Planning, Environment and  
 Economy  
 Flintshire County Council  
 Ty Dewi Sant, St David's  
 Business Park  
 Ewloe CH5 3XT

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 Fax: 01352 703394  
 Email: [licensing@flintshire.gov.uk](mailto:licensing@flintshire.gov.uk)

**Licensing Act 2003  
 Premises Licence Summary**

**PA0338**

**Premises Details**

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Ruthin Castle**

73-77 New Street, Mold, Flintshire, CH7 1NY.

Telephone 01352 762748 or AM M Regan 07385937108

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
B. Exhibition of films (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am



Licensing Act 2003  
**Premises Licence Summary**

**PA0338**

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
E. Performance of live music (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
G. Performance of dance (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	12:15am
	Friday & Saturday	10:00am	1:30am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	10:00am	Midnight





**Licensing Section**  
 Planning, Environment and  
 Economy  
 Flintshire County Council  
 Ty Dewi Sant, St David's  
 Business Park  
 Ewloe CH5 3XT

Tel: 01352 703030  
 Fax: 01352 703394  
 Email: [licensing@flintshire.gov.uk](mailto:licensing@flintshire.gov.uk)

**Licensing Act 2003**  
**Premises Licence Summary**

**PA0338**

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
<b>H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...</b>			
	New Year's Day	Midnight	10:00am
<b>I. Late night refreshment (Indoors)</b>			
	Sunday to Thursday	10:00am	12:30am
	Friday & Saturday	10:00am	2:00am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am
<b>J. Supply of alcohol for consumption ON and OFF the premises</b>			
	Sunday to Thursday	10:00am	Midnight
	Friday & Saturday	10:00am	1:00am
	Friday prior to Bank Holiday	10:00am	2:00am
	Saturday prior to Bank Holiday	10:00am	2:00am
	Christmas Eve	10:00am	2:00am
	Boxing Day	10:00am	2:00am
	New Year's Eve	10:00am	Midnight
	New Year's Day	Midnight	10:00am

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sunday to Thursday	10:00am	12:30am
Friday & Saturday	10:00am	2:00am
Friday prior to Bank Holiday	10:00am	3:00am
Saturday prior to Bank Holiday	10:00am	3:00am
Christmas Eve	10:00am	2:30am
Boxing Day	10:00am	2:30am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am

To 3am Fri and Sat  
 To 3am Fri and Sat

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- J. Supply of alcohol for consumption ON and OFF the premises

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

Ei Group Plc

3 Monks Path Hall Road, Solihull, West Midlands, B90 4SJ.





**Licensing Section**  
Planning, Environment and  
Economy  
Flintshire County Council  
Ty Dewi Sant, St David's  
Business Park  
Ewloe CH5 3XT

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Licensing Act 2003  
**Premises Licence Summary**

**PA0338**

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Ei Group Plc

2562808

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Laura Kay MILLINGTON

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

**Licence issued on 23 May 2023**









**Link to guidance issued under Section 182 of the Licensing Act 2003**

**[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1178789/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_removal\\_of\\_minor\\_variation\\_relating\\_to\\_off\\_sales.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1178789/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_removal_of_minor_variation_relating_to_off_sales.pdf)**



**Andrew Farrow**  
Chief Officer (Planning, Environment &  
Economy)  
Prif Swyddog (Cynllunio, Amgylchedd ac  
Economi)



**Mrs Laura Millington**  
The Ruthin Castle,  
73-77 New Street,  
Mold,  
Flintshire,  
CH7 1NY

Your Ref/Eich Cyl  
Our Ref/Ein Cy  
Date/Dyddiad **30<sup>th</sup> May, 2023**  
Ask for/Gofynnwr **James Lowe**  
Direct Dial/Rhif Union **01352 703376**

Dear Mrs Millington,

**Licensing Act 2003 – PA0338**  
**The Ruthin Castle, 73-77 New Street, Mold, Flintshire, CH7 1NY.**

I write with reference to the meeting held on 25<sup>th</sup> May 2023 at County Hall, Mold, to discuss the ongoing issues relating to the Ruthin Castle, Mold. In attendance at the meeting were representatives from Stonegate Pub Company, North Wales Police, Flintshire County Council Pollution Control and Flintshire County Council Licensing.

Prior to this, meetings had already been held at the premises with Licensing, Pollution Control and Police on the 26<sup>th</sup> April 2023 and the 10<sup>th</sup> May 2023 to discuss complaints of noise nuisance and disorder.

Following further complaints made about the Ruthin Castle from people living in the immediate vicinity to the premises, observations were undertaken by officers from Flintshire County Council's Community and Business Protection Section on Friday 19<sup>th</sup> May 2023. Music from your premises, was clearly audible from within a number of homes located within the vicinity of the Ruthin Castle. Furthermore, the music was at a level that Flintshire County Council's Pollution Control officer considered it to potentially be a Statutory Nuisance. Noise emanating from the premises was also audible externally for quite some distance.

As well as nuisance caused by music, local residents had also expressed concern about the noise emanating from the beer garden to the rear of the premises and also anti-social and criminal behaviour associated with customers leaving the Ruthin Castle at closing time.

Cont'd

County Hall, Mold. CH7 6NB  
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Neuadd yr Sir, Yr Wyddgrug CH7 6NB  
[www.siryffflint.gov.uk](http://www.siryffflint.gov.uk)

The Council welcomes correspondence in Welsh or English  
Mae'r Cyngor yn croesawu gofreithiaeth yn y Gymraeg neu'r  
Saesneg



**The reported problems at the premises undermine the licensing objectives set out in the Licensing Act 2003, specifically:**

- **The prevention of public nuisance**
- **The prevention of crime and disorder**

**You committed to implement several steps that may help address the issues discussed. These were as follows:**

- **No admittance to the premises after midnight.**
- **Maximum number of 10 people in the beer garden after 10pm**
- **No drinks to be allowed in the beer garden after 10pm**
- **An SIA registered door supervisor to monitor the beer garden from 9:45pm**
- **To reduce the volume of recorded music at the premises**
- **The volume of the karaoke to be reduced to a level that doesn't cause a nuisance to local residents and finish earlier.**
- **4 new CCTV cameras, 2 to cover the front of the premises and 2 to cover the beer garden.**
- **No live music at the premises.**
- **A commitment to improve and build relationships with local residents.**
- **To make staff and door staff aware of these changes via an immediate staff meeting**

**You also made a commitment to ensure that the windows of the premises were kept closed after 11pm in accordance with your licence conditions, as Officers had noted a breach.**

**North Wales Police stated they had received reports from residents in the vicinity mentioning that persons leaving the premises have been causing noise or disturbance to local residents along with residents witnessing substance misuse and disorder in the area.**

**The advice was to contact NWP with any reports of disorder going forward and that should illegal substances be found within the premises, to store the items in a secure place and contact NWP for collection. Advice was also given to log incidents and refusals in an incident book which remains on the premises.**

**It was also put forward that when available drugs dogs would be invited to patrol the premises.**

**North Wales Police have the powers to close a premises down should a premises be involved in, or has resulted, or is likely to result in nuisance to members of the public; or there has been, or is likely to be, disorder near those premises associated with the use of those premises. A closure notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.**

**While these steps may help resolve the issues associated with your premises it must be recognised that it is ultimately your responsibility to ensure that your premises do not cause a statutory nuisance and that further steps may need to be taken. Failure to control your premises may lead to a Noise Abatement Notice being issued and your licence being reviewed.**

**Please be advised that monitoring of the premises will continue.**

**If you have any questions regarding the contents of this letter, please contact James Lowe on 01352 703376.**

**Yours faithfully**

A handwritten signature in black ink, appearing to read 'Mark Regan Stonegate AM', is placed over a grey rectangular background.

**For Chief Officer (Planning, Environment & Economy).**

**Cc Enterprise Inns  
Mark Regan Stonegate AM**



**From:** Gemma M Potter  
**Sent:** 11 July 2023 15:15  
**To:** Mike Millington [REDACTED]  
**Cc:** Delphine.willetts [REDACTED]; mark.regan [REDACTED] Charlotte Carr [REDACTED]  
**Subject:** Meeting at Ruthin Castle 07/07/23

Good afternoon Laura

I wanted to follow up on the meeting held between James Lowe Licensing Officer (JL), Charlotte Carr – North Wales Police Licensing Officer (CC), and yourself last Friday in terms of compliance with the action plan agreed at the meeting you attended on 25<sup>th</sup> May 2023. At present, you are partially compliant with the action plan which was put in place.

Unfortunately, James has suffered an injury and will not be available over the coming weeks, so in the interim, please direct any licensing queries to me.

I understand that you noted you had not received a copy of the letter following the meeting on 25<sup>th</sup> May. I can confirm that an email was sent to you on 30<sup>th</sup> May 2023 including the letter, but I have attached a further copy for your ease.

I would like to address each point of the action plan separately, and assess the current status. I was not present at the meeting on Friday but have received updates from both JL and CC:

- ***No admittance to the premises after midnight.***  
Not currently being complied with. You advised that you are charging £5 to those who arrive after midnight. This is not what was agreed in the action plan, and was not agreed by CC as suggested by yourself at the meeting on Friday. The commitment made at the meeting on 25<sup>th</sup> was to stop entry after midnight, and was agreed by all parties.
- ***Maximum number of 10 people in the beer garden after 10pm***  
Not always being complied with. You have advised that the doorstaff 'did not think that this was appropriate' in the hotter weather. The agreement for a maximum of 10 people in the beer garden after 10pm was an undertaking made to avoid people in the beer garden causing a potential noise nuisance to nearby properties. This action was agreed by all parties at the meeting on 25<sup>th</sup> May.
- ***No drinks to be allowed in the beer garden after 10pm***  
Not checked, due to daytime visit. You have advised that this is in place. Officers will arrange follow up checks.
- ***An SIA registered door supervisor to monitor the beer garden from 9:45pm***  
Not always being complied with. You have advised that although the SIA registered member of doorstaff is on duty at this time, in hotter weather door staff are letting more than the agreed number of people outside. We would remind you that this action was agreed by all parties at the meeting on 25<sup>th</sup> May 2020.
- ***To reduce the volume of recorded music at the premises***  
Not checked, due to daytime visit. You have advised that this is in place. Officers will arrange follow up checks.
- ***The volume of the karaoke to be reduced to a level that doesn't cause a nuisance to local residents and finish earlier.***  
Not checked, due to daytime visit. You have advised that this is in place. Officers will arrange follow up checks.
- ***4 new CCTV cameras, 2 to cover the front of the premises and 2 to cover the beer garden.***

[REDACTED]



Currently compliant. CCTV cameras seen by JL & CC who advise that these are installed and extremely good quality.

- **No live music at the premises.**

Currently Compliant. No evidence of live music being held at the premises since the meeting on 25<sup>th</sup> May.

- **A commitment to improve and build relationships with local residents.**

Currently compliant, and ongoing. Efforts have been made by yourself to engage with local residents which is something that should continue.

- **To make staff and door staff aware of these changes via an immediate staff meeting**

Not always being complied with. Changes were made but doorstaff are choosing to let more people outside during hotter weather.

After discussing the potential nuisance from taxi's and other vehicles causing a disturbance to residents in the early hours of the morning, it was suggested that you may wish to consider asking taxi and private hire companies to pick up / drop off customers in the New Street Car Park. I understand that you have already confirmed that you have contacted the taxi companies who regularly pick up and drop off at your premises to encourage them to use the New Street Car Park. I note that you have also advised your customers on social media.

We have been informed by North Wales Police of an incident which occurred outside your premises at the weekend. We have been updated by CC in relation to this. In relation to the crime and disorder licensing objective, we would have expected the call to the emergency services to have been made by yourself or a member of your staff.

JL made you aware of the issues outside the front of the premises which continue to be reported by residents. Being the only licensed premises in the area which has a licence to be open at the time problems are being reported in the vicinity, we have advised that to effectively manage the premises, yourselves and your door supervisors should be ensuring that customers who leave your premises are doing so in a manner that would not undermine the licensing objectives.

As you are aware, complaints about the Ruthin Castle continue to be made to both Flintshire County Council and North Wales Police.

Although these steps may help to resolve the issues associated with your premises, it is ultimately your responsibility to ensure that your premises do not cause a statutory nuisance, and that the licensing objectives are not undermined, as this may result in further action being taken.

Monitoring of the premises by Licensing, Pollution Control and North Wales Police will continue.

Regards

**Gemma Potter**

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Rheolwr Tîm | Team Manager  
Trwyddedu & Rheoli Pŵl | Licensing & Pest Control  
Cynllunio, Amgylchedd a'r Economi | Planning, Environment & Economy  
Cyngor Sir y Fflint | Flintshire County Council

---

Ffôn | Tel | English / Saesneg: 01352 703371  
Ffôn | Tel | Cymraeg / Welsh: 01267 224923  
Ebost | Email | [gemma.potter@sirfflint.gov.uk](mailto:gemma.potter@sirfflint.gov.uk) / [gemma.potter@flintshire.gov.uk](mailto:gemma.potter@flintshire.gov.uk)

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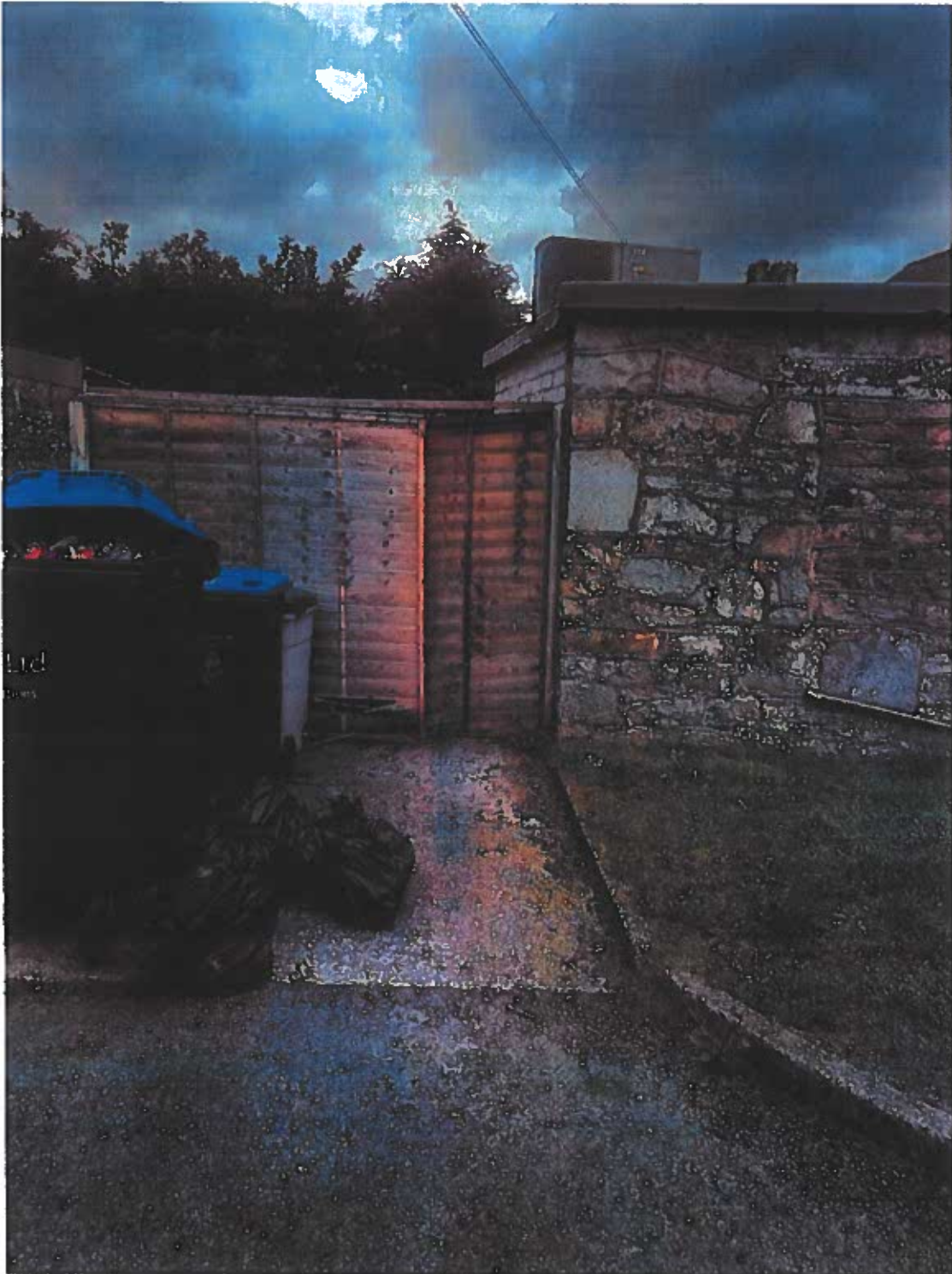


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<http://www.twitter.com/flintshirecc> | <http://www.twitter.com/csvfflint>

**Please note, my normal working days are Monday to Thursday**



**Ruthin Castle Unofficial Rear Entry / Exit**





**Daniel Thwaites Plc v Wirral Borough Magistrates' Court v The Saughall  
Massie Conservation Society, Wirral Metropolitan Borough Council**

67. I have considered quite separately the argument as to whether the hours of opening can be regulated as part of the licensing of premises as opposed to the hours during which licensable activities take place. It was suggested during argument that there was no power to regulate the time by which people must leave the premises. I cannot agree with this. Clearly keeping premises open (as opposed to providing entertainment or supplying alcohol there) is not a licensable activity as such. However, the operating schedule which must be supplied with an application for a premises licence must include a statement of the matters set out in section 17(4) and these include not only the times when it is proposed that the licensable activities are to take place but also "any other times during which it is proposed that the premises are to be open to the public". On a new grant of a premises licence, where there are no representations the licensing authority has to grant the application subject only to such conditions as are consistent with the operating schedule. I see no reason why, if it is necessary to promote the licensing objectives, these conditions should not include a provision requiring the premises to be shut by the time that is specified in the operating schedule. If representations are made and the licensing authority ultimately grants the application, it can depart from the terms set out in the operating schedule when imposing conditions in so far as this is necessary for the promotion of the licensing objectives. It must follow that it can impose an earlier time for the premises to be locked up than the applicant wished and specified in its operating schedule. It is important to keep in mind in this regard that the role of the licensing authority and, if there is an appeal, the court, has two dimensions: the fundamental task is to license activities which require a licence and the associated task is to consider what, if any, conditions are imposed on the applicant to ensure the promotion of the licensing objectives. A requirement that the premises close at a particular time seems to me to be a condition just like any other, such as keeping doors and windows closed to prevent noise. I see no reason why a condition of closing up the premises at a particular time should not therefore be imposed where controlling the hours of the licensable activities on the premises (and such other conditions as may be imposed) is not sufficient to promote the licensing objectives.





**Andrew Farrow**  
Chief Officer (Planning, Environment &  
Economy)  
Prif Swyddog (Cynllunio, Amgylchedd ac  
Economi)



**Mrs Laura Millington**  
The Ruthin Castle,  
73-77 New Street,  
Mold,  
Flintshire,  
CH7 1NY

Your Ref/Eich Cyf  
Our Ref/Ein Cy  
Date/Dyddiad **9th August 2023**  
Ask for/Gofyrner **Gemma Potter**  
Direct Dial/Rhif Union **01352 703371**

Dear Mrs Millington,

**Licensing Act 2003 – PA0338**  
**The Ruthin Castle, 73-77 New Street, Mold, Flintshire, CH7 1NY.**

I write with reference to the meeting held on 4<sup>th</sup> August 2023 at The Ruthin Castle, Mold, to discuss the ongoing issues relating to the Ruthin Castle, Mold. In attendance at the meeting were Mike Millington acting as the Manager of the premises, Mark Regan, representing Stonegate Pub Company, Charlotte Carr - North Wales Police Licensing Officer, and Gemma Potter & Rachael Hughes of Flintshire County Council Licensing. You were not in attendance at the meeting, despite being named as the Designated Premises Supervisor for the Ruthin Castle.

At this meeting, a number of issues were raised and discussed, which included details relating to observations carried out by Licensing Officers on the evening of Saturday 29<sup>th</sup> July, until 2.15am on Sunday 30<sup>th</sup> July.

CCTV was requested for particular occurrences, namely:

- A fight between customers at 22.30 which was reported to 999
- Patrons being permitted to the rear of the premises until 01.18am, after the front doors closed at midnight, via a gate made to look like a fence panel at the side of the premises, not in accordance with the agreed action plan.
- The bar area, showing whether customers arriving late to the premises were served after 1am.

We were advised that the CCTV system was password protected, and you were the only person to hold the password. For reasons unknown, you were not contactable at that time. Mike Millington advised that he would email copies of the CCTV for the times requested which have not been received.

County Hall, Mold. CH7 6NB  
[www.flintshire.gov.uk](http://www.flintshire.gov.uk)  
Neuadd yr Sir, Yr Wyddgrug CH7 6NB  
[www.siryfflint.gov.uk](http://www.siryfflint.gov.uk)

The Council welcomes correspondence in Welsh or English  
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Saesneg



Please could you provide me with copies of the CCTV for the following dates and times before Monday 14<sup>th</sup> August 2023:

Date	Time	Area	Reason
29/07/23	22.20 – 22.45	Alleyway to the side of the premises	Customers fighting
29/07/23 – 30/07/23	23.50 – 03.00	Rear beer garden	Customers entering / exiting through fence panel gate.
30/07/23	00.50 – 03.00	Bar	Alcohol sales only permitted until 1am

If you are not able to provide copies, we advise you to preserve the CCTV for those dates and times. If you do not provide the CCTV or preserve it, as you are unable to prove otherwise, we will consider that you have breached your licence, particularly with regard to admitting customers to the premises at 01.18am when your licence only permits the sale of alcohol until 01.00am.

The CCTV for these dates and times should not be deleted, removed or left for a length of time that it would then erase itself.

Please be advised that monitoring of the premises will continue.

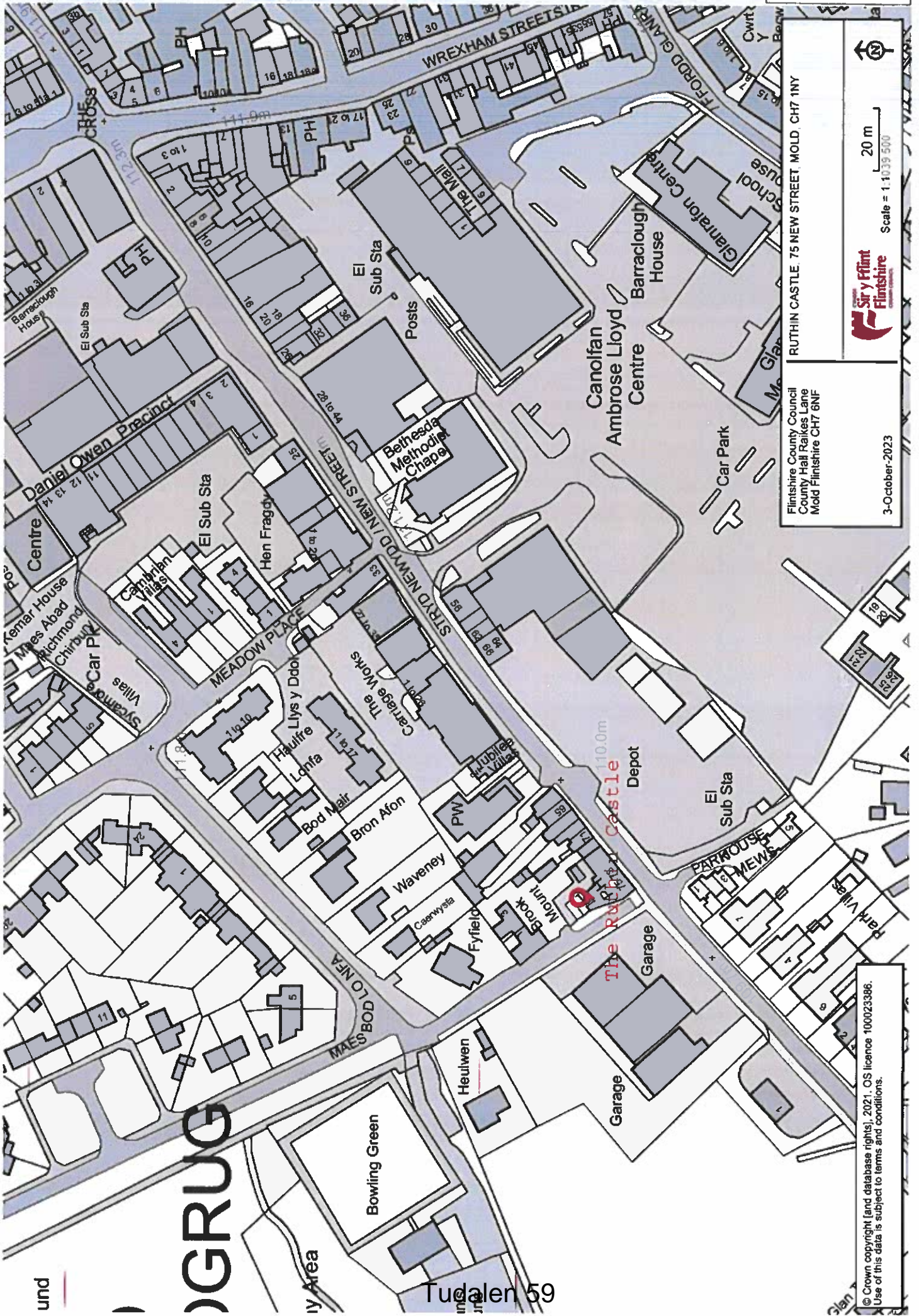
If you have any questions regarding the contents of this letter, please contact Gemma Potter on 01352 703371 or Rachael Hughes on 01352 702328.

Yours faithfully



For Chief Officer (Planning, Environment & Economy).

CC Mark Regan, Area Manager, EI Group, Stonegate  
Delphine Willetts, Licensing Co-ordinator, EI Group, Stonegate  
Charlotte Carr, Licensing Officer, North Wales Police



RUTHIN CASTLE, 75 NEW STREET MOLD, CH7 1NY

Flintshire County Council  
County Hall Raikes Lane  
Mold Flintshire CH7 6NF



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3-October-2023

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Mae'r dudalen hon yn wag yn bwrpasol



**Licensing Section**  
 Planning, Environment and  
 Economy  
 Flintshire County Council  
 Ty Dewi Sant, St David's  
 Business Park  
 Ewloe CH5 3XT

Tel: 01352 703030  
 Fax: 01352 703394  
 Email: [licensing@flintshire.gov.uk](mailto:licensing@flintshire.gov.uk)

## Licensing Act 2003 Premises Licence

# PA0338

### ANNEXES

#### Mandatory Conditions

- 1 Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
- 2 No supply of alcohol may be made under this licence
  - a. At a time when there is no designated premises supervisor in respect of it or,
  - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 3 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 4 In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).



Licensing Act 2003  
**Premises Licence**

**PA0338**

ANNEXES continued ...

5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature.

7 The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9 For the purposes of the condition set out in paragraph 8 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

Licensing Act 2003  
**Premises Licence**

**PA0338**

ANNEXES continued ...

(b) "permitted price" is the price found by applying the formula-

$$P=D+(D \times V)$$

where-

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

10 Where the permitted price given by Paragraph (b) of paragraph 9 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

11(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 9 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions consistent with the Operating Schedule.**



Licensing Act 2003  
**Premises Licence**

**PA0338**

ANNEXES continued ...

- Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the area quietly.
- After 11:00pm windows shall be kept closed when regulated entertainment is taking place.
- After 11:00pm, doors, save for entrance and exit purposes shall be kept closed to ensure noise levels are contained v regulated entertainment is taking place.
- Designated Premises Supervisor must be an active member of pubwatch.
- CCTV cameras must be operational whilst the premises are open to the public and maintained in good working order

Plan Ref: 25/07/2005

**Licence issued on 18 September 2023**





**HEDDLU  
GOGLEDD CYMRU  
NORTH WALES  
POLICE**

Mrs. Jacqui Dale  
Licensing Team  
Flintshire County Council  
County Hall  
Mold  
CH7 6NB

19th September 2023

Dear Mrs. Dale,

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE –  
THE RUTHIN CASTLE, MOLD**

I write with reference to an application for the review of Premises Licence (PA0338) at The Ruthin Castle, 73-77 New Street, Mold, CH7 1NY.

North Wales Police support the grounds for review, put forward by Flintshire County Council under the licensing objective the Prevention of Crime and Disorder.

North Wales Police wish to make the following reported incidents known to the licensing committee and to show that a stepped approach has been followed.

A067968 - On the 8<sup>th</sup> April at 2:26am, NWP received reports of anti-social behaviour whereby a male had been kicked out of the premises and was seen to be kicking local residents doors in the vicinity. The informant also reported the male sniffing cocaine.

A067970 – A short time later at 2:30am, a further report of public order was reported whereby there were 6 people fighting outside the premises. Flintshire CCTV monitored the area and the group had dispersed before officer involvement.

North Wales Police received a change of Designated Premises Supervisor application into the name of Mrs Laura Millington on the 12<sup>th</sup> April 2023.

A068194 – Later that day on the 12<sup>th</sup> April, NWP received a call from a local resident reporting the issues above as well as reporting that every weekend drugs are being taken around the outside of the premises. The report stated that drug takers come in and out of the public house.

A075795 - On the 21<sup>st</sup> April at 1:08am, NWP received a report of anti-social behaviour whereby there were multiple complaints from this individual stating that every Friday and Saturday night for the last 6 to 7 weeks, since getting a new landlord, there has been shouting and screaming in the street and people lying in the middle of the road intoxicated.

On the 26<sup>th</sup> April, a meeting was held at the premises with Flintshire County Council Licensing Officer James Lowe, Police Licensing Officer Charlotte Carr and Designated Premises Supervisor Laura Millington in attendance. The meeting was lead by FCC.

A080209 – On the 28<sup>th</sup> April at 2:27am, officers were patrolling the location when they came across a female shouting homophobic comments towards a male in the area. The female was arrested for public order offences. Officers described the female as highly intoxicated.

A080220 – Later that morning at 3:11am, Flintshire CCTV reported that a male had been arrested by an officer outside the location. The male has an injury to his mouth and abrasions to this torso. He too was described as highly intoxicated.

On the 10<sup>th</sup> May, NWP were made aware of a second meeting being held at the premises. The meeting was organised by James Lowe and involved Noise Pollution. NWP were not invited to attend.

On the 25<sup>th</sup> May, a meeting was organised by Licencing Manager Gemma Potter and James Lowe at Mold County Hall to further discuss the issues which are continuing at the location. Also present was manager Steve Hogan from Stonegate, the Designated Premises Supervisor Laura Millington and District Support Sergeant Thomas Matthews. Following the meeting, a formal letter was written documenting all concerns and the actions discussed in the meeting.

A089521 - On the 10<sup>th</sup> June, NWP received a report that a 17 year old male was seen inside the premises.

A093810 – On the 17<sup>th</sup> June at 4:21am, NWP received a report of assault that just before 4am outside the Ruthin Castle pub, two of the informant friends were approached by the same 17 year old male as the previous weekend. The 17 year old male suspect had reportedly swung some punches at one of the victims.

On the 7<sup>th</sup> July, Police Licensing Officer Charlotte Carr and Local Authority Licensing Officer James Lowe visited the premises to discuss recent incidents and check that actions following the meeting on the 25<sup>th</sup> May were being adhered to. The security log book was being completed and CCTV was now in situ.

A106811 - Later that evening, at 21:43, NWP received a report from a male stating he was outside the Ruthin Castle and a female customer had smashed a bottle on his head causing bleeding and a 1cm slice to his ear.

A119402 – On the 29<sup>th</sup> July at 1:05am, NWP received a call from the DPS Laura Millington stating that there were people outside the premises and are continuing to congregate there. It was mentioned that the door men could not cope with the volume of people there. The people were refused entry due to the premises adhering to a point on the action plan not to let anyone enter after midnight.

A119996 – Also on the 29<sup>th</sup> July, earlier in the evening at 22:37, NWP received a report that three males were fighting down the adjacent side street. The men had been witnessed coming from the rear of the pub and then returning following the fight.

On the 4<sup>th</sup> August, Police Licensing Officer Charlotte Carr, Licensing Officer Rachael Hughes and Licensing Team Lead Gemma Potter met with Mark Reagan, the area manager for Stonegate and manager Mike Millington at the premises. DPS Laura Millington was asked to attend but was not in attendance as she had 'gone shopping'.

The Licensing Team Lead asked to view the CCTV following two incidents at the location, but CCTV was unable to be produced. The reasoning for this was that the manager did not know the CCTV password and when trying to gain contact from Laura, the one with knowledge of the password, this proved negative. Whilst the Police Licensing Officer was looking at the CCTV, the manager stated that Laura had 'gone shopping' and that they 'knew the legalities' around showing the CCTV. There are no conditions on the licence that states they must have CCTV in the premises.

Throughout working with the premises, the inspector for the district Iwan Jones and Support Sergeant for the district Thomas Matthews have been involved. With the inspector notifying the Police Licensing Officer of any feedback following officers patrol in the vicinity of the premises and vice versa. Sgt Matthews attended the meeting on the 25<sup>th</sup> May at the local authority offices.

North Wales Police, therefore, support the recommendation for a review of the premises licence, and if accepted by the Licensing Committee, the implementation of the below proposed licensing conditions to satisfy the Crime and Disorder Licensing Objective.

- **CCTV must be installed and it must be digital, colour and maintained in good working order and cover the entrances and exits to the premises. Recordings to be kept for a minimum of 28 days and made available for inspection by the Police or local authority upon request.**
- **A member of staff must be trained in the use of the CCTV system with the knowledge and capability to download footage at the request of the Police or Local Authority.**

I would also ask the Licensing Sub-Committee to consider modifying the opening hours of the premises. From the evidence mentioned above, most of the crime and disorder occurs in the early hours.

Yours faithfully,

Charlotte Carr  
Eastern Licensing Officer

cc.

Inspector Iwan Jones, Flintshire South Inspector

gwneud Gogledd Cymru'r lle **mwya**f diogel yn y DU making North Wales the **safest** place in the UK

**Andrew Farrow**  
 Chief Officer (Planning, Environment & Economy)  
 Prif Swyddog (Cynllunio, Amgylchedd ac Economi)



Ms J Dale  
 Licensing Team  
 Flintshire County Council  
 County Hall  
 Mold  
 CH7 6NB

Your Ref/Eich Cyf  
 Our Ref/Ein Cyf DLJ/224779  
 Date/Dyddiad 19 September 2023  
 Ask for/Gofynner am Mr. D.L. Jones  
 Direct Dial/Rhif Union 01352 703276  
 E-mail/e-bost pollution.control@flintshire.gov.uk

Dear Jacqui,

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE –  
 THE RUTHIN CASTLE, MOLD**

I write with reference to the application for the review of the Premises Licence (PA0338) at the Ruthin Castle, 73-77 New Street, Mold CH7 1NY.

Pollution Control support the grounds for review put forward by Flintshire County Council under the licensing objective for the prevention of Noise Nuisance and prevention of Crime and Disorder.

The Pollution Control team were informed of several complaints of alleged noise nuisance from 18 April 2023. These complaints referred to several concerns occurring at the premises including loud music, karaoke, loud voices in the beer garden and outside the front of the pub, anti-social behaviour, public urination, drug use, taxi noise etc. The times indicated that the problems were occurring from opening time until at least 3am (or even later) every Friday and Saturday and some Sundays and subsequently Bank Holidays as well.

As a result of the complaints letters were sent out to complainants and to the Licensee. Following this a joint visit with James Lowe, Licensing Officer, was arranged and made to the premises on 10 May 2023. We spoke to the Licensee and her husband informing them of the problems and what could potentially happen if the alleged nuisance other problems persisted. This included a potential Abatement Notice and Licence review. They undertook to look at the issues raised and make appropriate changes.

Following this a night-time visit was arranged the following week for Friday night starting at 10pm on 19 May 2023. I met up with James Lowe the Licensing Officer and Gemma Potter, Licensing Manager in the New Street car park near to the Pub. Loud live music from a band was clearly audible in the car park as I arrived. We walked all around the area of the pub and recorded music was audible some distance away in all directions. In addition, closer to the pub loud voices were clearly audible from the beer garden at the rear of the premises and from people at the front near the access door.

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[www.siryfflint.gov.uk](http://www.siryfflint.gov.uk)

We welcome correspondence in Welsh. We will respond to correspondence received in Welsh without delay.

Rydym yn croesawu gohebiaeth Gymraeg. Ymatebwn yn ddi-od i ohebiaeth a dderbymir drwy gyfrwng y Gymraeg.

We next went into a complainant's property adjoined to the Ruthin Castle where the noise from both the beer garden and the amplified recorded music including lyrics and bass beat were clearly audible inside every room. At 10.30pm the live band started playing again and the volume increased significantly. In my view all the noises heard would materially affect the use and enjoyment of the property and would prevent sleep.

We left and went to another complainant's property along the same row at the far end away from the Ruthin Castle. The music noise and bass beat were also clearly audible in every room. In addition, people outside the pub could be heard shouting.

We next went to another complainant's property across the road from the pub. The music was very loud in this area and was still audible inside every room in the house. The noise in the bedroom was particularly loud even with all the windows closed. With the window open it was even worse. We left the area just before midnight and the music was still clearly audible in New Street car park.

On 25 May 2023 a meeting was organised by Licensing Manager Gemma Potter and James Lowe at County Hall Mold. This meeting was to bring all the interested parties together to discuss the issues and complaints still being raised. I attended with my colleague Martyn Kirby. Also in attendance were James Lowe and Gemma Potter, the Designated Premises Supervisor, Laura Millington, Steve Hogan a Manager representing Stonegate, the brewery/pub owners and The Police Charlotte Carr, Eastern Licensing Officer and Thomas Matthews, District Support Sergeant. The outcome of the meeting was detailed in a formal letter sent to the DPS and Stonegate documenting the numerous concerns and the proposed actions and the reasons for them to be carried out at the premises.

Several measures were put forward including. The noise from people using the beer garden was considered excessive and it was suggested that some control was put in place to control it by limiting the number of people allowed in there after 10pm and that no drinks were allowed to be taken outside. There should be no live bands. Amplified music volume was decreased. Door supervisors were used to manage the front and rear access to limit noise from customers. The letter drafted by the Gemma Potter, Licensing Manager should be referred to for full details.

I subsequently carried out noise monitoring using recording equipment on two occasions at one of the complainant's properties opposite the pub. The first was installed the same day as the previous meeting 25 May and collected on 30 May. The second was installed 23 June and collected on 27 June.

These recordings showed that the problems associated particularly with the late licensing hours were continuing albeit that the recorded music noise had lessened by a small degree in that that it was mostly audible when the door was opened to allow ingress/egress of customers and if windows were opened at the premises. Noise from the DJ was often audible. Noise from people using the outside space continued to cause significant disturbance from raised voices at all hours. The Door Supervisors seemed to

be ineffectual at controlling people outside the pub and were also contributing to the noise disturbance by talking at length to customers outside.

On the first recording on Saturday 26 May at 1am there was clearly audible queue of people forming waiting to be allowed into the premises. There was shouting and raucous noise. This appears to be a regular occurrence late at night due to all the other pubs in the area closing. This makes the Ruthin Castle the last destination for late night drinking in Mold.

The recordings also showed that the complainant was witnessing that there were people being sick and also urinating outside the pub in various locations including the archway of the pub, across the road and on the footpath to New Street car park. Other noises keeping people awake includes taxis and other vehicles stopping and turning in the road in front of the pub, some with loud music playing, car horns, people congregating outside talking/shouting, door knocking on residents' properties.

There is also disturbance from the customers who have left the pub after closing at 2.30am whereby they loiter and continue to socialise outside people's houses often for a considerable period. This is occurring every Friday and Saturday and Bank Holiday Mondays. Sundays can also be noisy but to a slightly lesser degree.

It is clear from my own observations and the recordings made by the complainant that the noise, anti-social behaviour and numerous other disturbances being caused by the activities at the Ruthin Castle are associated with inadequate controls at the pub and especially with the late licence and the proximity to residential properties. The late licence is particularly incongruous as it makes the Ruthin Castle the last destination for late night drinking in Mold therefore, potentially, attracting an already intoxicated customer base.

Live music is also not suitable for this venue as the building structure is inadequate to contain the additional noise produced. In addition, the pub is attached on the northern end to residential property which is susceptible to the transmission of sound and bass noise. I would recommend the permission for live music is removed from this licence, and a condition added to the licence to disapply the permissions afford by the Live Music Act 2012.

As a result, I would support the application to have the Licence reviewed and would strongly recommend that the late licensing times be reduced considerably and modified to mirror those of other Public Houses in residential areas of Mold.

Yours faithfully



Mr. D.L. Jones  
Pollution Control Officer





**Andrew Farrow**  
 Chief Officer (Planning, Environment & Economy)  
 Prif Swyddog (Cynllunio, Amgylchedd ac Economi)



Ms J Dale  
 Licensing Team  
 Flintshire County Council  
 County Hall  
 Mold  
 CH7 6NB

Your Ref/Eich Cyf  
 Our Ref/Ein Cyf DLJ/224779  
 Date/Dyddiad 19 September 2023  
 Ask for/Gofynner am Mr. D.L. Jones  
 Direct Dial/Rhif Union 01352 703276  
 E-mail/e-bost pollution.control@flintshire.gov.uk

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Yours faithfully



Mr. D.L. Jones  
Pollution Control Officer



Date	Representation from
01/09/23	Martin Shakespeare 65, New Street, Mold – including two recordings
12/09/23	Sarah Taylor on Behalf of Mold Town Council
12/09/23	Phillip & Shannon Jones, 71 New Street, Mold – including photos and recording
12/09/23	Mr M Power, New Street, Mold – part of address redacted due to ongoing criminal damage investigation
18/09/23	Richard Wynn, 26 The Carriageworks, New St, Mold & Others
19/09/23	North Wales Police
19/09/23	Flintshire County Council, Pollution Control Section
19/09/23	Teresa Carberry, Mayor of Mold

**Lorraine Baxendale**

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**From:** [REDACTED]  
**Sent:** 01 September 2023 15:44  
**To:** Licensing  
**Subject:** EXTERNAL Ruthin castle Mold  
**Attachments:** Video.MOV; Video\_1.MOV

CAUTION: This email has reached Flintshire County Council from an external source. Please be extra cautious prior to opening any links or attachments, particularly if you weren't expecting the email or don't recognise the sender.

Warning: This email is from an unusual correspondent.  
Warning: Make sure this is someone you trust.

Dear Sir/Madam,

I write to you with regards to the Ruthin castle pub in New street Mold.  
I am a resident at No 65 New Street.

Since the current landlord taken over the licence in April we have had loud music blasting through the walls, loud shouting/swearing witnessed drug dealing down our shared alleyway. The noise has been so loud that we have been unable to sit outside our garden peacefully, this noise carried on sometimes until 3:30 am.

During kicking out times early hours weekends we have had people urinating up our front door, knocking on the windows, taxis pulling up, police called out to fighting many many times. I work early weekends and have often been woken up unable to go back to sleep for the noise.

I tried to reach out to the landlord on the first instance but got ignored then blocked from contacting them. I have had the council visit my property to hear the noise themselves and have complained numerous times, I have also provided a detailed statement of times and dates of noise to the poltroon noise department at Flintshire council. Attached is some evidence, there are more if needed.

Yours Sincerely  
Martin Shakespeare





Sent from my iPhone

Ref: 1224779



# NUISANCE RECORD FORM

Please see Reverse for Advice on Completing Form

Type of Nuisance: **NOISE**

Name of Person Responsible for Nuisance: **75 New ST / Ruthin Castle Pub CH7 1NY**

Address from Which Nuisance is Emitted: **65 New ST CH7 1NY**

Address of Person Responsible for Nuisance: (if different from above) **Stech**

## DETAILED DIARY OF OCCURRENCES CONSIDERED TO BE A NUISANCE

DATE	START TIME	FINISH TIME	HOW DID THE NUISANCE AFFECT YOU	TYPE OF NUISANCE	WAS NUISANCE NON-STOP OR INTERMITTENT
05/05/23	9:30 AM	2:10 AM	unable to sleep Loud be heard over TV	Continue Bass through Walls, Shouting, Screaming	Continuous Bass Various.
06/05/23	12:10 AM	2:00 AM	continuous Bass woken up unable to sleep	continuous Bass through Walls, every room	continuous
12/05/23	9:30 PM	2:30 AM	Continuous Bass thump unable to sleep.	Bass Loud music through Walls each room.	Continuous
12/05/23	1:30 AM	3 AM	Loud Shouting Fighting, Screaming	called police Kept awake	continuous
18/05/23	8 PM	2:30 AM	unable to sit in garden - loud Shouting Music	Loud Bass, Music, Shouting.	Continuous
07/05/23	9 PM	3:35 AM	unable to sleep loud Bass music each room	Loud Shouting Screaming	Continuous
14/05/23	8 PM	3 AM	shouting, loud music	unable to go to bed Kept awake	Continuous
19/05/23	7 PM	11 PM	Loud Bass - tracks could be heard clearly each room across street	unable to get sleep could not work next day	Continuous
19/05/23	11 AM	3:30	no peace unable to sit at table	continuous Bass tracks heard clearly above TV.	Continuous
20/05/23	10 PM	2 AM	unable to sleep My dogs Barking at noise	people Shouting continuous Bass thumping through walls.	Continuous

Complainant's Name and Address  
PLEASE PRINT

**Martin Shakespeare**  
**65 New St, Mold, CH7 1NY**

Postcode: **CH7 1NY**  
Date: **21/05/23**

Signature: \_\_\_\_\_  
N.B. IF FORMS ARE NOT RETURNED, WE MAY ASSUME THAT NO FURTHER ACTION IS REQUIRED FROM THIS DEPARTMENT



Myles Power. [REDACTED]  
[REDACTED] New Street, Mold, CH7 1NU  
[REDACTED]  
[REDACTED]

12.09.2023

Flintshire County Council  
Licensing Section,  
County Hall,  
Mold,  
CH7 6NR

Dear Sirs

**Reference: Ruthin Castle, 73 – 77 New Street, Mold, Flintshire, CH7 1NY**

Further to the Notice of Review of Premises Licence I would like to respond as follows. In addition, please ensure that the details of the author of this statement are kept confidential. Having reviewed the government guidance in relation to the disclosure of public details I would like to invoke section 9.30. The reason for this is that my home has already been subject to criminal damage and whilst I am not able to confirm that the attack on my property and the Ruthin Castle are directly related, I feel that the coincidence is all too obvious.

I would like to emphasise that I have the right to submit a representation and in addition I also have the right to safeguard my personal safety.

The current licensing hours are detrimental to the health of the residents who reside in the area, I myself have recently been diagnosed with high blood pressure.

There have been disturbances along New Street when patrons have left the Ruthin Castle at 3am at the weekends. These disturbances have resulted in anti-social behaviour and the residents either being kept up through the loud noise or woken up because of the loud noise. As this is a residential area the current licensing hours are completely unacceptable.

It should be pointed out that previous Landlords have never exercised their right to open until 3am and there has never been a problem. Furthermore, the previous Landlords have never exercised the right to have a DJ present who plays very loud music.

I do feel that the residents of the local area are entitled under Article 1 of the European Convention on Human Rights to the peaceful enjoyment of their possessions.

Therefore, please consider amending the licence to prevent the playing of loud music along with amending the hours of closing so that they no longer cause a nuisance to the residents through remaining open until the early hours of the morning.

Myles Power. [REDACTED]  
[REDACTED], New Street, Mold, CH7 1NU

I thank you for taking the opportunity to read my statement and I look forward to hearing the outcome of the review.

Yours faithfully,



Myles Power [REDACTED]

## Lorraine Baxendale

---

**From:** Sarah Taylor [REDACTED]  
**Sent:** 12 September 2023 15:55  
**To:** Licensing  
**Subject:** EXTERNAL Ruthin Castle License review consultation

**CAUTION:** This email has reached Flintshire County Council from an external source. Please be extra cautious prior to opening any links or attachments, particularly if you weren't expecting the email or don't recognise the sender.

To whom it may concern,

I write on behalf of Mold Town Council to request that consideration is given to review the premises license for the Ruthin Castle public house in Mold.

As a town council we have received numerous complaints from residents since March/April 2023 concerning incidents of anti-social behaviour emanating from the establishment. This has included noise into the early hours of the morning, shouting, fighting, cars being left with engines running, drugs paraphernalia, litter, broken glass, verbal abuse to residents and damage to property.

As a Town Council we are concerned for our residents Health Safety and wellbeing, we have, with the agreement of the Police, moved one of our CCTV cameras to a location so that the front of the Ruthin Castle is now covered by the cctv network. This has come at a cost to ourselves but we consider our residents' welfare to be of paramount importance.

Whilst we accept that the Landlord of the Pub has now moved on we wish that the premises license hours are reduced to prevent the possibility of a repeat of the above consequences in the future.

We respect and appreciate the work that Flintshire County Council Officers have done over the last 6 months to support our residents, and feel strongly that this is an appropriate and opportune time to review the premises licensing hours at this location prior to any new Landlord being appointed.

Yours Sincerely

Cllr. Sarah Taylor  
Deputy Mayor of Mold  
sent on behalf of Mold Town Council

## Lorraine Baxendale

---

**From:** Phillip Jones [REDACTED]  
**Sent:** 12 September 2023 16:17  
**To:** Licensing  
**Subject:** EXTERNAL Review of premises licence Ruthin Castle pub Mold.

**CAUTION:** This email has reached Flintshire County Council from an external source. Please be extra cautious prior to opening any links or attachments, particularly if you weren't expecting the email or don't recognise the sender.

This email is from an unusual correspondent. Make sure this is someone you trust

## Premises licence-Alcohol and Entertainment of Ruthin Castle Pub. Review.

From Phillip and Shannon Jones  
71 New Street, Mold.

We have lived here for 19 years, nearly 20,  
No problems whatsoever until April 2023.  
When a new landlord was installed at the pub.  
Every weekend, would be a disco, karaoke or live music night, we don't mind live music or recorded music up to a certain level point, but this was continuously bleeding into our house.  
Most venues for live music have a curfew of 10.30 to 11.00pm when, especially live music has to stop, the landlord here did not seem to care that much.  
Told to change, by council, who monitored our house from every room on a Friday night.  
Especially music noise levels, they did to be fair to the pub change that.

But we've had an anti social behaviour & attitude problem. It just got worse. Banging on doors, littering, slamming of pub doors constantly too, glass breaking,  
Cars parked across the road, drunken behaviour, fights in the street, urination in the street, drunken people staggering into the road, arguing between customers among themselves, swearing and loud shouting, sitting on our window sill, security/bouncer, and/or landlord did not seem to control them after closing time or during throwing out time. It was a noisy mess every Friday and Saturday night to the early hours of the morning.  
Even after the pub was shut, drunken customers would be seen hanging around and shouting and screaming up the street.  
This could go in until 3 to 3.30 in the morning, like they did not want to go home.  
The other problem we had was big groups of people coming from the town centre pubs, already intoxicated, at 11.45 pm trying to enter the Ruthin Castle, just loud boisterous drunken behaviour.

Object to pub being open on Fri/Sat until early hours of morning, being able to serve alcohol at that time.  
We want the pub last orders at 11.30pm and closed locked doors at 12. No compromise.  
The type of clientele that the pub were hosting were, of an age between 18 to 30 mostly, their behaviour after consuming alcohol is appalling, it became like a bar in a Spanish resort. This is not what we as residents want in our area, we have not had this in the past 19 years.  
They would close the doors at 12 and stop customers from entering, or they would try and charge them £5 00 to go in, most refused obviously. But we later found out that they were allowed in around the back of the pub on Maes Bodlonfa street, where there are no security cameras recording them, the pub landlord broke open the interwoven fence to make a gap so that customers could go in and out at will. He and security would lead small

groups of customers in and out on to Maes Bodlonfa. The noise of hooligan style shouting in the beer garden was horrendous.

He would coral them into the beer garden into a small corner partitioned off with empty beer barrels, stacked two high,

when some people were drunk they would constantly be pushing the barrels over sending tumbling to the ground with a crash, this would go on until 2 or 3 in the morning.

We can see all this happening from our back bedroom and bathroom windows as it over looks the pub beer garden.

We don't see the point of the pub opening at 10am in the morning either, there is no passing trade, we don't object to it, but what is the point?

This is not the first time of us writing in to the council and our local town Councilor to complain about this abhorrent behaviour.

I know that we are not the only residents to to this.

We can send some pictures to this email as proof.

We can send other images and video in other emails too.

Thank you for taking time to discuss this matter with us.

Regards from

Phillip and Shannon Jones.

Richard Wynn  
26 The Carriageworks  
New Street  
Mold. CH7 4HG

[REDACTED]  
[REDACTED]

18.09.2023

Flintshire County Council's Licensing Section  
County Hall  
Mold  
Flintshire  
CH7 6NR  
licensing@flintshire.gov.uk

Subject: The Carriageworks Residents complaints regarding the:  
The Ruthin Castle  
73-77 New Street  
Mold  
Flintshire  
CH7 1NY

Dear Sir / Madam,

I am writing as a concerned resident and on behalf of a number of residents in The Carriageworks community to express our strong objection to the proposed extended opening licence for The Ruthin Castle Public House. While we understand the importance of supporting local businesses, the continuing and repeated instances of late night / early morning anti-social behaviour associated with the establishment have raised serious concerns among the community members. The names and addresses of the affected residents are listed at the end of this letter. Each of the residents named below have witnessed various events which can be made available should you require them.

Over the past number of months, the public house has unfortunately become a source of disturbance and anxiety due to the disruptive behaviours exhibited by its patrons during the current late night operating hours. These incidents, which include shouting, screaming, singing, smashing glasses, and even physical altercations, have had a detrimental impact on the quality of life for the residents living nearby. I believe that the Ruthin Castle Public House has a licence until 02.00 hrs on a Friday and Saturday night. I'm not sure if this applies to every night of the week as all the complaints we have, occur on these two evenings. The anti-social behaviour seems to occur over a two to three hour period between the times that other public houses close in the town and when the Ruthin Castle closes.

Having these current operating hours, definitely leads to increased disturbances late into the night. We urge you not to grant a licence for this late night establishment. If the public house is allowed to continue with these opening hours not only does it compromise the peacefulness of our neighbourhood but also poses potential safety risks for both patrons and residents. The increase in noise levels and potential for escalating conflicts could further strain the harmony we have worked hard to maintain within The Carriageworks and with other local residential properties.

Although it has been quiet over the last couple of weekends, we would like our objections noted with respect to any future late night licence considerations, I strongly urge the council to carefully consider the potential consequences of allowing the Ruthin Castle Public House trading in the current way.

I kindly request that the council takes into account the voices of the concerned residents who are directly affected by the activities at the Ruthin Castle Public House. The safety, peace, and quality of life for the community should remain a top priority in this decision-making process.

Thank you for your time and attention to this matter. I hope that the council will consider the potential consequences of this decision and work towards a solution that benefits both local businesses and the residents of our community.

Sincerely,



Richard Wynn

All the addresses below are followed by: New Street, Mold, CH7 1NY.

Fiona Whewell-Davies	Brian Bennett	Sally Hughes
20 The Carriageworks	8 The Carriageworks	27 The Carriageworks

Angela Carr	Nicole Dempsey	Stephen Moore
30 The Carriageworks	3 The Carriageworks	2 The Carriageworks

Nihal & Sharmini Herath	Paul Bennett	Sanna Lander
5 The Carriageworks.	23 The Carriageworks	14 The Carriageworks

Neil Jones	Julie Leonard	David Parry
6 The Carriageworks	22 The Carriageworks	33 The Carriageworks

Hannah Williams  
17 The Carriageworks





**HEDDLU  
GOGLEDD CYMRU  
NORTH WALES  
POLICE**

Mrs. Jacqui Dale  
Licensing Team  
Flintshire County Council  
County Hall  
Mold  
CH7 6NB

19th September 2023

Dear Mrs. Dale,

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE –  
THE RUTHIN CASTLE, MOLD**

I write with reference to an application for the review of Premises Licence (PA0338) at The Ruthin Castle, 73-77 New Street, Mold, CH7 1NY.

North Wales Police support the grounds for review, put forward by Flintshire County Council under the licensing objective the Prevention of Crime and Disorder.

North Wales Police wish to make the following reported incidents known to the licensing committee and to show that a stepped approach has been followed.

A067968 - On the 8<sup>th</sup> April at 2:26am, NWP received reports of anti-social behaviour whereby a male had been kicked out of the premises and was seen to be kicking local residents doors in the vicinity. The informant also reported the male sniffing cocaine.

A067970 – A short time later at 2:30am, a further report of public order was reported whereby there were 6 people fighting outside the premises. Flintshire CCTV monitored the area and the group had dispersed before officer involvement.

North Wales Police received a change of Designated Premises Supervisor application into the name of Mrs Laura Millington on the 12<sup>th</sup> April 2023.

A068194 – Later that day on the 12<sup>th</sup> April, NWP received a call from a local resident reporting the issues above as well as reporting that every weekend drugs are being taken around the outside of the premises. The report stated that drug takers come in and out of the public house.

A075795 - On the 21<sup>st</sup> April at 1:08am, NWP received a report of anti-social behaviour whereby there were multiple complaints from this individual stating that every Friday and Saturday night for the last 6 to 7 weeks, since getting a new landlord, there has been shouting and screaming in the street and people lying in the middle of the road intoxicated.

On the 26<sup>th</sup> April, a meeting was held at the premises with Flintshire County Council Licensing Officer James Lowe, Police Licensing Officer Charlotte Carr and Designated Premises Supervisor Laura Millington in attendance. The meeting was lead by FCC.

A080209 – On the 28<sup>th</sup> April at 2:27am, officers were patrolling the location when they came across a female shouting homophobic comments towards a male in the area. The female was arrested for public order offences. Officers described the female as highly intoxicated.

A080220 – Later that morning at 3:11am, Flintshire CCTV reported that a male had been arrested by an officer outside the location. The male has an injury to his mouth and abrasions to this torso. He too was described as highly intoxicated.

On the 10<sup>th</sup> May, NWP were made aware of a second meeting being held at the premises. The meeting was organised by James Lowe and involved Noise Pollution. NWP were not invited to attend.

On the 25<sup>th</sup> May, a meeting was organised by Licencing Manager Gemma Potter and James Lowe at Mold County Hall to further discuss the issues which are continuing at the location. Also present was manager Steve Hogan from Stonegate, the Designated Premises Supervisor Laura Millington and District Support Sergeant Thomas Matthews. Following the meeting, a formal letter was written documenting all concerns and the actions discussed in the meeting.

A089521 - On the 10<sup>th</sup> June, NWP received a report that a 17 year old male was seen inside the premises.

A093810 – On the 17<sup>th</sup> June at 4:21am, NWP received a report of assault that just before 4am outside the Ruthin Castle pub, two of the informant friends were approached by the same 17 year old male as the previous weekend. The 17 year old male suspect had reportedly swung some punches at one of the victims.

On the 7<sup>th</sup> July, Police Licensing Officer Charlotte Carr and Local Authority Licensing Officer James Lowe visited the premises to discuss recent incidents and check that actions following the meeting on the 25<sup>th</sup> May were being adhered to. The security log book was being completed and CCTV was now in situ.

A106811 - Later that evening, at 21:43, NWP received a report from a male stating he was outside the Ruthin Castle and a female customer had smashed a bottle on his head causing bleeding and a 1cm slice to his ear.

A119402 – On the 29<sup>th</sup> July at 1:05am, NWP received a call from the DPS Laura Millington stating that there were people outside the premises and are continuing to congregate there. It was mentioned that the door men could not cope with the volume of people there. The people were refused entry due to the premises adhering to a point on the action plan not to let anyone enter after midnight.

A119996 – Also on the 29<sup>th</sup> July, earlier in the evening at 22:37, NWP received a report that three males were fighting down the adjacent side street. The men had been witnessed coming from the rear of the pub and then returning following the fight.

On the 4<sup>th</sup> August, Police Licensing Officer Charlotte Carr, Licensing Officer Rachael Hughes and Licensing Team Lead Gemma Potter met with Mark Reagan, the area manager for Stonegate and manager Mike Millington at the premises. DPS Laura Millington was asked to attend but was not in attendance as she had 'gone shopping'.

The Licensing Team Lead asked to view the CCTV following two incidents at the location, but CCTV was unable to be produced. The reasoning for this was that the manager did not know the CCTV password and when trying to gain contact from Laura, the one with knowledge of the password, this proved negative. Whilst the Police Licensing Officer was looking at the CCTV, the manager stated that Laura had 'gone shopping' and that they 'knew the legalities' around showing the CCTV. There are no conditions on the licence that states they must have CCTV in the premises.

Throughout working with the premises, the inspector for the district Iwan Jones and Support Sergeant for the district Thomas Matthews have been involved. With the inspector notifying the Police Licensing Officer of any feedback following officers patrol in the vicinity of the premises and vice versa. Sgt Matthews attended the meeting on the 25<sup>th</sup> May at the local authority offices.

North Wales Police, therefore, support the recommendation for a review of the premises licence, and if accepted by the Licensing Committee, the implementation of the below proposed licensing conditions to satisfy the Crime and Disorder Licensing Objective.

- **CCTV must be installed and it must be digital, colour and maintained in good working order and cover the entrances and exits to the premises. Recordings to be kept for a minimum of 28 days and made available for inspection by the Police or local authority upon request.**
- **A member of staff must be trained in the use of the CCTV system with the knowledge and capability to download footage at the request of the Police or Local Authority.**

I would also ask the Licensing Sub-Committee to consider modifying the opening hours of the premises. From the evidence mentioned above, most of the crime and disorder occurs in the early hours.

Yours faithfully,

Charlotte Carr  
Eastern Licensing Officer

cc.

**Inspector Iwan Jones, Flintshire South Inspector**

gwneud Gogledd Cymru'r lle mwyaf diogel yn y DU making North Wales the safest place in the UK

Andrew Farrow  
Chief Officer (Planning, Environment & Economy)  
Prif Swyddog (Cynllunio, Amgylchedd ac Economi)



Ms J Dale  
Licensing Team  
Flintshire County Council  
County Hall  
Mold  
CH7 6NB

Your Ref/Eich Cyf  
Our Ref/Ein Cyf DLJ/224779  
Date/Dyddiad 19 September 2023  
Ask for/Gofynner am Mr. D.L. Jones  
Direct Dial/Rhif Union 01352 703276  
E-mail/e-bost pollution.control@flintshire.gov.uk

Dear Jacqui,

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE –  
THE RUTHIN CASTLE, MOLD**

I write with reference to the application for the review of the Premises Licence (PA0338) at the Ruthin Castle, 73-77 New Street, Mold CH7 1NY.

Pollution Control support the grounds for review put forward by Flintshire County Council under the licensing objective for the prevention of Noise Nuisance and prevention of Crime and Disorder.

The Pollution Control team were informed of several complaints of alleged noise nuisance from 18 April 2023. These complaints referred to several concerns occurring at the premises including loud music, karaoke, loud voices in the beer garden and outside the front of the pub, anti-social behaviour, public urination, drug use, taxi noise etc. The times indicated that the problems were occurring from opening time until at least 3am (or even later) every Friday and Saturday and some Sundays and subsequently Bank Holidays as well.

As a result of the complaints letters were sent out to complainants and to the Licensee. Following this a joint visit with James Lowe, Licensing Officer, was arranged and made to the premises on 10 May 2023. We spoke to the Licensee and her husband informing them of the problems and what could potentially happen if the alleged nuisance other problems persisted. This included a potential Abatement Notice and Licence review. They undertook to look at the issues raised and make appropriate changes.

Following this a night-time visit was arranged the following week for Friday night starting at 10pm on 19 May 2023. I met up with James Lowe the Licensing Officer and Gemma Potter, Licensing Manager in the New Street car park near to the Pub. Loud live music from a band was clearly audible in the car park as I arrived. We walked all around the area of the pub and recorded music was audible some distance away in all directions. In addition, closer to the pub loud voices were clearly audible from the beer garden at the rear of the premises and from people at the front near the access door.

County Hall, Mold, CH7 6NB  
[www.flintshire.gov.uk](http://www.flintshire.gov.uk)  
Neuadd y Sir, Yr Wyddlgrug, CH7 6NB  
[www.siryfflint.gov.uk](http://www.siryfflint.gov.uk)

We welcome correspondence in Welsh. We will respond to  
correspondence received in Welsh without delay.  
Rydym yn croesawu gohebiaeth Gymraeg. Ymatebwn yn ddi-oddi  
ohebiaeth addysgnir drwy gyfrwng y Gymraeg.



We next went into a complainant's property adjoined to the Ruthin Castle where the noise from both the beer garden and the amplified recorded music including lyrics and bass beat were clearly audible inside every room. At 10.30pm the live band started playing again and the volume increased significantly. In my view all the noises heard would materially affect the use and enjoyment of the property and would prevent sleep.

We left and went to another complainant's property along the same row at the far end away from the Ruthin Castle. The music noise and bass beat were also clearly audible in every room. In addition, people outside the pub could be heard shouting.

We next went to another complainant's property across the road from the pub. The music was very loud in this area and was still audible inside every room in the house. The noise in the bedroom was particularly loud even with all the windows closed. With the window open it was even worse. We left the area just before midnight and the music was still clearly audible in New Street car park.

On 25 May 2023 a meeting was organised by Licensing Manager Gemma Potter and James Lowe at County Hall Mold. This meeting was to bring all the interested parties together to discuss the issues and complaints still being raised. I attended with my colleague Martyn Kirby. Also in attendance were James Lowe and Gemma Potter, the Designated Premises Supervisor, Laura Millington, Steve Hogan a Manager representing Stonegate, the brewery/pub owners and The Police Charlotte Carr, Eastern Licensing Officer and Thomas Matthews, District Support Sergeant. The outcome of the meeting was detailed in a formal letter sent to the DPS and Stonegate documenting the numerous concerns and the proposed actions and the reasons for them to be carried out at the premises.

Several measures were put forward including. The noise from people using the beer garden was considered excessive and it was suggested that some control was put in place to control it by limiting the number of people allowed in there after 10pm and that no drinks were allowed to be taken outside. There should be no live bands. Amplified music volume was decreased. Door supervisors were used to manage the front and rear access to limit noise from customers. The letter drafted by the Gemma Potter, Licensing Manager should be referred to for full details.

I subsequently carried out noise monitoring using recording equipment on two occasions at one of the complainant's properties opposite the pub. The first was installed the same day as the previous meeting 25 May and collected on 30 May. The second was installed 23 June and collected on 27 June.

These recordings showed that the problems associated particularly with the late licensing hours were continuing albeit that the recorded music noise had lessened by a small degree in that that it was mostly audible when the door was opened to allow ingress/egress of customers and if windows were opened at the premises. Noise from the DJ was often audible. Noise from people using the outside space continued to cause significant disturbance from raised voices at all hours. The Door Supervisors seemed to

be ineffectual at controlling people outside the pub and were also contributing to the noise disturbance by talking at length to customers outside.

On the first recording on Saturday 26 May at 1am there was clearly audible queue of people forming waiting to be allowed into the premises. There was shouting and raucous noise. This appears to be a regular occurrence late at night due to all the other pubs in the area closing. This makes the Ruthin Castle the last destination for late night drinking in Mold.

The recordings also showed that the complainant was witnessing that there were people being sick and also urinating outside the pub in various locations including the archway of the pub, across the road and on the footpath to New Street car park. Other noises keeping people awake includes taxis and other vehicles stopping and turning in the road in front of the pub, some with loud music playing, car horns, people congregating outside talking/shouting, door knocking on residents' properties.

There is also disturbance from the customers who have left the pub after closing at 2 30am whereby they loiter and continue to socialise outside people's houses often for a considerable period. This is occurring every Friday and Saturday and Bank Holiday Mondays. Sundays can also be noisy but to a slightly lesser degree.

It is clear from my own observations and the recordings made by the complainant that the noise, anti-social behaviour and numerous other disturbances being caused by the activities at the Ruthin Castle are associated with inadequate controls at the pub and especially with the late licence and the proximity to residential properties. The late licence is particularly incongruous as it makes the Ruthin Castle the last destination for late night drinking in Mold therefore, potentially, attracting an already intoxicated customer base.

Live music is also not suitable for this venue as the building structure is inadequate to contain the additional noise produced. In addition, the pub is attached on the northern end to residential property which is susceptible to the transmission of sound and bass noise. I would recommend the permission for live music is removed from this licence, and a condition added to the licence to disapply the permissions afford by the Live Music Act 2012.

As a result, I would support the application to have the Licence reviewed and would strongly recommend that the late licensing times be reduced considerably and modified to mirror those of other Public Houses in residential areas of Mold.

Yours faithfully

Mr. D.L. Jones  
Pollution Control Officer

## Jacqui Dale

---

**From:** Teresa Carberry  
**Sent:** 19 September 2023 16:42  
**To:** Licensing  
**Subject:** Ruthin Castle - Application for Review of License

Dear Sir/Madam

As the elected Ward Councillor for Broncoed Ward, Mold, I am requesting a review of the Public License of the premises of The Ruthin Castle, 73-77 New Street, Mold, CH7 1NY. I wish the review to relate to the following licensing objectives:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance

My reasons are as follows:

On the 24<sup>th</sup> July, 2023, following advice I contacted Gemma Potter, to bring to her attention, concerns raised to me by residents living in the locale of the premises above.

Initially the re-opening of the Ruthin Castle was seen in a positive light, people glad to see a well-loved pub in use again and a business up and running. However, not long after the opening I began to receive messages and social media clips that have been sent to me regarding the above named premises, raising disquiet about the premises. As a resident of Mold for over 40 years, I am gravely disappointed to be asking for such a review.

Several residents within the Ward complained of noise, and a very obvious increase in litter in the surrounding locale to the pub.

I felt deeply concerned that the residents living close to the pub, were having their peace and quiet, and indeed sleep disturbed by noise from both within and outside the premises, noise from cars, as well as witnessing acts of antisocial behaviour, namely someone urinating outside. I have also seen photographs of someone urinating, across the road from the pub. This is not acceptable behaviour.

Initially I was concerned as to why a license for the hours stipulated was provided to the landlord, into the early hours of the morning on certain nights of the week, having no knowledge of Licensing laws etc. This was kindly clarified to me. It would lead me to ask however if in the future a Designated Premises Supervisor be more empathic and sensitive to the location of the premises, on the edge of a residential area.

At this point I also recommended to the residents that get in touch with [pollution.control@flintshire.gov.uk](mailto:pollution.control@flintshire.gov.uk) for issues concerning noise. The officers can then advise how to keep a noise diary etc. and how to further proceed. Obviously as is the norm for matters relating to ASB etc, residents were advised to deal with North Wales Police. I also suggested that a copy of all incident/complaint reference numbers be kept by the residents. Several reports are on file.

I sent a further email to Gemma Potter on the 9<sup>th</sup> May, 2023 regarding complaints about noise, namely karaoke, the sound of a DJ and noise from the Beer Garden, in the early hours, together with car doors being slammed at anti-social hours and drug paraphernalia and litter being found in the adjoining alleyway.

Following the May 2023 meeting of Mold Town Council, I asked for the support of my fellow Town Councillors, and a letter was written the Licensing by the Clerk. Eventually a decision was made by MTC to move one of our mobile cameras to oversee the area.

Further communication resulted from me, to Licensing on the 19<sup>th</sup> May, regarding noise.



I am very aware of the interventions and collection of evidence relating to noise, ASB, by both FCC, North Wales Police, other interested parties et al, and that meetings have been held to bring about changes and discuss the concerns raised, for which I am grateful. I am aware of a resident's windows being smashed, who lives opposite the pub.

My fear is that without a review, based on the criteria given for consideration, the prevailing circumstances will continue into the future, to the detriment, well being, and sense of safety of my residents. Please review the operating schedule for the premises.

Yours faithfully,

Cllr Teresa Carberry  
Mayor of Mold 2023-24

\*\*\*\*\* Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd y defnydd o'r naill iaith yn arwain at oedi. Mae'r e-bost hwn, gan gynnwys unrhyw atodiadau, yn breifat a chyfrinachol ac ni ddylid ei rannu heb ganiatâd yr anfonwr. Os derbynioch chi'r e-bost hwn ar gam, rhowch wybod i'r anfonwr a dileu'r e-bost. Os cyflwynir unrhyw farn, cyngor, casgliadau ac unrhyw wybodaeth arall yn y neges hon nad oes a wnelo â busnes swyddogol Cyngor Sir y Fflint, deallir nad ydynt wedi'u rhoi na'u cymeradwyo ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb o gwbl amdanynt. We welcome correspondence in Welsh and English and you will receive a response in the same language. Use of either language will not lead to a delay. This email, including any attachments, is private and confidential and should not be shared without permission from the sender. If you have received this message in error, please notify the sender and delete it from your account. Opinions, advice, conclusions, and other information in this message that do not relate to the official business of Flintshire County Council shall be understood as neither given nor endorsed by it, or on its behalf, and consequently Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

\*\*\*\*\*



**Premises in the Vicinity.**

**Y Pentan 3 New Street, Mold PA0480**

Performance of live music (Indoors)

Monday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday	Noon	1:00am
Bank Holidays	10:00am	1:00am
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 12 pm on Sunday

Playing of recorded music (Indoors)

Monday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday	Noon	1:00am
Bank Holidays	10:00am	1:00am
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 12 pm on Sunday

Supply of alcohol for consumption ON and OFF the premises

Monday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday	Noon	1:00am
Bank Holidays	10:00am	1:00am
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 12 pm on Sunday

Opening Hours of the Premises

Monday to Thursday	10:00am	12:30am
Friday & Saturday	10:00am	1:30am
Sunday	Noon	1:30am
Bank Holidays	10:00am	1:30am
Christmas Eve	10:00am	1:30am
Boxing Day	10:00am	1:30am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 12 pm on Sunday

**Red Lion, Wrexham Street, Mold PA0500**

Performance of live music (Indoors)

Sunday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday prior to Bank Holiday	10:00am	1:00am
Bank Holidays	10:00am	1:00am
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am

Playing of recorded music (Indoors)

Sunday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday prior to Bank Holiday	10:00am	1:00am
Bank Holidays	10:00am	1:00am
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am

Supply of alcohol for consumption ON and OFF the premises

Sunday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday prior to Bank Holiday	10:00am	1:00am
Bank Holidays	10:00am	1:00am
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am

Opening Hours of the Premises

Sunday to Thursday	10:00am	12:30am
Friday & Saturday	10:00am	1:30am
Christmas Eve	10:00am	1:30am
Boxing Day	10:00am	1:30am
Sunday prior to Bank Holiday	10:00am	1:30am
Bank Holidays	10:00am	1:30am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am

### **The Gold Cape, Wrexham Street, Mold**

#### Late night refreshment (Indoors)

Sunday to Thursday	11:00pm	12:30am
Friday & Saturday	11:00pm	1:00am
Christmas Eve	11:00pm	2:00am
Boxing Day	11:00pm	2:00am

#### Supply of alcohol for consumption ON and OFF the premises

Sunday to Thursday	8:00am	12:30am
Friday & Saturday	8:00am	1:00am
Christmas Eve	8:00am	2:00am
Boxing Day	8:00am	2:00am

#### Opening Hours of the Premises

Sunday to Thursday	7:00am	1:30am
Friday & Saturday	7:00am	2:00am
Christmas Eve	7:00am	3:00am
Boxing Day	7:00am	3:00am

### **Fat Boar, Chester Street, Mold PA0718**

#### Performance of live music (Indoors)

Sunday to Thursday	9:00am	Midnight
Saturday & Sunday	9:00am	1:00am

#### Playing of recorded music (Indoors)

Sunday to Thursday	9:00am	Midnight
Saturday & Sunday	9:00am	1:00am

#### Supply of alcohol for consumption ON the premises only

Sunday to Thursday	9:00am	Midnight
Saturday & Sunday	9:00am	1:00am

#### Opening Hours of the Premises

Sunday to Thursday	9:00am	Midnight
Saturday & Sunday	9:00am	1:00am

**Y Delyn Wine Bar, King Street, Mold PA0121**

## Performance of live music (Indoors)

Monday to Sunday	1:00pm	1:00am
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## Playing of recorded music (Indoors)

Monday to Sunday	1:00pm	1:00am
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## Supply of alcohol for consumption ON and OFF the premises

Monday to Saturday	10:00am	1:00am
Sunday	Noon	11:30pm

## Opening Hours of the Premises

Monday to Saturday	10:00am	1:30am
Sunday	Noon	Midnight

**The Griffin, High Street, Mold PA0507**

## Performance of live music (Indoors)

Monday to Saturday	10:00am	11:30pm
Sunday	11:00am	11:30pm
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 11am on Sunday.

## Playing of recorded music (Indoors)

Monday to Saturday	10:00am	11:30pm
Sunday	11:00am	11:30pm
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 11am on Sunday

## Supply of alcohol for consumption ON and OFF the premises

Monday to Thursday	10:00am	Midnight
Friday & Saturday	10:00am	1:00am
Sunday	11:00am	Midnight
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 11am on Sunday

## Opening Hours of the Premises

Monday to Thursday	10:00am	12:30am
Friday & Saturday	10:00am	1:30am
Sunday	11:00am	12:30am
New Year's Eve	10:00am	Midnight
New Year's Day	Midnight	10:00am To 11am on Sunday

**The Beer Lab Ltd, St Davids Building, Earl Road, Mold PA0875**

Supply of alcohol for consumption ON and OFF the premises

Monday to Sunday	11:00am	11:00pm
New Year's Eve	11:00am	1:00am The following morning

Opening Hours of the Premises

Monday to Sunday	11:00am	11:30pm
New Year's Eve	11:00am	1:30am The following morning

**No 32, High Street Mold PA0872**

Performance of live music (Indoors)

Monday to Sunday	11:00am	1:00am
Playing of recorded music (Indoors)		

Monday to Sunday	11:00am	1:00am
Supply of alcohol for consumption ON and OFF the premises		

Monday to Sunday	11:00am	1:00am
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Opening Hours of the Premises

Monday to Sunday	11:00am	1:00am
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**Mold Ale House, Unit 2, Earl Chambers, Mold PA0726**

Performance of live music (Indoors)

Monday to Sunday	11:00am	11:00pm
New Year's Eve	11:00am	1:00am

Playing of recorded music (Indoors)

Monday to Sunday	11:00am	11:00pm
New Year's Eve	11:00am	1:00am

Supply of alcohol for consumption ON and OFF the premises

Monday to Sunday	11:00am	11:00pm
New Year's Eve	11:00am	1:00am

Opening Hours of the Premises

Monday to Sunday	11:00am	Midnight	
New Year's Eve		11:00am	2:00am

