

ANNEX G

Representation / Statement on
behalf of Premise Licence Holder
(Kenneth Sanders)

Natalie Jones

From: Gareth Jones - Dilwyns Solicitors [REDACTED]
Sent: 11 January 2024 18:29
To: Licensing
Cc: 'Ken Sanders'
Subject: RE: Premises Licence Review - The Log Cabin, Spa Road, Llandrindod Wells, Powys, LD1 5ER
Attachments: 12958.82 - Sanders - Photo 1.jpg; 12958.82 - Sanders - Photo 2.jpg; 12958.82 - Sanders - Photo 3.jpg; 12958.82 - Sanders - Photo 4.jpg
Importance: High
Categories: Natalie

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Ms Jones,

Thank you for your email.

I am still unsure from your email as to whether there is one complaint or a number of complaints. That being said having taken my clients instructions, he is aware of who the complainant is having sold the neighbouring premises at the Commodore to her a number of years ago and from where the complainant operates her business. Prior to this, the complainant had leased the premises from our client and is fully aware of the licensable activities that operated from the Log Cabin.

After the complainant had completed the purchase of the Commodore, relations between the parties broke down (due we believe to unrelated issues) and our client then received reports from staff that the complainant had attended at the Log Cabin on a number of occasions to complain about the noise. She was advised by staff to address her complaint to our client in writing but never did so. Following this, the complainant constructed a fence between the properties and neither our client or any of his employees can recall any complaint since.

The first our client heard about the current complaint was a number of months ago when he received a letter from Environmental Health stating that he was being monitored. Our client advises that around the same time his son, Paul received a telephone call from Environmental Health to speak with him about the monitoring and that Paul had advised that they would need to speak with our client (the License Holder) as he was just an employee.

Save for the complaints by the complainant, in particular the complaints shortly after she completed the purchase of the property, our client cannot recall receiving any complaints about noise and there are many other individuals who live in the vicinity of the premises. As far as our client is concerned, he is complying with the terms of his licence, in particular the measures to protect against public nuisance.

Whilst the licence states that only one registered SIA doorman is required to ensure patrons leave the pub quietly, our client employs supervisors on both doors to do so. Further to this, signage at the premises has recently been updated after our client received new posters (see attached) from the police. As far as our client is concerned, he is complying with his licence and promoting the licensing objectives and will resist any application for variation which would impact on his ability to operate his business.

We do of course reserve the right to add to these representations on behalf of our client as soon as we have received the Licensing Review Panel Report and, if deemed appropriate, our clients own expert evidence.

We trust this is acceptable.

Yours faithfully

Gareth Jones
Dilwyns Solicitors

From: Natalie Jones [REDACTED] **On Behalf Of** Licensing
Sent: 11 January 2024 13:52
To: Gareth Jones - Dilwyns Solicitors [REDACTED] >
Cc: Laura Lewis [REDACTED]
Subject: RE: Premises Licence Review - The Log Cabin, Spa Road, Llandrindod Wells, Powys, LD1 5ER

Dear Mr Jones

I just wanted to explain the process of the Licensing Review (apologies if you are familiar with this already).

An application for a Review of a Premise Licence was submitted to the Licensing Authority which contained the following information -

We have received a noise complaint regarding antisocial noise in the early hours, from the outside consumption area of the Log Cabin, which is affecting the complainants address. Following our noise monitoring investigations, we have found this to be a public nuisance. We seek to apply for conditions to be added to the license to control these noise issues.

- *Noise complaints from property attached to the Log Cabin*
- *Public nuisance relates to the outside drinking consumption / smoking area of the above premise*
- *Noise / nuisance is directly affecting the complainants and their business*
- *Liaison with the Licensee regarding this issue has so far proved unsuccessful at resolving the disturbance*

I don't think this is limited; this gives quite a bit of detail of what the issues are – noise issues, generally in the early hours, largely from the outside consumption / smoking area of Log Cabin, who its affecting and what the impact is, as well as stating EP

have carried out investigation work. Based on this information, I deemed that the application met the 'Prevention of Public Nuisance' licensing objective and started the Consultation Period.

During the Consultation Period, the application is sent to the Responsible Authorities (Police, Environmental Health, Trading Standards etc) and they have 28 days to come back to me with any 'representations' or objections. Likewise, the public also have 28 days to come to the Licensing Authority with any reps. And of course, so does the Premise Licence holder. *(if they so wish)*. The Premise Licence Holder does not have to submit anything to us as they will get the opportunity to present their 'case' at the Licensing Sub Committee Hearing. Some PLH's *choose* to send a brief statement to include in the Report that I (Licensing Authority) will be presenting.

All interested parties get a copy of this Report at least one week prior to the Hearing date (which must be held with 21 working days following the end of the Consultation period). The Responsible Authorities (which includes Laura Lewis in the Environmental Protection Team) have until midnight on 11th January to make their Representations to Licensing, the same as anybody else who wishes to submit any Representations to us.

I then collate these responses and include them within my Report, which gets circulated to the Premise Licence Holder, the Applicant and any other person who has made Representations. This Report and associated documents, also gets sent to the Licensing Sub Committee. All of those who have made Reps are invited to the Committee Hearing (held via Microsoft Teams or Zoom) and all will have their opportunity to present their case to the Panel as well as ask questions of the applicant.

I have not yet received the Report from the applicant, but like Yourselfs (Premise Licence Holder), you have until midnight tonight to make any submission to the Licensing Department if you wish it to be included in my Report.

I can also confirm that we have had other Representations sent to us and these will be included in the Report that will be circulated once the consultation period has ended and in any case, at least one week prior to the Hearing Date. (I have been given provisional Hearing dates of 22nd or 23rd Jan or 6th Feb. I don't have a say on the date, it is dependant on Committee Member availability).

I hope this information helps.

Kind Regards

Natalie

Natalie Jones

Licensing Team Manager / Rheolwr tîm trwyddedu

Tel 01597 827389 / licensing@powys.gov.uk



Croeso i chi gysylltu â ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg, heb oedi.
You are welcome to contact us in Welsh. We will respond in Welsh, without delay.



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From: Gareth Jones - Dilwyns Solicitors ~~gareth.jones@dilwynsolicitors.co.uk~~

Sent: Thursday, January 11, 2024 11:56 AM

To: Laura Lewis [REDACTED]
Cc: Licensing <licensing@powys.gov.uk>
Subject: RE: Premises Licence Review - The Log Cabin, Spa Road, Llandrindod Wells, Powys, LD1 5ER
Importance: High

Some people who received this message don't often get email from gareth@dilwyns-solicitors.co.uk. [Learn why this is important](#)

Dear Ms Lewis,

Our Client: Kenneth Harold Sanders
Premises Licence: 00NN/PREM/R/000114
Premises : The Log Cabin, Spa Road, Llandrindod Wells, Powys, LD1 5ER

I refer to my email below and would be grateful if you could confirm whether you are able to provide me with the requested information before 3.00pm today, failing which my client will have to make representations based upon the limited information available to him about your application.

I look forward to hearing from you.

Kind regards

Gareth Jones
Dilwyns Solicitors

From: Gareth Jones - Dilwyns Solicitors [REDACTED]
Sent: 10 January 2024 10:56
To: 'laura.lewis@powys.gov.uk' <[REDACTED]>
Cc: 'licensing@powys.gov.uk' <licensing@powys.gov.uk>
Subject: Premises Licence Review - The Log Cabin, Spa Road, Llandrindod Wells, Powys, LD1 5ER
Importance: High

Dear Ms Lewis,

Our Client: Kenneth Harold Sanders
Premises Licence: 00NN/PREM/R/000114
Premises : The Log Cabin, Spa Road, Llandrindod Wells, Powys, LD1 5ER

We have recently been instructed by our client following receipt of your application to the Licensing Officer for a review of his Premises Licence on the grounds of public nuisance.

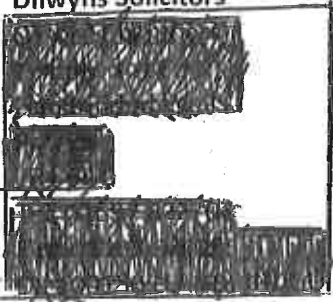
We note that our client has until 11th January to make representation in relation to your application, which with respect is very difficult in the absence of detailed particulars of the allegations that have been raised. In the circumstances, we would be grateful if you could please provide us with the following:-

- (a) Details of all noise complaints that you have received in respect of our clients premises including the date that such noise complaints were made, the identity of the individual/s making the complaints and the nature of the complaint;
- (b) Please provide us with the findings of your noise monitoring investigations which are referred to in your application;
- (c) Whilst no admissions are made in relation to the alleged public nuisance, your application suggests that you will seek to apply for conditions to be added to the licence and we would be grateful to know what conditions you are seeking to be added to the Licence?

We look forward to hearing from you.

Yours faithfully

Gareth Jones
Dilwyns Solicitors



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