

## Licensing Sub-Committee

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Meeting Venue  
**Council Chamber - Neuadd Maldwyn,  
Welshpool, Powys**

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Meeting Date  
**Monday, 17 July 2017**

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Meeting Time  
**10.00 am**

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For further information please contact  
**Carol Johnson**  
Democratic Services  
01597 826206  
carol.johnson@powys.gov.uk



County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

30<sup>th</sup> June, 2017

### AGENDA

**The Sub-Committee Members are required to attend a private Briefing meeting at 9.30 a.m.**

<b>1.</b>	<b>APPLICATION FOR PREMISES LICENCE</b>
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**1.1. Sub-Committee procedures**

To receive introductions by the Chair and an explanation of the Sub-Committee's procedures by the Principal Solicitor.

**1.2. Application for a licence**

To consider an application for a licence in respect of Bank Cottage, The Bank, Newtown, Powys SY16 2AB

(Pages 3 - 26)

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## CYNGOR SIR POWYS COUNTY COUNCIL

## Montgomeryshire Licensing Sub-Committee

REPORT BY: Senior Licensing Officer

SUBJECT: BANK COTTAGE, THE BANK, NEWTOWN, POWYS, SY16 2AB

REPORT FOR: DECISION

## 1. INTRODUCTION

- 1.1 Geraldine and Graham Neil Warren submitted a New Premises Licence application for Bank Cottage, The Bank, Newtown, Powys, SY16 2AB. The application is for a licensed café/restaurant with certain regulated entertainment. There are no representations from any of the Responsible Authorities but there have been three letters received by the licensing department from local residents who wish to make representations that largely concern the potential for noise and anti-social behaviour.

## 2. BACKGROUND

- 2.1 A location plan for the premises, along with the objectors homes, is attached as Annex A to the report.

- 2.2 The applicants have requested the following on the premises licence:

Supply of Alcohol	09.00 to midnight Monday to Sunday 00.30 on New Years Eve
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Live and Recorded Music and Performance of Dance (Indoors)	09.00 to midnight Monday to Sunday
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Late Night Refreshment	23.00 to midnight Monday to Sunday
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Opening hours of the premises	09.00 to 00.30 01.00 on New Years Eve Monday to Sunday
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- 2.3 A copy of the premises licence application made under the Licensing Act 2003 is attached as Annex B.

- 2.4 In accordance with the Licensing Act 2003 procedure, copies of the application to the Responsible Authorities for consultation were sent out and the applicant placed an advert in a local paper and at the premises to bring it to the attention of any interested parties with a date of representations by 19<sup>th</sup> June 2017.

### **3. REPRESENTATIONS**

#### **3.1 Responsible Authorities**

No representations were made by the Responsible Authorities.

#### **3.2 Interested Parties**

Three letters were received within the period time to object from local residents against the application. The three letters can be found at Annex C.

The Licensing Act 2003 sets out 4 licensing objectives and these are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

### **4. ADDITIONAL CONDITIONS**

4.1. No additional conditions were offered or requested.

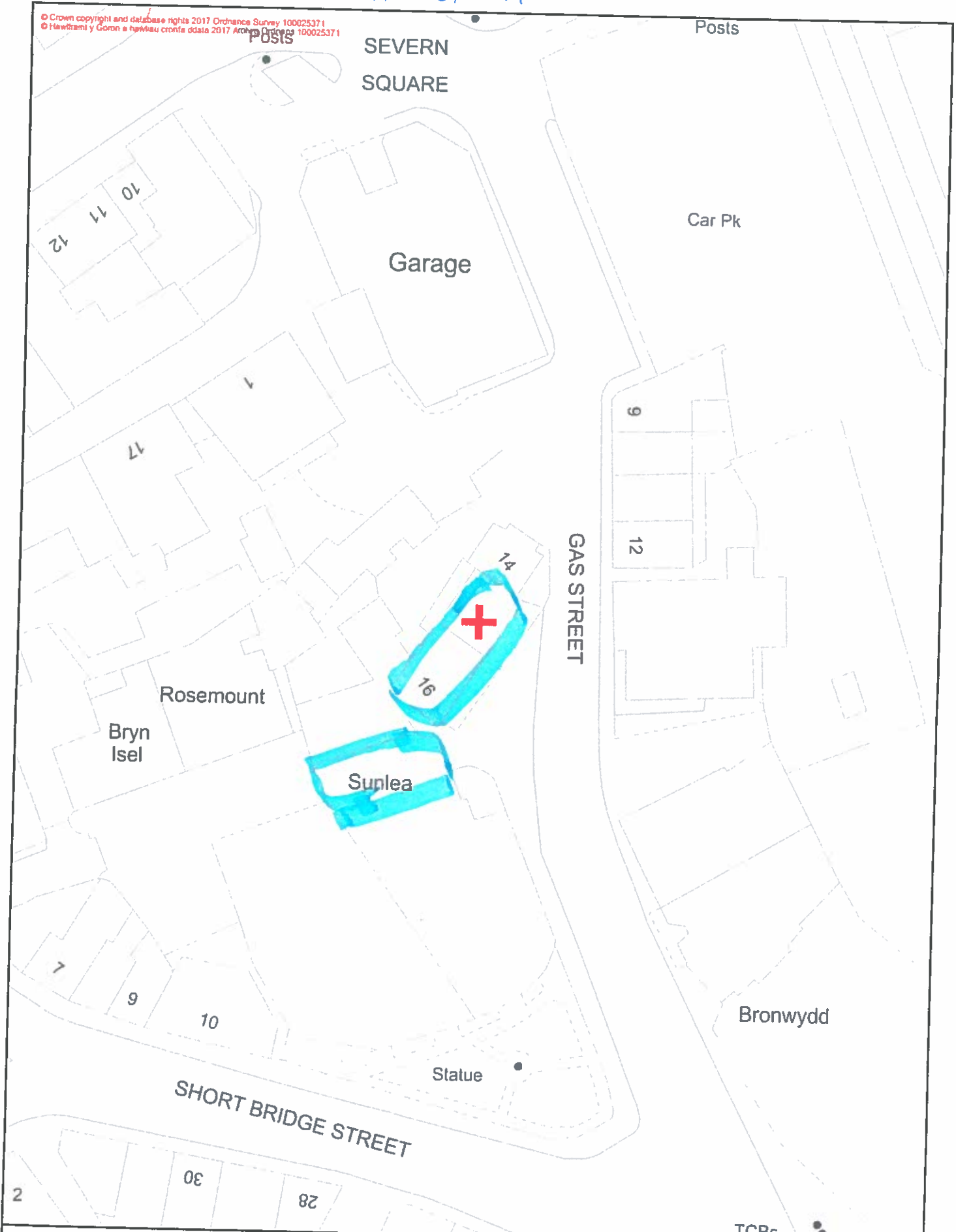
### **5. OPTIONS**

5.1 In determining the application for a Premises Licence, the Sub-Committee must take such steps as are considered necessary for the promotion of the licensing objectives, which are stated earlier in this report.

5.2 The options available on determining this application are:

- a) to grant the application as submitted;
- b) to modify or change the times and conditions of the application; or
- c) to reject the whole or part of the application.

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FORM 9

**Application for a premises licence to be granted 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 or typed in black ink. Use additional sheets if necessary.

Once completed please send your application to: -

**CYNGOR SIR POWYS COUNTY COUNCIL**  
The Licensing Officer

Council Offices Neuadd Brycheiniog	Council Offices Y Gwalia	Council Offices Neuadd Maldwyn
Cambrian Way Brecon	Ithon Road Llandrindod Wells	Severn Road Welshpool
Powys LD3 7HR	Powys LD1 6AA	Powys SY21 7AS
Contact: 0845 602 7037 and ask to speak to an Officer		

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

I/We GERALDINE WARREN & GRAHAM NEIL WARREN  
(Insert name of applicant / applicants)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I / we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details			
Postal address of premises if any or if none Ordnance Survey map reference or description.			
Bank Cottage The Bank  Powys		RECEIVED 2... 2012	
Post town	NEWTOWN	Post code	SY16 2AB
Telephone number of premises (if any)		01686 629 689	
£ Non-domestic rateable value of premises		£ 3800	

Application for a Premises Licence – Updated 01/10/2012

<b>Part 2 - Applicant Details</b>		
<b>Please state whether you are applying for a premises licence as</b>	<b>Please Tick or insert "YES" in the relevant box</b>	<b>Next Step</b>
a). An individual or individuals.		Please complete Section (A)
b). A person other than an individual.		Please complete Section (B)
i. as a limited company		Please complete Section (B)
ii. as a partnership	✓	Please complete Section (B)
iii. as an unincorporated association or		Please complete Section (B)
iv. other (for example a statutory corporation)		Please complete Section (B)
c) A recognised club		Please complete Section (B)
d) A charity		Please complete Section (B)
e) The proprietor of an educational establishment		Please complete Section (B)
f) A Health Service Body		Please complete Section (B)
g) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		Please complete Section (B)
h) The chief officer of police of a police force in England and Wales		Please complete Section (B)

<b>*If you are applying as a person described in (a) or (b) please confirm:</b>	
<b>(Please state whether you are applying for a premises licence as)</b>	<b>Please tick ✓</b>
I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or	Yes
I am making this application pursuant to a Statutory function	Yes
A function discharged by virtue of Her Majesty's prerogative	Yes



<b>A. INDIVIDUAL APPLICANTS (fill in as applicable)</b>			
Your personal details			
Name			
Delete as appropriate: Mr. (Mrs) Miss. Ms. Other title (for example, Rev)			
Surname	WARREN		
Forenames	GERALDINE		
Are you over 18	Yes <input checked="" type="checkbox"/>	No	Date of Birth DD/MM/YYYY
Place of Birth	NEWTOWN POWYS		
CURRENT ADDRESS if different from premises address			
ARLAN MOCHDRE NEWTOWN POWYS			
Post Town	<del>STILB</del> NEWTOWN	Post Code	SY16 4JL
Daytime contact telephone number			
E-mail Address if any (optional)			

<b>SECOND INDIVIDUAL APPLICANT (fill in as applicable)</b>			
Your personal details			
Name			
Delete as appropriate: (Mr) Mrs. Miss. Ms. Other title (for example, Rev)			
Surname	WARREN		
Forenames	GRAHAM NEIL		
Are you over 18	Yes <input checked="" type="checkbox"/>	No	Date of Birth DD/MM/YYYY
Place of Birth	FARNBOROUGH		
CURRENT ADDRESS if different from premises address			
ARLAN MOCHDRE POWYS			
Post Town	NEWTOWN	Post Code	SY16 4JL
Daytime contact telephone number			
E-mail Address if any (optional)			

**B. OTHER APPLICANTS (fill in as applicable)**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of partnership or joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	
Address	
Post Town	Post Code
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule	Day	Month	Year
When do you want the premises licence to start?	0	1	052017
If you wish the licence to be valid only for a limited period, when do you want it to end?			
If 5,000 or more people are expected to attend the premises at any one time please state the number expected to attend.			
Please give a general description of premises (Please read guidance note 1)			
RESTAURANT / CAFE			

What licensable activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)		
Provision of regulated entertainment	Please tick <input checked="" type="checkbox"/>	
a) plays (if ticking yes, fill in box A)	YES	NO
b) films (if ticking yes, fill in box B)	YES	NO
c) indoor sporting events (if ticking yes, fill in box C)	YES	NO
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	YES	NO
e) live music (if ticking yes, fill in box E)	YES <input checked="" type="checkbox"/>	NO
f) recorded music (if ticking yes, fill in box F)	YES <input checked="" type="checkbox"/>	NO
g) performances of dance (if ticking yes, fill in box G)	YES <input checked="" type="checkbox"/>	NO
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	YES	NO
	Please tick <input checked="" type="checkbox"/>	
Provision of late night refreshment (if ticking yes, fill in box I)	YES <input checked="" type="checkbox"/>	NO
Sale / Supply of alcohol (if ticking yes, fill in box J)	YES <input checked="" type="checkbox"/>	NO

IN ALL CASES PLEASE COMPLETE BOXES K, L, AND M BELOW

[BOX A] PLAYS Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - Please Tick or insert "YES" in the relevant box. (please read guidance note 2)	Indoors	Outdoors	Both
Day	Start	Finish		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed						
Thur			State any seasonal variations for performing plays (please read guidance note 4)			
Fri						
Sat			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sun						

<b>[BOX B] FILMS</b> Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – Please Tick or insert "YES" in the relevant box. (please read guidance note 2) Please give further details here (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<p>State any seasonal variations for the exhibition of films (please read guidance note 4)</p> <p>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list. (please read guidance note 5)</p>		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

<b>[BOX C] INDOOR SPORTING EVENTS</b> Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			<p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)</p>
Tue			
Wed			
Thu			
Fri			
Sat			
Sun			

<b>[BOX D] BOXING OR WRESTLING ENTERTAINMENT</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – Please Tick or Insert "YES" in the relevant box (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur						
Fri				Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat						
Sun						

<b>[BOX E] LIVE MUSIC</b> Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – Please Tick or Insert "YES" in the relevant box (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>	
Day	Start	Finish		Outdoors		
Mon	09-00	00-00	Please give further details here (please read guidance note 3)	Both		
Tue	09-00	00-00				
Wed	09-00	00-00		State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	09-00	00-00				
Fri	09-00	00-00		Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	09-00	00-00				
Sun	09-00	00-00				

<b>[BOX F] RECORDED MUSIC</b> Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - Please Tick or insert "YES" in the relevant box (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	17-00	22-00	Please give further details here (please read guidance note 3)	Both	
Tue	09-00	00-00			
Wed	09-00	00-00		State any seasonal variations for playing recorded music (please read guidance note 4)	
Thur	09-00	00-00			
Fri	09-00	00-00		Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)	
Sat	09-00	00-00			
Sun	09-00	00-00			

<b>[BOX G] PERFORMANCE OF DANCE</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - Please Tick or insert "YES" in the relevant box (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	19-00	02-00	Please give further details here (please read guidance note 3)	Both	
Tue	09-00	00-00			
Wed	09-00	00-00		State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur	09-00	00-00			
Fri	09-00	00-00		Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)	
Sat	09-00	00-00			
Sun	09-00	00-00			

<b>[BOX H] ANYTHING OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN (E), (F) or (G). Standard days and timings (please read guidance note 6)</b>			<b>Please give a description of the type of entertainment you will be providing</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will the entertainment be taking place indoors or outdoors or both - Please Tick or insert "YES" in the relevant box (please read guidance note 2)</b>	<b>Indoors</b>	
<b>Mon</b>				<b>Outdoors</b>	
				<b>Both</b>	
<b>Tue</b>			<b>Please give further details here (please read guidance note 3)</b>		
<b>Wed</b>					
<b>Thu</b>			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</b>		
<b>Fri</b>					
<b>Sat</b>			<b>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list. (please read guidance note 5)</b>		
<b>Sun</b>					

<b>[BOX I] LATE NIGHT REFRESHMENT Standard days and timings (please read guidance note 6)</b>			<b>Will the provision of late night refreshment take place indoors or outdoors or both - Please Tick or insert "YES" in the relevant box (please read guidance note 2)</b>	<b>Indoors</b>	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		<b>Outdoors</b>	
<b>Mon</b>	23-00	00-00		<b>Both</b>	
<b>Tue</b>	23-00	00-00		<b>Please give further details here (please read guidance note 3)</b>	
<b>Wed</b>	23-00	00-00	<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
<b>Thur</b>	23-00	00-00			
<b>Fri</b>	23-00	00-00	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)</b>		
<b>Sat</b>	23-00	00-00			
<b>Sun</b>	23-00	00-00			

<b>[BOX J] SUPPLY OF ALCOHOL</b> Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both - Please Tick or insert "YES" in the relevant box (please read guidance note 7)	On	
				Off	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	09-00	00-00			
Tue	09-00	00-00			
Wed	09-00	00-00			
Thur	09-00	00-00			
Fri	09-00	00-00			
Sat	09-00	00-00			
Sun	09-00	00-00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
			00-00 - 00.30 - New Years Eve		

State the Name and Details of the Individual whom you wish to specify on your licence as the - Designated Premises Supervisor (DPS)  
(A DPS is required to be a Personal Licence Holder)

Delete as appropriate: Mr. (Mrs) Miss. Ms. Other title (for example, Rev)

Surname	WARREN		
Forenames	GERALDINE		
Are you over 18	Yes <input checked="" type="checkbox"/>	No	Date of Birth DD/MM/YYYY
Place of Birth			
CURRENT ADDRESS of Designated Premises Supervisor if different from premises address			
Arlan Hochoire			
Post Town	NEWTOWN	Post Code	S416 4JL
Personal Licence Number of DPS (if any)			
Issuing Licensing Authority, if applicable			

**[BOX K]** Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please Read Guidance Note 8)



[BOX L] HOURS PREMISES ARE OPEN TO THE PUBLIC Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	00.30	
Tue	09.00	00.30	
Wed	09.00	00.30	<u>Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list. (please read guidance note 5)</u>  00.30 - 1.00 - New Year's Eve
Thu	09.00	00.30	
Fri	09.00	00.30	
Sat	09.00	00.30	
Sun	09.00	00.30	

**[BOX M] Please describe the steps you intend to take to promote the four licensing objectives:**

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

As a Cafe / Restaurant, people will generally be consuming alcohol with meals / food. Proof of Age will always be in place.

**b) The prevention of crime and disorder**

Aim to join BOBS Scheme  
 Will display any crime prevention notices.  
 Will operate Challenge 21  
 Incidents / Accidents will be recorded or reported when necessary.

**c) Public safety**

Adequate lighting provided in all areas.  
 First aid facilities available.

**d) The prevention of public nuisance**

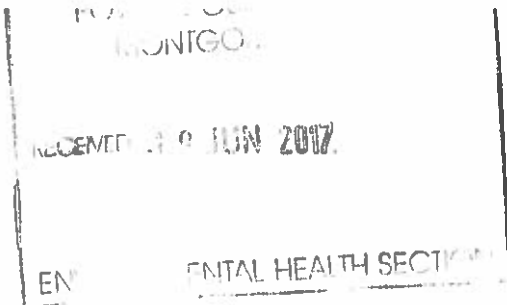
No music / entertainment outside.  
 Customers will only take drinks outside.  
 During hours food is served & are restricted to the gated / seating area.  
 Notices will be displayed to inform customers of this.

**e) The protection of children from harm**

No smoking / cigarettes available on premises.  
 Unaccompanied children (under 16) not allowed in after 9pm. Proof of age will be required.  
 Anyone over age of 16 allowed in unaccompanied if eating - no alcohol will be served. Sold to anyone under 18 (challenge 21) who is also eating.  
 Only alcohol purchased by an adult - can be consumed by under 18's with a meal.

CHECKLIST: Please Tick or Insert "YES" in the boxes below to indicate agreement	
• I have made or enclosed payment of the fee	✓
• I have enclosed a plan of the premises	✓
• I have sent copies of this application to responsible authorities and others where applicable We will do this	
• I have enclosed the consent form completed by the individual I wish to be the Designated Premises Supervisor, if applicable	✓
• I understand that I must now advertise my application	✓
• I understand that if I do not comply with the above requirements my application will be rejected	✓

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



ANNEX C

Andrew Owen  
Flat 1 Rostherne  
The Bank  
Newtown  
Powys SY16 2AB  
16 June 2017

The Licensing Officer  
Powys County Council  
Neuadd Maldwyn  
Severn Road  
Welshpool  
Powys SY21 7AS

**Re: Application for a premises licence for: Bank Cottage, The Bank, Newtown Powys, SY16 2AB.**

Dear Sir/Madam,

I live directly above the Bank Cottage Tearooms, and I wish to tell you that, if you were to approve these plans, the flats above the tearooms would be spoiled without measure, and nobody would want to live in them due to the encroaching noise.

I wish to oppose the above application.

I object to the following:

- Opening hours for the premises
- Supply of alcohol until midnight
- Live and recorded music and the performance of dance

My reasons for objecting are:

There are two flats, both of them are situated immediately above the tearooms, and the tenants that live in those flats can hear all things that are said and done in the tearooms below, distinctly.

The building that contains the flats and tearooms is very old. It is a half-timbered structure with single skin walls, low ceilings, and single floor boarding. Its rooms are poky: cramped and small (they are charming, however, I am speaking, of course, about the impracticalities of these proposals).

The building is infamous for its poor sound insulation. For this reason, I strongly believe that, as long as there are people dwelling in it, the tearooms should not open in the evenings at all.

The incessant noise of conversation, laughter, and the scraping of wooden chairs on the ceramic tiled flooring, that issues forth from the tearooms, travels, virtually uninhibited, through the floorboards and fills the flats above. It is overbearing and one cannot get away from it.

I believe that this application was submitted without considering the tenants that live immediately above, and the major disruption that they would face if the said application were to be approved. I do not accuse the applicants of being callous; but, I think that it is clear that the above mentioned tenants were, on the 26th May, when the application was drawn up, overlooked.

I am also concerned about the potential noise coming from outside seating areas, one of these is just below my window; and also from people gathered outside, smoking etc. All windows in this building are single pane.

I am confident that when you look into the important facts that you have been provided with, through the means of several objections, that you will conclude that these premises are not suitable for the above mentioned proposals.

I also trust that you will carefully consider the impact that the approval of these plans would have on the residents whose homes are located above this business.

Yours faithfully,

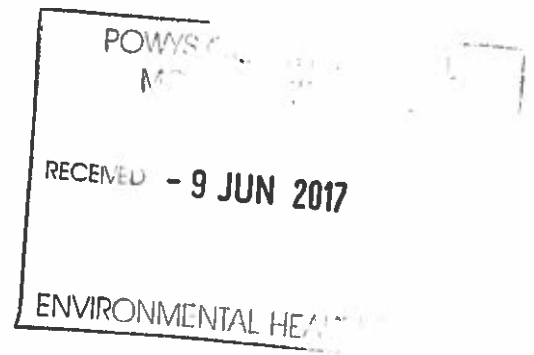
Andrew Owen

Attention: Licensing Department

The Licensing Officer

Powys County Council

Neuadd Maldwyn  
Severn Road  
Welshpool  
Powys  
SY21 7AS



7th June 2017

Dear Licensing Officer

**Re: Proposed Premises and live and Recorded Music and Dance licence at Bank Cottage**

This is an objection in reference to the new application by Bank Cottage, Gas Street, Newtown to open late and sell alcohol between the hours of 9am and 12:30am, 01:00 am on New Years Eve, Sunday to Saturday (7 days a week) and to have a music and dance licence.

**Conservation Area**

I am writing this letter as a local resident in the area and I am also a landlady of two residential flats that are located in the same area. As you are aware Bank Cottage is located in the conservation area known as The Bank, a small residential area located near to the town centre. It is a beautiful building that represents Newtown's past. Many tourists come to the area to take photographs of the buildings. Being a conservation area, the local buildings have restrictions attached. This includes not being able to make building modifications that would minimise noise levels.

**Current Noise Implications to residents**

Bank Cottage has two flats above and a residential property attached to the right. The ceiling in Bank cottage has no plasterboard or plaster and reveals just the floorboards above. In the flats above Bank Cottage there is no sound-proofing just the same bare boards that you see from below. Those who live above the tearooms experience considerable noise disturbance from the tearooms below during the day from the background music, customers talking and other noises created within a tearoom. It creates such disturbance with its general noise that I have known residents that live there to go up to the top floor of their flat and put ear plugs in to try and block out the noise, although it can still then be heard. Although this is already unacceptable disturbance of someone's life, they did not complain as they didn't wish to cause a nuisance. So to open in the evening on a regular basis would cause huge direct noise nuisance to the two flats above and the property next door.

Both flats at Sunlea are affected by the day to day noise of the tearooms. Flat 2 at the rear of the property has a bedroom window directly outside the kitchen of bank cottage. This is often very noisy and can cause problems for residents who work shifts. The house next to Bank Cottage is currently unoccupied, but I'm sure this would directly affect any future residents. There are also a number of houses opposite Bank Cottage that will be affected by the additional noise. Most properties in this area do not have double glazing as it is a conservation area.

Sunlea is directly next door to Bank Cottage. Customers using the tearooms overlook the driveway of Sunlea. During the day when the tearooms is open I often feel uncomfortable going to and from my property and car as there is often a number of people sat outside the tearooms. However, as this is only in day time hours it is tolerable.

Bank Cottage is currently a tearoom and has been for many years. The tearoom's currently opens from 11.00 till 3.00. The tearoom's doesn't tend to attract anti-social behaviour or create noise nuisance in the area in keeping with its status at this time as a tearoom.

### **Anti-social behaviour and noise nuisance in the evening**

Bank cottage has already been open in the evening on many occasions. The added noise in the area has been considerable. Not only that, I have already experienced anti-social behaviour from the customers. Last week a customer threw a cigarette butt on the pavement in front of me. My drive has been used to kick around a football. The tearoom's during the day does not attract groups of people to stand around outside talking loudly and smoking. Having a smoking area is essential to businesses opening in the evening and this made me feel and others extremely uncomfortable and intimidated going in and out of my own property during the evening.

### **Current Noise from other venues which have alcohol licence and music licences**

The area of The Bank already suffers considerable noise nuisance in the evening from the outside music played at Mirren's and the music from the Lion and other nearby pubs. To have another venue creating noise in the area will obviously add to the problem. At the moment people who have been drinking alcohol don't tend to walk through The Bank area in the evening, but with it opening late it will attract people to this area at night.

### **Bank Cottage current Toilet Facilities**

Bank Cottage only has one individual shared toilet for the use of male/female customers and staff. This will have a potential implication for evening users who are consuming alcohol – as they are unlikely to all queue for one toilet and this could obviously result in people finding areas outside to use instead. This will likely be the entranceway to the residential lets in the area or businesses located opposite.

### **Concentration of Licensed Outlets**

There are many public houses and restaurants in close proximity to the proposed site as well as venues which have music licences. A number of places have already closed due to lack of customers during the current economic climate, so possibly saturation has been already reached in this area.

### **Crime and Disorder**

Opening late and having an alcohol licence will draw unwelcome attention and increased footfall at unsociable hours to a residential and conservation area.

Noise, public nuisance, anti-social behaviour, low-level nuisance (non reportable crime inc. shouting, swearing, urination in public, littering) will be increased.

### **Public Nuisance**

The proposed opening times in a quiet, residential, conservation area will unnecessarily draw people from a wider area at unsociable hours, which will add to the additional draw of pedestrians and vehicles.

Noise, light pollution, traffic and traffic noise will all have a negative impact on the immediate area. To note again, this is a conservation area.

There are currently four self-contained flats within very close proximity of Bank Cottage, two of which are directly above the premises with the remaining two within 10 feet of Bank Cottage. A late licence would cause unreasonable intrusion into respective residents use of their property for the reasons detailed thus far. This would cause a negative impact on the potential for renting these properties out for the current residents and that of potential residents in the future. This would impact negatively on the rental viability of these properties which could cause a detrimental effect of any income yield for the property owners. In addition to this impact upon rental, there are also implications for property value to be diminished if rental potential is reduced.

### **Parking**

There is no parking with Bank Cottage. Local resident's park on the street on the Bank during the evening as there is no parking with the houses. Additional cars will result in residents not being able to park their cars close to their homes.

Thank you for taking the time to consider these objections.

Yours Sincerely,

NAME: Teresa Davies

ADDRESS: Sunlea, The Bank, Newtown, Powys SY16 2AA

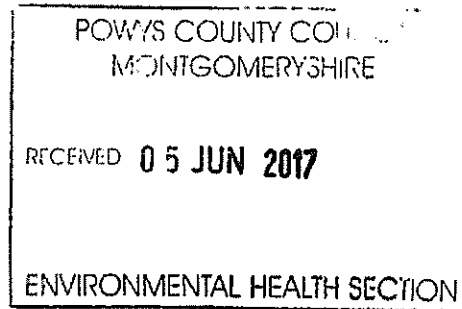
DATE: 7/6/17



ANNEX C

Mr Daniel Alexander Wegher  
Flat 2 Rhostherne  
The Bank  
Newtown  
Powys  
SY16 2AB

The Licensing Officer  
Powys County Council  
Neuadd Maldwyn  
Severn Road  
Welshpool  
Powys  
SY21 7AS



2<sup>nd</sup> June 2017

Dear the Licensing Officer,

We are writing to voice our concern over the proposed Premises Licence for The Bank Cottage, The Bank, Newtown, Powys, SY16 2AB as posted in the County Times newspaper on 26<sup>th</sup> May 2017.

My partner and I live in one of the several flats that are above and surrounding the address in question, on the floor above (one of two upstairs flats). The building that both properties are part of is listed building as it is several hundred years old and therefore offers no sound protection, as the flooring is simply carpet over bare floor boards or bare boards in some sections of our home, often with gaps in the floor boards due to the age of the materials the property is made from. This cannot be altered due to the nature of the building and therefore the application for extended opening hours with live music and alcohol is a very concerning prospect for ourselves as it will be extremely disruptive to both ourselves and our surrounding neighbours.

The normal noises of operation by the tearooms below is not of a massive issue in normal daytime hours, as we fully understand the inevitable noise and disruption of living above a local public business, However our main concern is that if the business is open late into the evening with live music and the sale of alcohol, it will become increasingly difficult to live in reasonable conditions. This has been proven several times recently as the owners of the business below have held several family events in the premises, with and without alcohol consumption, and these events have proven very loud and can be heard throughout our property and was disruptive enough that my partner had to leave our property and visit family as she found the noise too stressful as she is currently pregnant. Further to this, we are expecting a child in the coming weeks and are worried what effect these proposed changes will have on our child's ability to sleep at night, especially as anyone visiting the business has the option to eat/drink outside and due to the nature of the property the windows are original and very thin so any noise outside can be heard any sound insulation at all.

Our neighbours have voiced similar concerns, and have intimated they may be in touch as well with concerns of their own. I am happy to correspond further by writing or telephone, for any further information or clarification or enquiry.

Yours Sincerely,

Daniel Wegher

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