



Date: Tuesday, 19 January 2021

Time: 10.00 am

Venue: THIS IS A VIRTUAL MEETING - PLEASE USE THE LINK ON THE AGENDA TO LISTEN TO THE MEETING

Contact: Emily Marshall, Committee Officer
Tel: 01743 257713
Email: tim.ward@shropshire.gov.uk

LICENSING ACT SUB-COMMITTEE

TO FOLLOW REPORT (S)

3 Application for a Premises Licence - The Community Pavilion, Llanfair Waterdine, Knighton, LD7 1TU (Pages 1 - 76)

Report of the Public Protection Officer (Specialist) is attached, marked 3.

Appendices G to R are attached

Contact Ross O'Neil on 0345 6789026

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The Licensing Team,
Shropshire Council,
Shire Hall, Abbey Foregate,
Shrewsbury. SY2 - 6ND

5th December 2020

Re : Objections to application for premises licence:
The Community Pavilion, Llanfair Waterdine. Supplementary letter.

Please add this submission to our letter of 28th November 2020. Thank you.

Dear Sir/Madam,

After seeing extracts from the original application, we are even more concerned about potential noise nuisance. We would like to further point out that:

- The Pavilion is a wooden structure. Closing doors and windows after 11pm will not be anywhere near enough to reduce noise nuisance, not least from amplified sound.

In contrast the existing village hall is a substantial stone building.

- There is a large open terrace in front of the main Pavilion doors.

It is unrealistic to expect that some of the proposed indoor activities will not spill out on to this area.

We would like to emphasise that the Pavilion was primarily conceived as a sporting venue (please see attached). We had also been informally assured that any special events would be very occasional, advance notice be given and (if private) would only involve people with close ties to the village. It was clearly understood that the Pavilion would be supplementary to and not in competition with the village hall already licensed and providing social activities (including films) needed in the village.

the licensing application, however, implies the Pavilion could (and therefore would) now be used as an entertainment venue, on a possibly regular basis.

Given our new awareness for potential consequences of the proposal, should the licence be granted in spite of objections, please extend the relevant paragraph relating to conditions (our previous letter) as follows:

under point 3: neither CCTV cameras nor public notices are effective deterrents. Even official road signs are not respected.


under point 4: a minimum pre-requirement should be that the whole building be comprehensively sound proofed. there are precedents for imposing such condition.

Air conditioning would also be essential for the Summer.

new point 6: no special "non-standard" provision be granted. for private events or any other event. Christmas and New Year are celebrated quietly and with dignity in this village.

It is highly regrettable that the impact of the proposal on nearby residents has not been properly assessed. We too are community members and wish for a peaceful life. We are not alone in this even if some residents may not feel able to express their apprehension and distress.

Thank you again for your careful consideration,
Yours truly,



(Prof. Desmond ALLISON)



(Dr. Gisèle ALLISON)

Please excuse the handwriting: we do not have access to copying facilities.

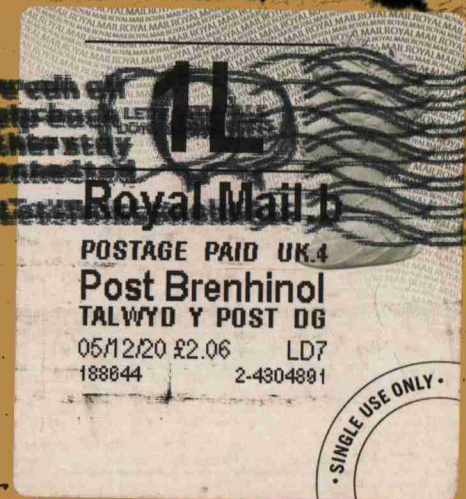
Extract from the article "Llanfair Waterdine Community Trust" published in "Llanfair Times" Issue 9, June 2018, distributed to all residents.

[...] When the pavilion was designed it was felt that three important criteria had to be achieved:

PROVIDE THE NEED: We needed to provide a warm, dry building with changing rooms, washing and shower facilities and toilets which would include a wheelchair access toilet. We also need to provide a large room for indoor sports activities, and, of course, a kitchen to enable food and drinks to be prepared for the sporting groups using the Pavilion. [... also ... an outdoor toilet ...].

AESTHETIC DESIGN [...]

ENVIRONMENTALLY FRIENDLY [...]



The Licensing Team
Shropshire Council
Shire Hall, Abbey Foregate
Shrewsbury
SY 2 - 6 ND

14 DEC 2020

TO PREVENT CRIME & DISORDER

PUBLIC SAFETY

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

Generally if there is to be a hearing to determine the premises licence application, the sub-committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheets if necessary.

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal process. All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence and any other interested parties. If all parties agree, the application can be dealt with without holding a hearing.

Signed:

[Redacted Signature]

Date:

10.12.20

Please return this form along with any additional sheets to the address below:

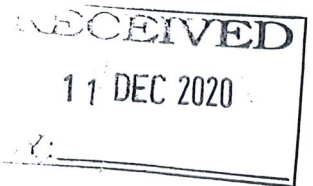
Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

This form must be returned within the statutory period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the newspaper advert.

For confirmation on this date please contact the Licensing Team on 0345 678 9026

- ① THE LIVES OF MANY OF US IN LLANFAIR WATERDINE WOULD BE MADE MISERABLE BY SOMETHING THAT NO-ONE WANTS OR NEEDS. THE EVEREST HALL AMPLY SATISFIES THE SOCIAL DEMANDS OF THE AREA, WHICH IS A PEACEFUL RURAL ONE.
- ② THE PAVILION IS OF WOODEN CONSTRUCTION WITH NUMEROUS LARGE WINDOWS, THERE IS NO SOUND INSULATION. WE WERE TOLD THAT THE PAVILION WAS TO BE BUILT AS A SPORTS HALL FOR COMMUNITY USE. THE CLANDESTINE MANNER IN WHICH THIS APPLICATION HAS BEEN PUT FORWARD IS EXTREMELY WORRYING.
- ③ THE HOURS APPLIED FOR ARE FAR TOO DIVERSE AND GO ON TOO FAR INTO THE NIGHT. THERE IS APPARENTLY NO COMMUNITY INVOLVEMENT OR OVERSIGHT. AS THE ORIGINAL COMMITTEE HAS HAD SEVERAL RESIGNATIONS. THOSE LEFT ARE OBVIOUSLY THINKING OF THEIR OWN BUSINESS INTERESTS WITHOUT ANY CONSIDERATION FOR LOCAL WISHES. (LLOYNEY LODGES GUESTS ARE PRESUMABLY THE DESIRED AUDIENCE)

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From: [REDACTED]
Subject: Fwd: Llanfair Waterdine Community Trust ,
Date: 10 Dec 2020 at 16:07:23
To: [REDACTED]

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: 10 December 2020 at 16:01:39 GMT
[REDACTED]
Subject: Llanfair Waterdine Community Trust ,

Application Number 20/29595/LPRM
Under Licensing Act 2003

I am writing as chairman of Everest Hall Management Committee on behalf of the Trustees charity no 522543

The application is causing us grave concern regarding application for a licence to duplicate many of the functions undertaken at Everest Hall

We were not aware of the changes from a sports pavilion to an entertainment hall

With application for alcohol license

We have all the facilities at Everest Hall for parties weddings concerts films dances

Meetings for parish council church council elections etc

Also used for yoga. Keep fit. Circle dancing children play groups

If a licence is granted it will affect Everest Hall and much of our functions will be badly affected

As trustees we oppose to the licence application 10 MEMBERS

Chairman
On behalf of Everest Hall Trustees

Sent from my iPad

REPRESENTATIONS PROCEDURE NOTES

- A representation can be made against an application for a premise to carry on a licensable activity within the 28 day consultation period. Representations can also be made on premises that are making variations to an existing licence.
- Representations are made by:
 - Responsible authorities
 - Other persons
- Fill in the appropriate form and send to Licensing Team, Public Protection, Shirehall, Abbey Foregate, Shrewsbury SY2 6ND

PLEASE NOTE: The representation form must be received by the Licensing Team before the end of the consultation period or it will not be accepted.

LICENSING ACT 2003
REPRESENTATION FORM

Other Persons

Name/Company Name/Name of Body you represent	EVEREST HALL MANAGEMENT COMMITTEE TRUSTEES CHARITY NO 522543
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made
LLANFAIRWATERDINE COMMUNITY TRUST / SPORTS PAVILION
APPLICATION NUMBER 20/029595 / LPRM

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.	
THE PREVENTION OF HARM TO CHILDREN	N/A
TO PREVENT PUBLIC NUISANCE	<p>THERE MUST BE NO AMPLIFIED SYSTEM IN PLACE AND ONLY TO BE PLAYED AFTER FULL SOUND INSULATION HAS BEEN INSTALLED</p> <p>THERE MUST BE CONTROL TO THE MUSIC OF WHAT HOURS IT CAN BE PLAYED DUE TO LOCAL RESIDENTS LIVING CLOSE TO THE PAVILION</p>

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE
FOR THE YEAR 1880

THE LAND OFFICE HAS THE HONOR TO ACKNOWLEDGE THE RECEIPT OF THE REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE FOR THE YEAR 1880, AND TO THANK HIM FOR THE INFORMATION CONTAINED THEREIN.

THE LAND OFFICE HAS THE HONOR TO ACKNOWLEDGE THE RECEIPT OF THE REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE FOR THE YEAR 1880, AND TO THANK HIM FOR THE INFORMATION CONTAINED THEREIN.

1881

THE LAND OFFICE HAS THE HONOR TO ACKNOWLEDGE THE RECEIPT OF THE REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE FOR THE YEAR 1880, AND TO THANK HIM FOR THE INFORMATION CONTAINED THEREIN.

TO PREVENT CRIME & DISORDER

THIS TRUST DONT HAVE THE SKILLS TO MANAGE A WIDE RANGE OF ACTIVITIES SUCH AS ALCOHOL ABUSE.

CONTROL OF PEOPLE COMING AND GOING FOLLOWING ALCOHOL IN THEIR SYSTEM. NOISE ETC.

PUBLIC SAFETY A MAJOR CONCERN. NARROW SINGLE CARRIAGEWAY TO ALL DIRECTIONS. NO FOOTPATHS AND NO STREET LIGHTS

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

THE APPLICATION SHOULD BE REFUSED ON PRINCIPLE AS THE DAMAGE IT COULD CAUSE TO EVEREST HALL AND THE COMMUNITY ESPECIALLY THE LOCAL RESIDENTS

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Signed:

[Redacted Signature]

Date:

11 - 12 - 2020

Please return this form along with any additional sheets to the address below:

Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

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For confirmation on this date please contact the Licensing Team on 0345 678 9026

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11-12-1911

11-12-1911

LICENSING ACT 2003
REPRESENTATION FORM

Other Persons

Name/Company Name/Name of Body you represent	[REDACTED]
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made
*The Community Pavilion, Joan Adams Charity Field,
 Llanfair Waterline. LD7 1TU*

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.

THE PREVENTION OF HARM TO CHILDREN

TO PREVENT PUBLIC NUISANCE

We support the building of the Pavilion and believed it was intended for improving sports facilities (as described in the June 2018 edition of the Llanfair Times) and events such as the Annual Wakes.

The Joan Adams field with the new pavilion is quite close
could.....

TO PREVENT CRIME & DISORDER

PUBLIC SAFETY

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

We think it is reasonable to us to accept some disturbance from an occasional event such as the Wakes of the local wedding held on the site but would strongly suggest there is a restriction on the alcohol and music licensing hours and that there should be a limit to the number of events held each year and...

Generally if there is to be a hearing to determine the premises licence application, the sub-committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheets if necessary.

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Signed:

[Redacted Signature]

Date:

10/12/2020

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Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

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To Prevent Public Nuisance contd.

to us and visible from our home. The noise, primarily from people and music at previously held events, has been intrusive outside and inside our home and there is also the visual impact of external lights and car headlights shining across the field.

It concerns us that such events could occur on any day of the year if this license is granted, and that would definitely have a negative impact on our lives and others nearby in this quiet community.

There could also be the nuisance problem from increased traffic noise and more vehicles on the narrow roads.

A recent Parish Council report in the Llanfair Times (September 2020) describes the Pavilion as providing "different, non-competing facilities" to the existing Everest Hall. This License application indicates otherwise as Everest Hall is already successfully used to our knowledge for "plays, films, live music, recorded music and performance of dance".

Suggested conditions contd

and especially those which occur in the evenings and outdoors. We also think an accessible public notice of any planned events is needed.

We understand that the Pavilion is for the benefit of the Llanfair Waterdine Parish residents which Lloyney residents are welcomed into.

10/12/20

Re: The Community Pavilion, Llanfair Waterdine LD7 1TU

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**LICENSING ACT 2003
REPRESENTATION FORM**

Other Persons

Name/Company Name/ Name of Body you represent	[REDACTED]
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made THE COMMUNITY PAVILION, LLANFAIR WATERDINE, SHROPSHIRE
--

<p>Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.</p> <p>THE PREVENTION OF HARM TO CHILDREN</p> <p align="center">/</p> <p>TO PREVENT PUBLIC NUISANCE Why does a small rural village need another licensed premises when there is already a long-established licensed premises - Everest Hall, nearby?</p> <p>Llanfair Waterdine Community Trust reported in 2018 that this would be a community sports facility - now it wants to host plays, films, dancing and live and recorded music. This seems disproportionate - or is the pavilion about to become a pub in all but name?</p>
--

↓
* CONTINUED ON SEPARATE
SHEET ENCLOSED.

DECLASSIFICATION
SCHEDULE

100-100000-1000

DECLASSIFIED
DATE 10/1/94
BY SP-10

DECLASSIFIED
DATE 10/1/94
BY SP-10

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DATE 10/1/94
BY SP-10

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10/1/94 BY SP-10
EXCEPT WHERE SHOWN OTHERWISE
DECLASSIFIED
DATE 10/1/94 BY SP-10

TO PREVENT CRIME & DISORDER

Being a building on its own, with no resident Landlord, the pavilion could be a target for burglars wishing to steal alcohol or goods stored there.

PUBLIC SAFETY

The pavilion is sited off a narrow, mostly single-track, lane with several bends. Coupled with farm traffic and usual residents' traffic and deliveries, any extra traffic generated by an increase in events at this venue could be detrimental to residents/the environment and road safety.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

It is understood that the pavilion has no specialist sound-proofing. This would need to be installed to prevent noise nuisance.

The hours requested for the licence are too broad and ~~should~~ should not extend beyond 11pm.

Generally if there is to be a hearing to determine the premises licence application, the sub-committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheets if necessary.

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Signed:

[Redacted Signature]

Date:

11/12/20

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Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

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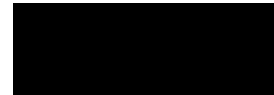
CONTINUED:

TO PREVENT PUBLIC NUISANCE.

NOISE: The Community Field has been used for many years to host the village's annual Llangfair Wakes. This is a lively event where noise is well managed.

However, more recently the field has been used for ad hoc events which have generated a severe noise nuisance, seemingly without anyone in control.

If such a 'carte blanche' licence as applied for is granted, it's perfectly possible that totally separate events could be held simultaneously at Everest Hall and the Pavilion which - noise-wise and traffic-wise - ^{would} ~~be~~ be intolerable to near residents.



1st Class

Signed for

Delivered By



Royal Mail

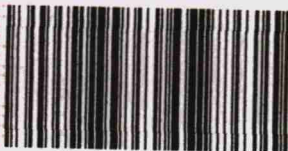
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Letter

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KB 0843 4739 2GB

Licensing Team, Public Protection
Shropshire Council,
Shirehall
Abbey Foregate
Shrewsbury
Shropshire
SY2 6ND

Postage Cost

£2.06

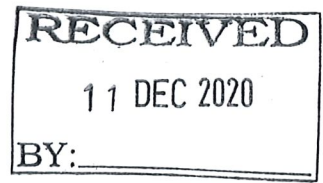
Post by the end of

21.12.2020

Paid and printed from

Click & Drop

16 DEC 2020



December 11th 2020

Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Dear Sirs

Your Ref No: 20/02595/LPRM
Llanfair Waterdine Community Trust – Licence Application

We have lived within 100 yards of the site of the new Pavilion for all of our lives. Within the past couple of years we have experienced noise disturbance from events held on the Community Field, site of the pavilion, on several occasions since the site has been under the control of the current Trustees of the Llanfair Waterdine Community Trust.

The current licence application appears to offer an open-ended basis on which to hold whatever events the Trustees see fit.

This field was donated by a lady who lived at The Vedw, which overlooks this field. It was her intention and hope that the field be used by and for the benefit of the local community, especially for sports activities. The plan to build a pavilion for these activities was supported by the local people. We understand that the original planning application detailed this and confirmed that it was to be a non profit making venture.

What is now indicated is far from this understanding and appears to be intended as a commercial venture. This is certainly not something that the 'donor' envisaged and intended when making her very generous donation.

Our objections are against the granting of such open ended licensing hours which will inevitably give rise to late hours with much disturbance to the local community. A more sensible approach would be to use TENS as and when required, i.e. not regular, weekly events. Also the 'proposed use' of the facilities has changed considerably and

the management of such use causes us concern.

All of the above notes have been explained in great detail in the objection and report submitted by [REDACTED] a neighbour and someone who has had experience in dealing with such difficult situations.

As a community we have not been consulted by the Llanfair Waterdine Community Trust at any time since the original application.

We fully support the objections and comments specified in [REDACTED] objection and report.

Yours sincerely

[REDACTED]

**LICENSING ACT 2003
REPRESENTATION FORM**

Other Persons

YOUR REF: 20/02595/APRM

Name/Company Name/Name of Body you represent	[REDACTED]
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made LLANFAIR WATERAINE COMMUNITY TRUST JOAN ADAMS CHARITY FIELD LLANFAIR WATERAINE KNIGHTON POWYS LD7 1TG

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
THE PREVENTION OF HARM TO CHILDREN The Venture will not doubt encourage increased traffic which could be a danger to children going in and out the field etc.
TO PREVENT PUBLIC NUISANCE The open-ended application for the licensing hours will give rise to events being held, open to people, other than locals, from far and wide thus causing late night disturbances to the local people.

TO PREVENT CRIME & DISORDER

Time will tell if this may become an issue.

PUBLIC SAFETY

With so many proposed events being held, the increase in traffic, on already very narrow roads, will cause safety issues to people walking or driving, to children and movement of animals etc.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

It would seem more sensible, certainly for a trial period, to issue TENS. After such a period a review could be carried out.

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Signed:

[Redacted Signature]

Date:

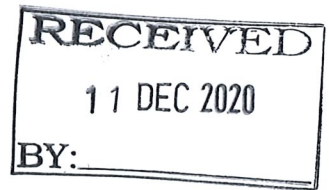
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11th December, 2020.

Dear Sirs,

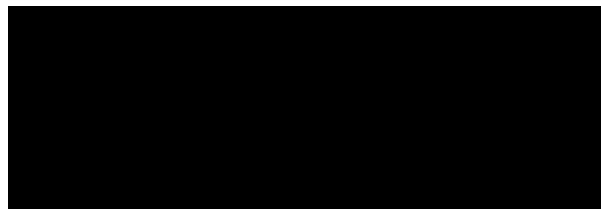
re: Licence Application Number: 20/02595/LPRM
at Llanfair Watrodine.

I wish to make the strongest objection
to this application on the following grounds:-

- (a) I entirely agree with [redacted]'s objection and endorse his representation without qualification.
- (b) I have no faith in the trustees or their ability to run the events without causing harm to the community.
- (c) There is a history of severe noise disturbance from this site.
- (d) It is clear to the whole community that this application has no connection with sporting activities which have received large sums of public money.
- (e) The application is very detrimental to the existing Evers Hall, community centre.
- (f) This is an alien use to this quiet small rural hamlet.

I ask the sub-committee PLEASE to
refuse this application.

Yours faithfully,



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LICENSING ACT 2003
REPRESENTATION FORM

Other Persons

Name/Company Name/ Name of Body you represent	[REDACTED]
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made
OBJECTION TO THE LICENCE APPLICATION REF: 20/02 ⁵⁹⁵ 187 LPREM The Hanfair Waterdine Community Trust The Community Pavilion, Hanfair Waterdine, LD7 1TU

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
THE PREVENTION OF HARM TO CHILDREN
TO PREVENT PUBLIC NUISANCE
① Please see attached typed and printed sheet.

TO PREVENT CRIME & DISORDER

Please see attached typed and printed sheet.
① & ②

PUBLIC SAFETY

Please see attached typed and printed sheet.
②

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

Please see attached typed and printed sheet.
② & ③

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Signed:

[Redacted Signature]

Date:

10/12/20

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Abbey Foregate
Shrewsbury
SY2 6ND

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Dated: 10/12/20

1

Objection to licensing application by Llanfair Waterdine Community Trust ref: 20/02595
LPREM

Public Nuisance

There is a history of extremely intrusive noise pollution coming from events in the Pavilion field that have been arranged by the Llanfair Waterdine Community Trust Trustees.

I live next door but one to the Pavilion and field (both of which are clearly visible from my garden) and, even through brand new double glazing, I have heard very loud amplified music, DJs shouting to the crowd in attendance, and shouting and screaming from the crowd itself during the evening and into the early hours.

The noise pollution distressed me greatly, caused high levels of stress, anxiety and emotional upset, as well as rendering me unable to sleep. I fear that my longer term mental and emotional well-being are under threat with the thought of other such events taking place in the future.

During the event of the weekend of 25/26 May 2019 I tried to make a complaint about the noise to [REDACTED] via telephone – his being the only Trustee name I knew and there being no other point of contact regarding the event having been communicated. I called [REDACTED] a little time after midnight to complain and also to try and find out how long the disturbance would continue. His phone rang for a long time before switching to answer machine. [REDACTED] never returned my call.

Even prior to the event starting there was noise from the field as the immense marquee was set up, along with what I can only assume was the bar tent. The noise then continued throughout Sunday 26th May as the 'clear up' ensued. Music continued to be played at volume, there was shouting and the slamming of car doors for most of the day.

I was so disturbed by this continued assault on what I had expected to be a peaceful weekend that I emailed my neighbour to express my concern and to ask him if he knew what was going on, his property being immediately adjacent to the field. I am happy to provide a copy of this email if required.

The fact that [REDACTED] did not return my call, together with the complete lack of prior consultation or communication regarding the events organised to date, despite their obvious significant impact on the residents in the village (and beyond), demonstrates that the Trustees (or the Trust, however they should be addressed) simply have no regard whatsoever for those living near the field and Pavilion and do not care at all how we have been, or will be, affected.

I am also extremely concerned about the potential impact on the value of my property as a consequence of this licensing application and the inevitable problems it will cause if granted. I am not alone in having this very grave concern, nor am I alone in that concern's detrimental impact on my health and mental well-being.

To Prevent Crime & Disorder

Any activity involving groups of people, amplified music and alcohol taking place over long hours in a Pavilion and field so close to residential housing in an otherwise quiet village is wholly inappropriate. The risk of disorderly conduct and criminal activity would be significant.

I understand that class A drugs have been a serious issue in the locality in recent times, with Organised Crime Groups and local dealers operating nearby. What controls have been put in place by the Trustees to prevent the resurgence of such activity at their events?

With only 3 toilets in the Pavilion, and with the possibility of outdoor events exceeding 50 people, there is a significant risk of those people urinating and vomiting in the field or on the roadside, particularly during evening /late night events where the alcohol consumption levels are high, like the wedding parties held in the field last year.

There is an increased risk of littering in the village, along the lane and also in the field itself.

There is an increased risk of underage drinking. Who will control this?

There is no evidence to suggest that the Trustees have any experience of, or interest in, the proper management of this (alleged) community asset. I am a member of this community and have certainly experienced nothing but the opposite of a responsible, respectful and caring approach from them.

Public Safety

Llanfair Waterdine is a linear village with only one, single track lane leading to it (and the Pavilion and field) and through it from the main road, the B4355. The majority of residences are sited along this single track lane, as is the Pavilion.

There are several blind bends leading up to the Pavilion and into the village and there are no pedestrian footpaths along the lane. Residents of the village know to take great care on the lane when driving, especially on the blind bends, and they know to be very mindful of walkers / pedestrians.

The risk of injury to both local drivers and local walkers (out with their dogs or otherwise) from increased vehicular traffic is significant.

There is an increased risk of drink driving with such extensive licensing hours.

There is a danger of an excess of vehicles overflowing onto the single track village lane from the Pavilion's limited car park, potentially blocking access to and from the B4355.

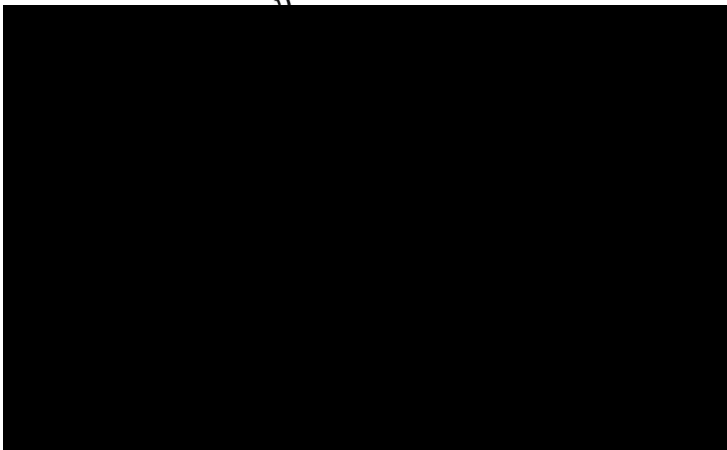
Suggested Conditions and Other Suggestions

- The residents of Llanfair Waterdine agreed to a Pavilion building for 'indoor sports activities.....with a kitchen to enable food and drinks to be prepared for sporting groups...', as described by the Llanfair Waterdine Community Trust in the Llanfair Times of June 2018. No mention of a bar, no mention of deafening late night music nor raucous wedding parties. This made sense at the time, as the village already has an extremely well managed and well known, fully licensed venue – The Everest Hall.
- This application would appear to be an assault on the Everest Hall and those that run it so successfully, as well as on the village residents themselves. Llanfair Waterdine residents, and others further afield in the Parish, do not need, nor want, a second licenced venue when one already exists and is serving the community very well and I strongly urge that the licence application in its entirety be rejected.
- What is the true intended use of the Pavilion and its field? This is very unclear. It is certainly not for sport as was originally indicated by the Trustees. The field in which the Pavilion stands is too small for adult sports (football, rugby, hockey, cricket and so forth) therefore only children's sporting activities would seem appropriate, so why the need for an alcohol licence at all, let alone one with such extensive proposed hours?
- Why has the Trust applied for a licence extension to allow for late night refreshments for both consumption on and off the premises? In my experience this allows for the serving of alcohol way beyond the 00.30 limit. Why would this be a requirement for a village community pavilion, unless the intended use is something not yet clarified? Again, I strongly urge this be rejected.

- In my experience, the Trust have the attitude toward the residents in the village whereby the onus is on us to find out what's going on at the Pavilion and in the field, rather than them communicating their plans and intentions. It feels as though they are keeping us in the dark, even to the point of posting the licence application notification in a position not immediately visible to anyone in the village, hence the extension to the closing date for objection submissions. This, together with their complete lack of regard for residents near the field to date, has led me and others to mistrust them and their intentions altogether.
- However this application proceeds, the Trustees need to vastly improve their communication skills and their attitude and approach to the residents in the village. All are currently severely lacking.
- I would expect that the licence application be made in the name of the Trustees of the Llanfair Waterdine Community Trust, but I understand that it has actually been made in the name of the wife of one of the Trustees. Is this true and if it is, why would this be the case and is it appropriate?
- Comments made by the Shropshire Council Regulatory Services on 14/09/2017 in relation to the original planning application for the Pavilion noted that ***'should the applicant wish to have a premises licence in the future they may wish to consider the noise insulating properties of the building materials, windows and doors'***. Have the Trust considered these things and if not, why not? My understanding is that they have not consulted on soundproofing at all and this is another indication of their disregard for the community they allege to be serving.
- I, along with other residents, fear the development of a wedding and/or social venue serving [REDACTED] business, rather than serving the local community.

I am totally against any form of licensing for the Pavilion and I strongly urge you to reject the application entirely.

I wholly support the very detailed objection lodged by [REDACTED]



10/12/20

LICENSING ACT 2003
REPRESENTATION FORM

Other Persons

Name/Company Name/Name of Body you represent	[REDACTED]
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made

COMUNITY PAVILION LLANFAIR WATERDINE

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.

THE PREVENTION OF HARM TO CHILDREN

TO PREVENT PUBLIC NUISANCE *Concerns over:*

Lack of consultation regarding possible anti-social hours, volume of visitors, regularity of usage, volume of traffic, noise pollution.

TO PREVENT CRIME & DISORDER

PUBLIC SAFETY

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

Generally if there is to be a hearing to determine the premises licence application, the sub-committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheets if necessary.

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal process. All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence and any other interested parties. If all parties agree, the application can be dealt with without holding a hearing.

Signed:

[Redacted Signature]

Date:

10/12/2020.

Please return this form along with any additional sheets to the address below:

Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

This form must be returned within the statutory period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the newspaper advert.

For confirmation on this date please contact the Licensing Team on 0345 678 9026

10th Dec 2020.

Re: Pavilion Llanfair Waterdine Application to sell Alcohol

We hereby raise an objection to the proposed licence application for the Llanfair Waterdine Community building, Joan Adams Community Field Llanfair Waterdine.

Objections are raised based upon the following:

- The wish for grant of licence was never outlined as part of the original proposal for the pavilion: The intended usage for the pavilion has now by implication changed.**
- The licence application appears to have been made with little or no public / local consultation or consideration.**
- The licence application fails to meet the concerns of local residents regarding possible noise implications.**
- Everest Hall 100m from the new pavilion has a licence with similar indoor facilities.**
- The grant of licence is open to mis-use and commercial gain in direct opposition to the building's intended use as a charitable / community asset.**

We hope therefore that you look favourably upon our concerns.

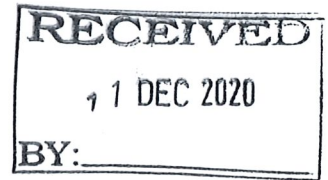
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10/12/20.

10/12/20.

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Shropshire County Council



Licensing Act 2003

Licence Application Number: 20/02595/LPRM

At

Llanfair Waterdine, December 2020

“Other Persons Representation”

By

A solid black rectangular box used to redact the signature of the person representing other persons.

(Resident of Llanfair)



To the Chair and Members of the Licensing Sub Committee at Shropshire County Council.

Licence Application Number 20/02595/LPRM
At Llanfair Waterdine.

8th. December, 2020.

You will see from the attached representation that this licence application has caused a measure of alarm and consternation in the little community of Llanfair Waterdine for the reasons and justifications given. It is claimed that the application does not have the level of transparency that is appropriate having regard to the major impact the grant of a licence may have upon the local community. There may even be uncertainty as to the true identity of the applicant, even though your officials have told us that they believe it is the Trustees of the Charity. Your committee may therefore consider in the interests of good decision making, that the grant of the licence be held in abeyance pending a thorough investigation to ascertain accurately all of the relevant facts, unless it agrees with the respondents that the licence should not be granted anyway as a matter of principle. Also from the evidence given herein there are grounds for Members to question whether the applicant trustees are properly qualified and experienced to run such a complex specialist enterprise in any event.

Another major issue for members to consider is whether there is any justification in principle for duplicating facilities that are already easily available in the heart of the community anyway, and what acceptable level of harm to the community, would justify the acceptance of such duplication. In this context Members may want to have in mind incidences of previous noise disturbance, and the nature of the applicant's response thereto, all of which are considered relevant and are detailed herein.

To conclude it will be seen that the application is framed in the widest possible terms, so allowing the applicants to expand the enterprise over the years well beyond any possible local needs without apparent limit; in effect 'shoe-horning' an intrusive and alien commercial/leisure venture into the heart of a small and somewhat vulnerable rural community. You are urged please not to withhold your much needed protection, if you feel that we have made our case on the true facts we have given to you in all sincerity.

Yours faithfully,

Licence Application Number 20/29595/LPRM

Representation by Local Resident: [REDACTED]

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LICENSING ACT 2003
REPRESENTATION FORM

APPLICATION No.:-

20/02595/LPRM

Other Persons

Name/Company Name/Name of Body you represent	[REDACTED]
Postal & email address ↓	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made

THE COMMUNITY PAVILION,
LLANFAIR WATERDINE,
KNIGHTON, LD7 1TU

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.

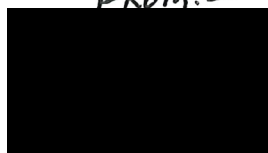
THE PREVENTION OF HARM TO CHILDREN

N/A

TO PREVENT PUBLIC NUISANCE

Please see page 3

& pages 4 & 5 for justification & background.

REPRESENTATION FORM
FROM:-

TO PREVENT CRIME & DISORDER

Please See page 3
& Pgs 4 & 5 for justification & background

PUBLIC SAFETY

Please See page 3
& Pgs 4 & 5 for justification & background

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

Please See page 6.
and pgs 4 & 5 for justification & background.

Generally if there is to be a hearing to determine the premises licence application, the sub-committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheets if necessary.

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal process. All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence and any other interested parties. If all parties agree, the application can be dealt with without holding a hearing.

Signed:

[Redacted Signature]

Date:

4th December 2020

Please return this form along with any additional sheets to the address below:

Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

This form must be returned within the statutory period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the newspaper advert.
For confirmation on this date please contact the Licensing Team on 0345 678 9026

From: -

[Redacted Name]

Representation by [REDACTED] 4th. December, 2020

To Application Number 20/29595/LPRM

At Llanfair Waterdine

To Prevent Public Nuisance.

- (a) Please see pages 4&5 for general background and justification
- (b) There is a history of intense noise pollution and bad incompetent management on this site. Amplified sound both inside and outside should not be allowed.
- (c) The proposed uses clearly appear to undermine the functions of the existing village hall and thus should not be licensed.
- (d) All approach roads are single track and cannot accommodate significant extra traffic without causing congestion. There is no street lighting nor pavements.
- (e) The application implies to intended to serving the wider area and will thus generate a frequency of events that are alien to this AONB and the Council's own policies
- (f) There is a predominance of retired people in the immediate area who would be greatly disturbed by the intensity of the use detailed in the application.

To Prevent Crime & Disorder

- (a) Late night private parties fuelled with alcohol even when strictly controlled are bound to cause a degree of disorder, especially regarding those that have no connection with the community. Large numbers of high spirited people are exceptionally difficult to control, even with the help of the police: there isn't even a police station in Knighton, so significant delay would be inevitable, even in an emergencies.
- (b) The Trustees have no known management team in place that is skilled, experienced and professionally qualified in event management, thus public disorder in this remote hamlet with the intensity of use indicated is virtually inevitable.

Public safety

- (a) Congestion of approach roads which is likely to happen frequently, and could cause fatal delays for the emergency services ie fire and ambulance.
- (b) Very narrow single file unlit roads with no pavements pose a real challenge to sober drivers not conversant with the area, thus there is a major public safety issue for pedestrians and dog walkers in the village emanating from large numbers of strangers driving cars throughout the day and night, seven days a week.

**Llanfair Waterdine Community Trust's Application Number 20/02595/LPRM
Under
Licensing Act 2003**

Representation by [REDACTED] Dated 4th. December, 2020.

This part of the representation details the supporting evidence and justification to [REDACTED] objection to this application. He is resident at nearby at [REDACTED]

[A] Background

1. Llanfair Waterdine is a hamlet of some twenty residential dwellings the parish of the same name that contains a population of about 170 persons, within an area designated as being of Outstanding Natural Beauty. It is approached from every direction by single track roads; there are two public buildings being St. Mary's Church and the much cherished Everest (Community) Hall (see Photo annex 6) named after local resident the late Sir John (later Lord) Hunt's Everest expedition. The Everest Hall is central to a thriving community life providing meeting rooms, bar, extensive kitchens and large assembly hall with stage and cinema /projector which can accommodate an audience of approximately a hundred and fifty, with ample lavatories. It has been run efficiently for over fifty years by a committee of dedicated local residents, without raising any complaint. It provides a wide variety of events and activities including all those indicated in the licence application and many more besides. Thus the Everest Hall is a major component in the identity of Llanfair and its community. Wider facilities, though rarely needed are available in Knighton, which is just some six minutes' drive away. The narrowness of the local access roads to Llanfair is illustrated in the attached photographs (annex 1a, 1b 1c) The two local public houses, one each in both Llanfair and Lloyney were recently closed, as have so many across the country: there was simply no call for them.

2. The Pavilion is newly built of a timber frame with timber cladding, having three large 'French windows' facing the valley and Lloyney village and three roof lights facing Fedw Farm; there is no air conditioning so the only form of ventilation is by opening the doors and windows. There was no professional acoustic input at the design stage and thus there is no internal sound insulation to the nearby residential dwellings. The building is situated in the Charity Field and is surrounded by eight dwellings being Fair Field, Thistle Down, Buckland, Fedw Farm, Coach House, Nantiago, Teme Cottage, and the Holiday Caravan, all as shown on the attached sketch plan marked annex number 3. The Trustees of the Charity owner made it abundantly in 2018 that the building was intended as a sports pavilion for the immediate local community, and would thus contain "...changing rooms, washing and shower facilities, and toilets....." (see annex 4). From the plan attached to the application it will be seen that as built there is but one shower, two lavatories (plus one outside) and no changing rooms. Many members of the community were involved with its construction which broadly speaking was perceived as the creation of a community asset for local sports, as per the. the Llanfair Times article dated June 2020 in annex 4 above.

3. Historic Noise Pollution. On three occasions of late, the peace and quiet of this rural hamlet and wider area was shattered by amplified music, screaming and shouting generated at uncontrolled events that the Trustees had allowed to take place on the Charity Field without any form of 'Terms and Conditions' (some have been drawn up subsequently but in my view they were not fit for purpose), regulation or payment. The noise was so loud as to be heard half a mile away at LLOYNEY village, continuing into the early hours of the morning. At [REDACTED] it penetrated every room: there was no getting away from it and thus it brought normal family life to a stand-still. Indeed it was so loud as to penetrate modern double glazing at the [REDACTED]. Were this to be repeated regularly it would be bound to have a detrimental effect on residents health and harm property values in the entire village. It has been very distressing for many community members, especially those living closest to the Charity Field.

4. Trustees Response to Complaints. Letters of complaint were sent to all the Trustees in post at the time, detailing the harm the excessive noise had caused to community members, by them allowing uncontrolled and unregulated events to take place on the Charity Field. Whilst they have admitted to their mismanagement, it was also evident that they failed to appreciate or understand their own duties and obligations to the wider community by not preventing the sort of disturbance we had suffered (see annex 5,6,7,8). However the Trustees did offer to attend a meeting which took place in my home on 5th July, 2019; the attendance note of that meeting is in annex 10 attached. It will be seen that their response to all the harm they had caused was, in my opinion one of perplexing indifference verging on contempt. Others in the community feel they were treated similarly. This was hugely disappointing and unexpected, as every effort had been made to settle the matter to mutual satisfaction.

5. Trust's Management Structure. The Trustees are currently but three in number (likely to be reduced to just two by the end of this month of December, 2020); they have advertised for others for some time but no new appointments have been made. As another member of the community [REDACTED] has indicated in his letter of objection dated 3rd December, 2020 the Trustees are believed to have no management team in place let alone one that is experienced in running ventures and events of the nature of those detailed in the licence application. Sadly the Trustees have a history of allowing events to take place with no effective supervision which has thus caused real harm to the community. Indeed the last such event turned out to be not entirely dissimilar to a 'Rave', which is wholly incompatible with the character of the hamlet and the wider AONB location.

6. Accountability The Trustees keep the minutes of their meetings secret (personal details of confidential benefactions could easily be redacted) in breach of the policies of openness and transparency of the Charity Commission, thus holding the Trust to account on any matter is virtually impossible. As a consequence we have no idea as to the reasons for the Trust's dramatic one hundred and eighty degree change of policy away from a sports pavilion to an entertainment venue that may well subvert the functioning of the Everest Hall by duplication of its events. This was never stated publicly as an objective by the Trust, and is inimical to the best interests of the community as a whole. One cannot therefore help posing the question as to the Trustees real intentions: what are they? Is it to create a regional wedding venue, or provide an added facility to a local chalet business owned by one of the trustees? I make no accusations at this stage, but merely pose the questions that many in the community have also raised. It is noteworthy that the application does not even mention sports facilities at all in any way.

Suggested Conditions.

Many members of the community feel very let down by the Trustees who promoted a sports pavilion, sought considerable assistance from members of the local community to build it, and gave constant assurances that the pavilion was exclusively for local community sports use. Yet even before the building is fully finished they now seek, without any explanation or justification a licence that may well be effectively for a wedding and leisure venue with an intensity of use that bears no relation to local demand, and which anyway is fully met by the existing Everest Hall. I fear that they have therefore destroyed the trust of the community as to what are their real intentions: certainly there is no demand for these activities in the local community in addition to those already provided at the Everest Hall. Inevitably therefore the local community is bound to ask for whom are these facilities intended ultimately to benefit: certainly not the residents of Llanfair Waterdine, but what about a local chalet business? Has there been a conflict of interest?

I am thus convinced that this application is entirely without merit and should be refused by the Council: this is an alien pattern of intensive use for a small hamlet deep into an unspoilt rural area. Nevertheless I recognise that the council has a heavy responsibility of taking the decision which will affect our lives so profoundly for years to come. I list therefore the conditions that they might like to consider as being appropriate to protect our community from adversity, if they take a decision against our wishes and best interests. They are as follows:-

- 1 That the licence be of strictly limited duration in the first instance, say for six months, subject review in the light of performance. But no licence should be longer than for twelve months, and always to be non-assignable
2. That all events must be concluded by 10-00pm, and the building cleared by 10-30pm.
- 3 That there should be no more than three weddings a year, and three events a fortnight in the pavilion.
- 4 That all events must be sponsored by a local resident of the Llanfair Waterdine, who shall take responsibility to ensure that appropriate terms and conditions are signed.
- 5 That the Trustees set up a management team with well established, proven long established skills in event management.
- 6 That the Trustees to appoint a qualified solicitor to draw up appropriate 'Terms &
- 7 Conditions' for all events. Such document to be submitted for approval by the Council before any event is held in the pavilion
- 8 That there should NEVER be amplified sound outside the building, and only inside after appropriate sound proofing has been installed to the Council's satisfaction.
- 9 That alcohol should not be served later than 8-00pm or more frequently than four times in a calendar month.
- 10 At least one Trustee must be in attendance at the pavilion whenever alcohol is served.
- 11 All trustees must give personal guarantees for the proper compliance with the Council's licence terms and conditions of use and events.

This representation to the Council is signed by all three residents at [REDACTED] on 110th. December, 2020.

Amex

1A

Amex

Annex 1a Showing narrow Teme Bridge access from B4355 road.

Amex

1A

1B

Annex 1B



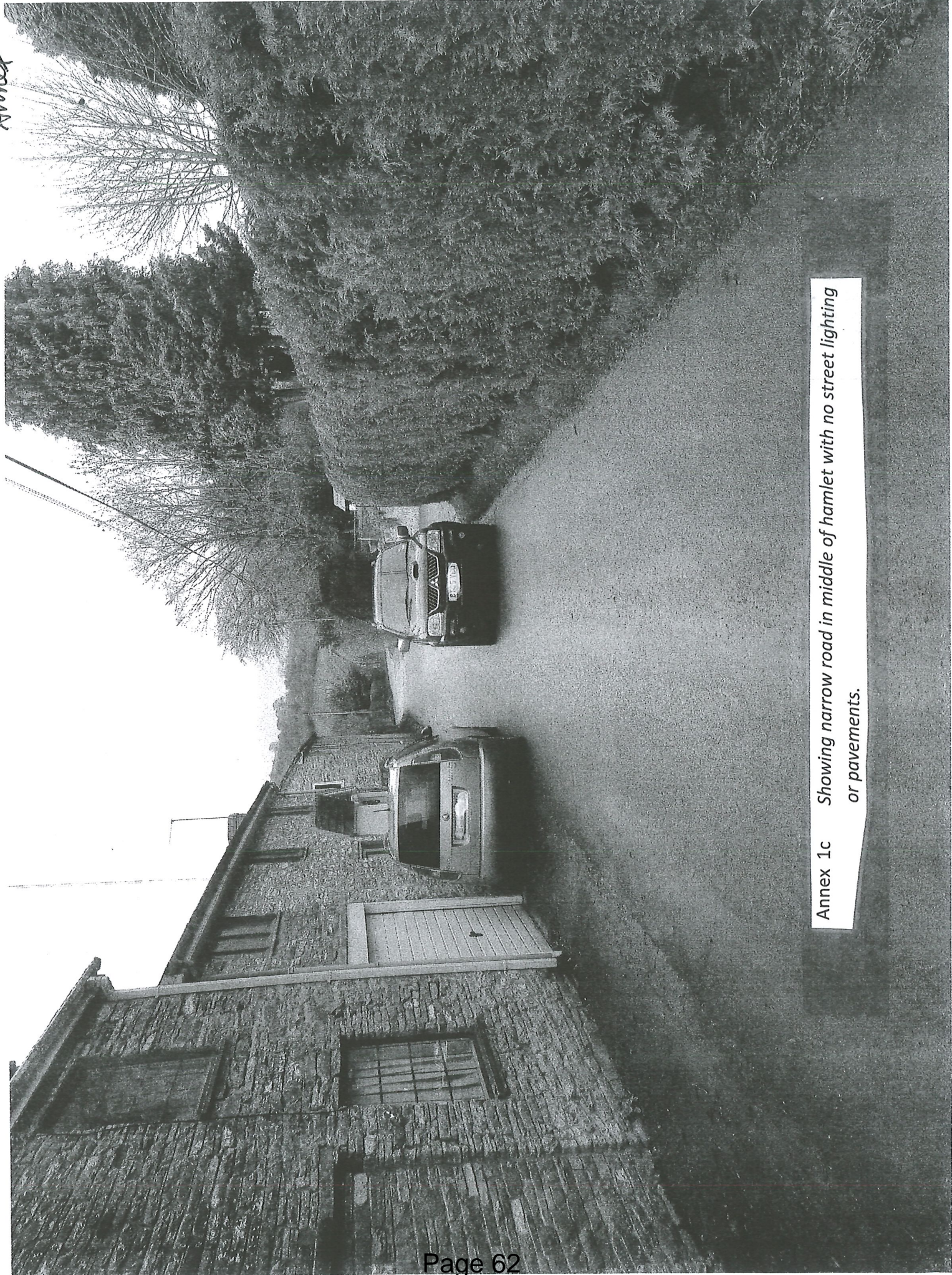
Annex 1b Showing one of a number of single file 'hairpin' bends on access to Llanfair.

1B

Annex

Annex

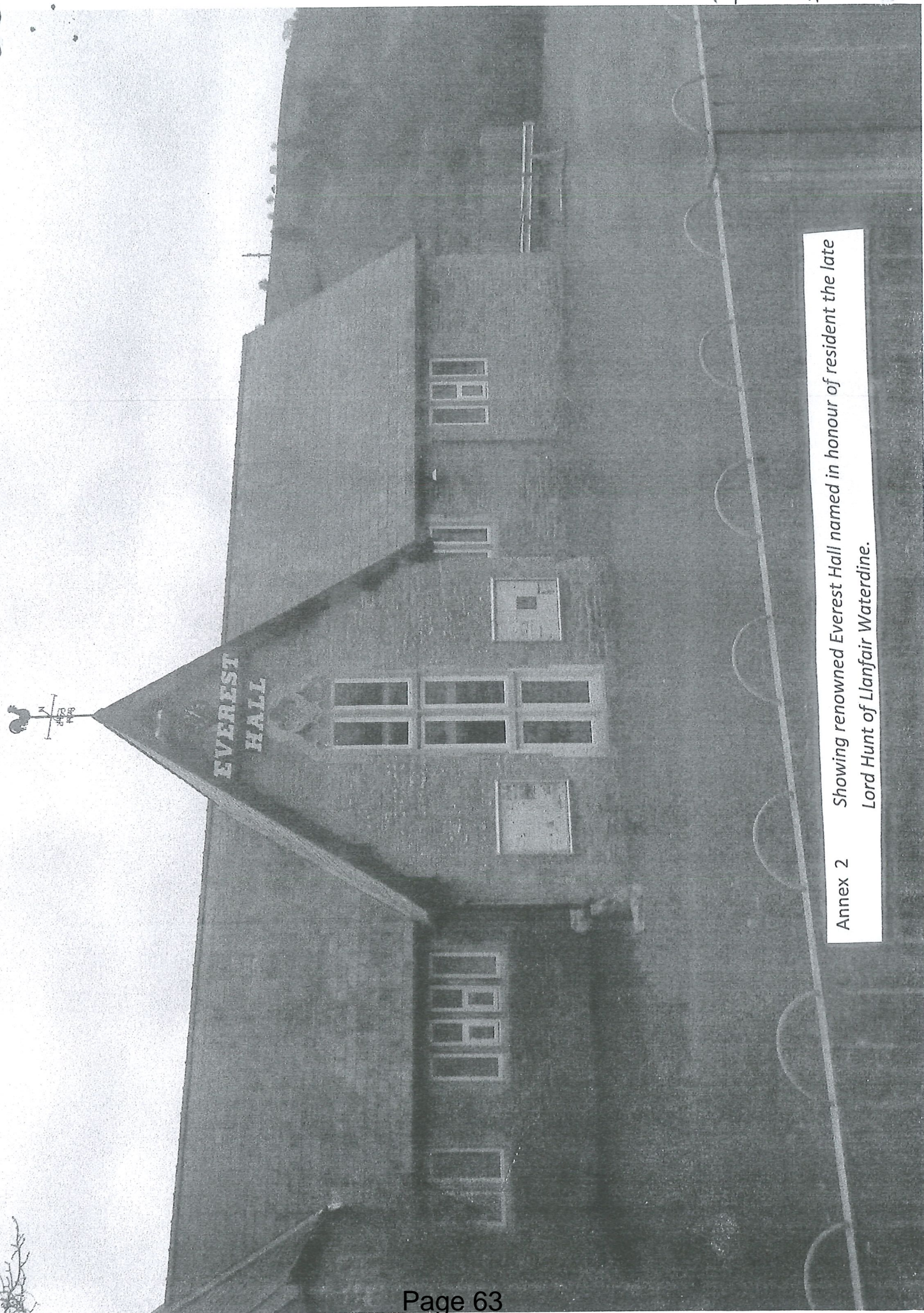
Annex 1c



Annex 1c Showing narrow road in middle of hamlet with no street lighting or pavements.

Annex 2

Annex 2



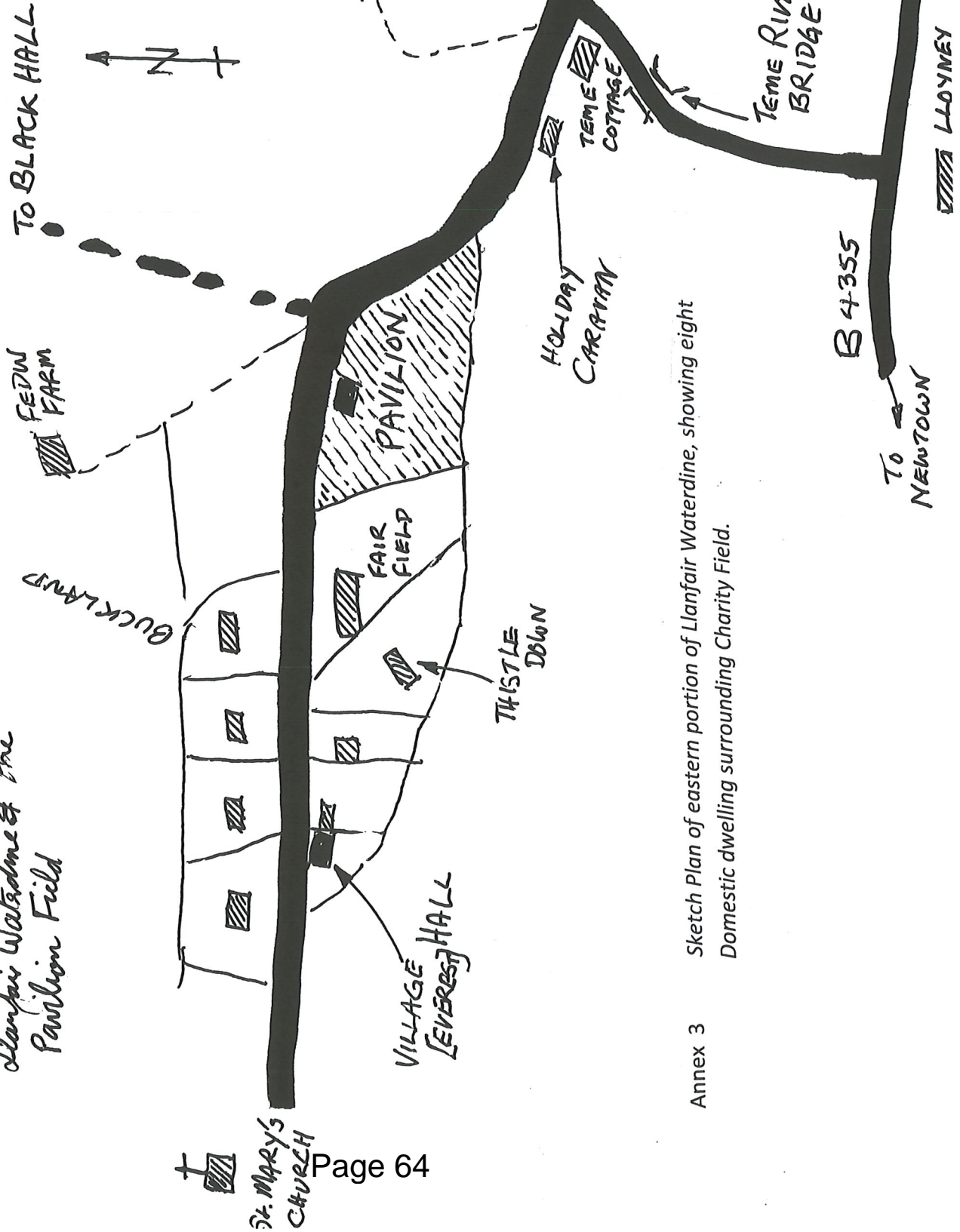
Annex 2 Showing renowned Everest Hall named in honour of resident the late Lord Hunt of Llanfair Waterdine.

SKETCH PLAN
NOT TO SCALE

Science Application No. 20/02.595/LPRM

Plan showing Eastern Portion of
Llanfair Waterline & the
Pavilion Field

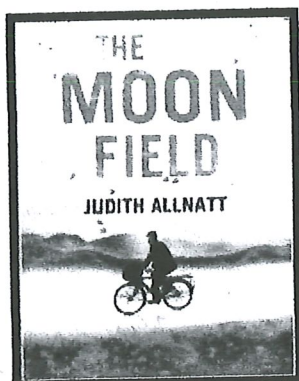
3.



Annex 3 Sketch Plan of eastern portion of Llanfair Waterline, showing eight Domestic dwelling surrounding Charity Field.

4 experiences, told simply in sequence, referencing the 'pals', the trenches, injury and the emotional journey through it all.

The story does not have the depth of Pat Barker's books of the period, but it is well researched, competently written and very

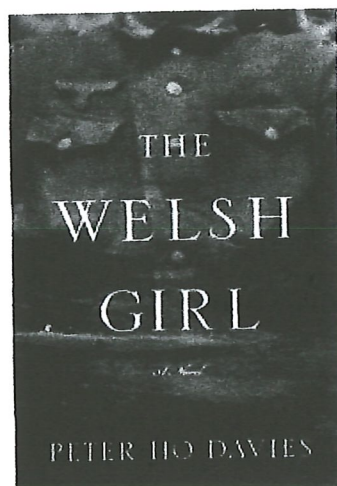


readable. We imagine this would be a book to give to a late teenager asking about the First World War, and it should provoke many questions. We thought this book was worth reading because it did provoke discussion among us, about that war, and others. Star rating ****

Our April book was **The Welsh Girl** by Peter Ho Davies, which was set during WWII. The central character of the book is the daughter of a widowed sheep farmer, and the war influences all the other characters as a POW camp is built near to the farm: an engineer building the camp, an evacuee child, the village schoolteacher and her son, and eventually a German POW, and a British Army Interrogator. All of these characters have made one small mistake which has impacted disproportionately on their lives.

The story deals with the meaning of the Welsh word 'cynefin' (which when applied to Cumbrian sheep translates as 'hefted', the sense of belonging to a piece of land passed down from mother to daughter). This book is a story about people who have lost their way because of the war and their certainty about where they belong. It provoked a great deal of discussion between us.

Star rating ***



4 For our May meeting we are going to Llanfair library to hear an author, Jo Jackson, speak about her book **Too Loud a Silence**, set in present-day Egypt. We will report on that, and our present book, **The Eyre Affair** by Jasper Fforde in the next edition of the Llanfair Times.

Helen Henchoz

Llanfair Waterdine Community Trust

You are all aware that, following the findings of the Community Led Plan, the decision was taken to build a pavilion on the Joan Adams Community Field. When the pavilion was designed it was felt that three important criteria had to be achieved:

PROVIDE THE NEED: We needed to provide a warm, dry building with changing rooms, washing and shower facilities and toilets which would include a wheelchair access toilet. We also need to provide a large room for indoor sports activities, and, of course, a kitchen to enable food and drinks to be prepared for the sporting groups using the Pavilion. It was also decided to add something that has been sadly missing from this Community: an outdoor toilet which will be permanently open to visitors to our community.

AESTHETIC DESIGN: The Pavilion must fit in with our surroundings and therefore will not be built of breeze blocks or brick, but will be a wooden construction, inside and out. 50 tonnes of topsoil have been retained and will be used for soft landscaping and the creation of flower beds.

ENVIRONMENTALLY FRIENDLY: It is vital that our carbon footprint is as light as possible, and the fact that this is a new build will enable us to have the highest specifications for insulation. The lighting will be LED. Basic heating will be underfloor heating provided by a ground source heat pump, which will be topped up with four wall-mounted radiators, heated by electricity. These will be, of course, controlled by timers and thermostats which could be

Annex 4



To The Trustees, The Llanfair Waterdine Community Trust
From [REDACTED]

29th. May, 2019.

Gentlemen,

Regarding: The 'Community Field'

I have before me your letter of 21st May, 2019, and I am grateful to you for the time and trouble taken to consider the matter of the intrusive noise you have allowed on more than one occasion (apparently with more to come)to emanate from this field, as initially mentioned in my letter to you of 16th May. Following last Saturday's event I shall respond as follows:-

- (1) Whilst of course the Trust has liberty to undertake various functions (some of which you mention, but I have not seen your Trust Deed), there is no obligation for the Trust to undertake them, and certainly not in a manner that could harm the local community.
- (2) There is an implied obligation for this and all trusts not to undertake actions that are inimical to the best interests of the local community. Indeed the Charity Commission's guidance notes lay much emphasis on Trustees need to conduct the affairs of their charities by exercising good judgement in order to achieve efficient, judicious, and fair administration according the highest reasonable standards of the time, which are in the overall interests of the whole community within which they serve to their best ability.
- (3) The use of past performance (ie. historic lack of complaints) under wholly different circumstances as a yardstick for assessing current and future measurement of acceptable conduct is inappropriate in my view and irrelevant too. Indeed quite to the contrary there is a duty for all charities to anticipate problems well in advance, so far as is possible, in order to formulate adequate solutions for the benefit of all concerned. Preventing problems from arising is the challenge that all trusts need to address.
- (4) It is a relief to note that the Trustees accept the need to avoid further harm to the community in future, by not allowing intrusive noise to emanate from the Community Field. I feel sure that this happened unwittingly anyway, but I would expect therefore that they will now wish to take whatever action is needed to make good permanently their acknowledged neglect of this matter in the past.
- (5) Inevitably and quite predictably last Saturday's wedding which you allowed in the Community Field, created a chaotic situation for us here: what appeared as a circus tent was erected in the Field with loud speakers directed towards the village residents; some guests came from far and wide as well as those bussed up from Knighton; the bar facility within the tent very possibly contributed to the shouting and screaming we experienced, as well as the thumping music which went on until the early hours of the morning. We suffered badly enough here at [REDACTED] so it must have been horrific for those many houses nearer to the site than us: the noise travelling as far as [REDACTED]

- (6) It was clearly a mistake for the Trustees to have abrogated responsibility for the event by not even attempting to impose written terms and conditions which might have sought to regulate proceedings; thus in effect it appeared to me to have been a simple 'free for all'. I feel that it was also a mistake not to have anticipated this: what we see as antisocial behaviour, is these days part and parcel of what can often be expected from weddings: just high spirits to some. Even with the most tightly drawn up regulations such events are by their very nature almost impossible to control effectively either by trustees themselves or by someone else, which is why as a matter of principle weddings are so unsuited to locations of this kind, whether they be in the open air (as in this instance), or enclosed. Fully noise insulated buildings with air conditioning purposely designed for weddings are of course another matter, which I believe does not apply here.
- (7) I cannot accept that limiting the use of the Community Field (as a wedding venue) to local residents will of itself make any difference at all to noise levels: an 'infernal racket' is an 'infernal racket' whoever causes it. Also as Trustees imply, it is virtually impossible to predict the frequency of such weddings in advance even when trying to limit them to those with a close affinity to the area. Indeed defining such affinity fairly and then trying to enforce it would probably be virtually impossible, as well as inevitably giving rise to argument and sorrow at times. This would be inimical to the proper administration of a trust, and thus needs to be avoided in my view.
- (8) I note that none of the Trustees live close by the Field, so only in order to illustrate the point, I would ask them if they would consider tolerating a loud speaker van outside their homes on occasion, playing music at the same decibel level we had to experience, for many hours at a time on a Saturday night? I suspect not much. Indeed, were this to happen at [REDACTED] it would be astonishing if bookings were not decimated as a result and possibly claims for compensation made, much to the justifiable anguish of the owner.
- (9) You refer to 'the rights of the beneficiaries' but with respect there are none: neither legal nor moral, are any created by a trust deed, and it would be invidious for all concerned if they were. Just think of the position of any trust being obliged to comply with some amorphous 'rights', supposedly given to 'the public' by a donor. No, there are no 'rights' as such, merely privileges given at the discretion of the Trustees as regulated by the Charity Commission, for the benefit of communities as a whole. So you cannot possibly justify hurting one section of the community by claiming to observe 'rights' (that actually do not exist) for the benefit of another section of the community. Solomonic judgements such as this are rightly to be avoided by all trusts!
- (10) The Trustees seem not to have appreciated fully the likely consequences of their adverse management of this trust in these matters upon the local community: doubtless there are nearby residents who are not in the best of health, where the stress of dealing with this particular issue can be truly harmful. Furthermore were these disturbances to become a regular feature of life here, then they would have to be disclosed in the 'enquiries before contract' with house sales. This could be very disruptive and probably have significant financial consequences for house owners as well perhaps also for the Trustees personally. This I submit is an issue the Trustees must avoid, 'at all costs'.

Ames

7. 7

(11) This whole subject therefore has profound implications for the future management of the Field as a community resource owned by a charitable trust. The world is changing faster than ever, where a sense of personal responsibility for one's own actions is becoming more and more tenuous for some. Just think of this lovely rural area, supposed one of peace and quiet, yet only in the last twelve months there has been in the immediate locality one murder, the discovery of a drugs factory, and a violent burglary against vulnerable pensioners. Sadly this rapidly changing world now has to be taken into account by the Trustees in the future management of the Field, and the projected pavilion, where protecting the locality from outside adversity will have to be considered carefully.

(12) Conversely all this could be an exciting challenge for Trustees to formulate and be to put into practice by procedures, powers, standards, and regulations that will enable all residents to benefit from the Field should they wish to do so, and not just a select few who may want inappropriate facilities at the expense of others. For example have the Trustees employed qualified acoustician in respect of the new pavilion; are they aware of how it will perform when completed etc., etc? I ask this because in hot weather, without air conditioning, windows and doors will inevitable be opened, thus negating sound proofing if there is no air conditioning. These are clearly just some of the many issues where the Trustees will need to be seen to be managing in a manner that is 'fit for purpose'.

(13) Then there is the overall wider reputation of both Trust and individual Trustees to be borne in mind. Inevitable this will suffer if all necessary routine steps are not taken so that the whole community can be sure of being able to benefit from wise judgement at all times, perhaps allied to enlightened self-interest being exercised 'without fear or favour'. I would therefore suggest this may be the ultimate challenge which, with good will all round can surely, with hard work and commitment be achieved in the long term.

For the avoidance of doubt I would like to record that I am wholly in favour of the wider objectives of the trust, especially with regard to young people and sport, which I regard as being more important than ever in this day and age. This is why I have written at such length, and also in the hope that my opinions may be of assistance to the Trustees: I have been involved with charitable trusts for nigh on fifty years, as Chairman, Vice chairman and Trustee of both national and local Charities, so I have some idea as to issues, problems and joys that you face. Thus I hope in addition, that I have made it clear as to 'where I am coming from' in wishing the Trust every success in serving the community in the long term in accordance with the Trust deeds. I will therefore be very glad to meet with two Trustees as suggested, as soon as is mutually convenient.

In all sincerity, I remain

This letter addressed and sent to the Trustees:

7. Without any prompting ■ claimed the apparent incidence within some local families of long standing, of intolerance/resentfulness towards the presence of new arrivals to the community. He personally did not hold such opinions, he said. (NB The writer, ■ is unaware as to why this matter was raised nor indeed its relevance to the case in point).
8. ■ suggested that the level of noise pollution emanating from the Community Field was by comparison no greater than that generated by routine garden maintenance. This was rejected by ■ as a comparison which he thought verged on the bizarre.
9. Four times ■ suggested to ■ that he should seriously consider joining the Trust as a Trustee, and even that ■ should take the Chair. However at the point of the Trustees departure from the meeting at ■ ■ admitted that his suggestions had not been made in all sincerity, but more as a 'trap for the unwary' so to speak.

The meeting started at 8-00pm and closed at 10-30pm. The above record has been taken from ■'s hand written notes drawn up immediately after the Trustees departed: they are intended as an honest, accurate, and substantive record of what took place but not a verbatim record with recording devices.

I consider that the above points speak for themselves, and thus no further comment from me is warranted.

As ever I remain in all sincerity.

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LICENSING ACT 2003
REPRESENTATION FORM

Shropshire Licensing Other Persons *Ref No. 20/02595/LPRM*

Name/Company Name/Name of Body you represent	[REDACTED]
Postal & email address	[REDACTED]
Telephone number	[REDACTED]

Name & Address of premises for which the representation is being made

[REDACTED] *KEG CHARITY FIELD PAVILLION*
LANVAIR WATERDUNE

Your representation must relate to one of the following four Licensing Objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.

THE PREVENTION OF HARM TO CHILDREN

INCREASED TRAFFIC IN NARROW LANE

TO PREVENT PUBLIC NUISANCE

*NOISE AND INCREASED TRAFFIC
(no consultation has taken place over this
application although the field is in trust
for the whole village!)*

TO PREVENT CRIME & DISORDER

WHO WOULD POLICE THE ACTIVITIES?
WOULD THERE BE LIMITS TO NUMBERS OF
PEOPLE ALLOWED.

PUBLIC SAFETY

CORONA VIRUS WITH ADDITIONAL PEOPLE
COMING INTO THE AREA.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary - refer to checklist.

- ① Limit the licence to once a month
- ② Ensure that no cars parked in the lane
- ③ Ensure that all the villagers may attend events and that the Pavillion remains free to enter.

Generally if there is to be a hearing to determine the premises licence application, the sub-committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheets if necessary.

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal process. All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence and any other interested parties. If all parties agree, the application can be dealt with without holding a hearing.

Signed:

[Redacted Signature]

Date:

14/12/20

Please return this form along with any additional sheets to the address below:

Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

This form must be returned within the statutory period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the newspaper advert.
For confirmation on this date please contact the Licensing Team on 0345 678 9026

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Jan 6th 2021

Ref 20/02595/LPRM

Dear Shropshire Council Licencing Team, and Respondents

Llanfair Waterdine Community Trust has been giving careful consideration to all the representations received by the Licencing team in relation to our recent Application 20/02595/LPRM

There is clearly a fair degree of anxiety and concern caused among a small group of residents which is sadly due in part to a lack of information from the Trust, and also in part the misinformation which appears to have also been circulating. The Trust would like to start by clarifying some basic facts which we hope will go some way to allay some of the concerns expressed in the individual representations.

1. The Premises licence Application was originally filed in with the name of [REDACTED] because she had been asked by the Trust to form a management committee for the building, and she initially thought that there had to be a specific named person on the application who would themselves take overall responsibility for the licence. This was changed to the Community Trust itself, on the advice of the Licencing Officer Ross O, Neil. The name [REDACTED] now appears in his current capacity as a Trustee of Llanfair Waterdine Community Trust. The Trust does not have an independent operating address so has always used various Trustees addresses for varying correspondence. It is a fact that the Community Trust itself will always hold and be responsible for the Premises Licence, and for adhering to its conditions. Four of the possible five Trustees of this trust are appointed for four-year terms by the Parish Council.
2. Public Engagement has been exceedingly difficult for Trustees and members of the community due to concerns over Covid. However, Trustees are well known local individuals, and have often been working on site as volunteers, they all have officially known contact details. There was never any wish to be in any way secretive about the application. The Application matter was reported to the Parish Council meeting on November 19th and they decided to give support. The draft minutes of this meeting were published on the Council website and the Council notice boards in a timely manner. Public Application notices were initially displayed on the Pavilion itself, and as soon as this was found to be insufficient, notices were displayed on the entrance to the field with the ability to be viewed from both directions. The application was advertised in the Shropshire Star as is a legal requirement. Furthermore, an article in this Decembers Edition of Llanfair Times says "The Community Trust has applied for a Premises Licence, which involved a lot of form filling and several calls to Shropshire Council to help answer complicated questions. I am pleased to say we are advertising the application, which we hope will be supported and granted in due course. "
3. The extent of the hours and the range of uses applied for, was applied for on the advice of the Licencing Authority. Our own input was to acknowledge that at this stage with a new building we Trustees cannot with any certainty ascertain what will be needed and when. We are sure this was the same situation as the Everest Hall Management Committee found themselves in when they applied for a licence for every day of the week all year from the hours of 8am through to 01.00 am.
4. In regard to the most widespread concern, it may be that some respondents are not yet aware of a change to the Application made by the Trust, following a site visit from the

Environmental Protection Officer. It is now accepted that music must be inside the building after 9.30 pm and that all windows and doors must remain shut from this time, except for the egress and ingress of people. The Trust has already agreed to this condition and the Licence application is now supported by [REDACTED] following a site visit.

5. A few respondents are concerned that the venue may become some sort of commercial venture, for the financial benefit of [REDACTED] or [REDACTED]. The Trust confirms that this is certainly never going to happen in any way at all. [REDACTED] are very distressed by this assumption by some respondents, following considerable efforts given selflessly by themselves and their family towards the project for the benefit of the local community.
6. It appears that there is a misunderstanding about a change in direction of the Community Trust in relation to the buildings use. The Trust would like to make it clear that the building was designed to be largely a blank canvass, so that over time the Hub could evolve according to the way that the community wanted to use the building. Sports is mentioned by some respondents, and it is highly likely that the venue will lend itself to these types of activities particularly given that we are extremely fortunate to have the level playing field adjacent to the development. Some misunderstanding may have come about because the Community Trust originally applied to the Sports lottery for funding but unfortunately was unsuccessful. [REDACTED] from Shropshire Council who has had a close association with the project having been involved with the Community Led Plan, was able to advise the Trust that we may have a chance with Leader funding which we were ultimately successful with. This funding requires much more general benefit from the building, which is now being perused in line with these objectives.
7. It has come to the Trusts attention both from concerned residents, and the sharing of [REDACTED] letter outlining his account of a meeting he had with two Trustees. This account has never been accepted by the Community Trust as being a true representation of the discussion that took place that evening. In fact, it was so far wide of the mark that no response was offered from the Community Trust to [REDACTED] correspondence at the time, nor has any been offered at any time since.
8. Llanfair Waterdine Community Trust would like to reiterate that it's a Charity, and that the Pavilion is to be run as a non-profit making facility. Should any surplus income ever be accumulated it could only be used for the ongoing general benefit of the Parish of Llanfair Waterdine and it Environs (which for the avoidance of any doubt includes the whole of Lloyney).

The Trust would now like to deal with other specific concerns raised.

1. Hours The hours applied for are extensive and may look worrying to some, however as previously explained this was done on the advice given by the Licencing team. Events are likely to be varied in their days, times and hours. This application may initially appear to indicate that lots of events will be held on all days, and at all times. Trustees know and can assure you that this will never be the case, but when the facility is needed the applied licence will save extra paperwork and cost for both the Trust and the licencing authority.
2. Noise This is a matter of concern to many respondents. The Trust would like to assure all in the community that the Pavilion has not been constructed to perform as a Wedding Venue. It does not have a stage or raised area for a Band, It has no Bar and no urinals or adequate cubicle facilities. Three weddings have taken place using the

community Field over the last 20 years, all have been local, and all have been effectively outdoor events using tents or Marquees. Noise has been greater due to this set up. The Trust must comply with conditions already accepted, in that amplified music has to be inside the building after 9.30 pm and windows and doors must remain shut other than for the ingress and egress of people. This must be correctly and effectively managed by the Trust and the Trust believes that by doing this any noise pollution will be at an acceptable level for nearby residents.

Events such as late-night Dances are recognised by the Trust as being a thing of the past in our small communities, young people now tend to travel to clubs and entertainment venues in larger towns and cities for these events. The use of the Building is likely to be far lower key, for example we have an outside access toilet for use in conjunction with general parking and use of the field. We have baby changing facilities more likely to be used in conjunction with play groups, mother and toddlers and family events.

3. Duplication of events. The buildings are quite different. The Everest Hall has a stage for Bands etc, a large Kitchen for catering and far greater toilet capacity making it an altogether different venue, and a more likely place for louder later night parties, should these be required at all, the Pavilion on the other hand gives the opportunity to enhance the use of the field by families, sports groups, play groups, youth groups and anyone who may benefit from the sunny and enjoyable outside area provided by the field.
4. Lack of Skills This concern is quite understandable. It is true to say that trustees and the Trust have no previous knowledge of managing a premises Licence and the conditions that go with it, but they have studied and understood specific rules regarding underage drinking, music and the use of class A drugs. The Trust has also undertaken to form a management committee. One member, also a Parish Councillor runs an events company and has his own licence. He was appointed to the committee by the Parish Council in their November meeting. The Trust is clear that the building must work for all, it will fall back to Trustees if any problems were to occur, so it is clearly in the Trusts interest to avoid problems in the first place.
5. Increased Traffic, single track roads and lack of street lighting. These are all issues that we have to deal with when any function occurs in the Village. The Pavilion is no different to the Everest Hall, or the Church in this respect. The Trust does not feel that an event cannot occur for any of these reasons.

The Trust feels that this Licence application has proved to be most useful in that it has given everyone a fair opportunity to share their concerns and views. The Trust has worked hard since reading the responses and has learnt a lot about the logistics of carrying out its duty as licence holder responsibly. It will seek to monitor all functions and will always be prepared to listen to any ongoing concerns from residents should they have any going forward. We very much hope that respondents will now decide that a hearing is no longer required and will decide to withdraw representations in light of the new and far more detailed information provided by the Trust.

The Trustees simply want to be able to carry out their voluntary role as trustees in providing and managing a wonderful new asset for the general benefit of Llanfair Waterdine Parish and its Environs in line with its mission statement and constitution. We hope we can now count on your support and look forward to welcoming you one and all to the Pavilion as appropriate.

Yours Sincerely

Trustees [REDACTED]

[REDACTED]

[REDACTED]