



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 14 AUGUST 2015, 10.00 AM
Venue	ROOM E, CITY HALL - CITY HALL
Membership	Councillor Parry (Chair) Councillors Boyle and Murphy

1 **Declarations of Interest**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 **Application for the Review of a Premises Licence - Canton Sports** *(Pages 1 - 16)*

3 **Gaming Machine Permit Applications** *(Pages 17 - 18)*

Marie Rosenthal

Director Governance and Legal Services

Date: 29 August 2015

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk

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LICENSING SUB-COMMITTEE: 14 August 2015**Report of the Head of Regulatory Services****Application for Premises Licence - Review****Application No: CCCP/00400****Name of Premises: The City Sports Bar (formerly Canton Sports Club)****Ward: Canton****1. Application**

1.1 An application for a Premises Licence - Review, has been received in respect of the Premises Licence held by Kenneth Broad for the The City Sports Bar (formerly Canton Sports Club), 1A Leckwith Road, Canton, Cardiff CF11 8HJ.

1.2 The Licence Holder is permitted by the licence to provide the following:

(1) In respect of the following licensable activities:

1. The sale by retail of alcohol for consumption on and off the premises.

2. The provision of late night refreshment.

(2) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non standard timings:

Monday to Sunday: 10:00 to 00:00

New Year's Eve: from the end of the permitted hours on New Year's Eve to the beginning of permitted hours on the following day.

(3) The premises are permitted to provide licensable activities during the following hours:

1. The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 10:00 to 23:30

New Year's Eve: from the end of the permitted hours on New Year's Eve to the beginning of permitted hours on the following day.

2. The provision of late night refreshment:

Monday to Sunday: 23:00 to 23:30

2. Details of the Application for Review.

2.1 An application for Review has been received from South Wales Police. A copy of the application is enclosed with the report. Brief details are:

Prevention of crime and disorder

Between 18th August 2012 and 18th April 2015 there were 35 incidents of crime and disorder at the premises.

The premises licence was taken for a review before the Licensing Sub Committee on 22nd May 2015.

The committee decided that the Designated premises supervisor be removed, the licence would be suspended for 10 weeks, and the provision of regulated entertainment be removed. A number of other conditions were imposed. A copy of the Conditions can be found attached to this report.

On 2nd June 2015 during a disturbance inside the premises a customer threw a glass vessel at another customer.

On 18th June two customers started to fight each other inside the premises and spilled out into the street.

Public Safety

Fire exit obstructed on 27th March 2015

Fire exit door held closed by metal latch and external fire door completely obstructed and unable to be opened on 11th June 2015.

Fire exit door held closed by metal gate latch and obstructed on 19th June 2015.

Public Nuisance

On 22nd May 2015 Cardiff Council Noise Pollution Officers witnessed excessively loud music at a residential property emanating from the Sports Bar. The premises have been reported for summons before the Cardiff Magistrates.

3. Relevant Representations

The application for review has been advertised on the premises as required by the legislation. Any representations received will be enclosed with the report.

4. Legal Considerations.

4.1 Any decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

- a) To take no action.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) To exclude a licensable activity from the scope of the licence.
- d) Remove the Designated Premises Supervisor.
- e) Suspend the Premises Licence for a period not exceeding three months.
- f) Revoke the Premises Licence.

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. Recommendation.

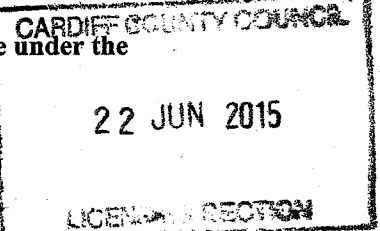
It is recommended that the application for Review be considered and determined on its merits.

Dave Holland
Regulatory & Supporting Services

24 July 2015

[Insert name and address of relevant licensing authority and its reference number (optional)]

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



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Chief Superintendent Belinda DAVIES of South Wales Police

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description City Sports Bar 1A Leckwith Road Canton	
Post town Cardiff	Post code (if known) CF24 4NJ

Name of premises licence holder or club holding club premises certificate (if known) Kenneth Broad
--

Number of premises licence or club premises certificate (if known) CCCP/00400

Part 2 - Applicant details

I am

Please tick yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick yes

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Chief Superintendent Belinda Davies Eastern Basic Command Unit Cardiff Bay Police Station James Street Cardiff CF10 5EW
Telephone number (if any)
E-mail address (optional)

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

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

Crime and Disorder

Between 17th August 2012 and 28th March 2015 there have been an unacceptable amount of incidents of crime and disorder at the premises including a drunken person falling down the stairs and dying and a severe injury caused in a knife attack.

There has been evidence of the dealing of controlled drugs and the consumption of drugs on the premises.

Public Safety

Fire exit obstructed on three occasions since the review hearing.

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

Prevention of crime and disorder

Between 18th August 2012 and 18th April 2015 there were 35 incidents of crime and disorder at the premises.

The premises licence was taken for a review before the Licensing Sub Committee on 22nd May 2015.

The committee decided that the Designated premises supervisor be removed, the licence would be suspended for 10 weeks, and the provision of regulated entertainment be removed. A number of other conditions were imposed.

On 2nd June 2015 during a disturbance inside the premises a customer threw a glass vessel at another customer.

On 18th June two customers started to fight each other inside the premises and spilled out into the street.

Public Safety

Fire exit obstructed on 27th March 2015

Fire exit door held closed by metal latch and external fire door completely obstructed and unable to be opened on 11th June 2015.

Fire exit door held closed by metal gate latch and obstructed on 19th June 2015.

Public Nuisance

On 22nd May 2015 Cardiff Council Noise Pollution Officers witnessed excessively loud music at a residential property emanating from the Sports Bar. The premises have been reported for summons before the Cardiff Magistrates.

Please tick yes

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

If yes please state the date of that application

Day Month Year

2	4	0	4	2	0	1	5
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If you have made representations before relating to the premises please state what they were and when you made them

Cardiff Licensing sub Committee, 22nd May 2015.

Please tick yes

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

IT IS AN OFFENCE, 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

Part 3 – Signatures (please read guidance note 4)

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

Signature

.....

Date **22/6/15**

.....

Capacity **Chief Superintendent**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Anthony Bowley
Police Licensing Department
Cardiff Bay Police Station
James Street
Cardiff
CF10 5EW

Post town

Cardiff

Post Code

CF10 5EW

Telephone number (if any) 02920633421

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) anthony.bowley2@south-wales.pnn.police.uk

Notes for Guidance

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

LICENSING ACT 2003

PREMISES LICENCE CONDITIONS

Premises: **The Canton Sports Club**
1A Leckwith Road, Canton, Cardiff

Licence No: **CCCP/00400**

1. The following licensable activities are permitted by the Premises Licence detailed above:
 - (1) Unless otherwise indicated the premises may be open to the public during the following hours:

Monday to Sunday: 10:00 to 00:00

New Year's Eve: from the end of the permitted hours on New Year's Eve to the beginning of permitted hours on the following day.
 - (2) The Licence is limited to the sale of alcohol for consumption on and off the premises during the hours:

Monday to Sunday: 10:00 to 23:30

New Year's Eve: from the end of the permitted hours on New Year's Eve to the beginning of permitted hours on the following day.

A period of 30 minutes is allowed at the end of each period for the consumption of alcohol on the premises.
 - (3) The provision of late night refreshment:

Monday to Sunday: 23:00 to 23:30
2. The following Conditions are attached to the Premises Licence detailed above:
 - (1) No person under 18 years allowed on the premises after 19:00 hours unless they are accompanied by an adult.
 - (2) A CCTV system shall be installed to a standard agreed by a South Wales Police Architectural Liaison Officer, covering all areas that the public has access (excluding toilets). Including all entrances and exits with coverage extending to the middle of the road. The system will be maintained and operated at all times the premises are open to the public and there will be a storage facility of images for 31 days and images will be produced at the request of the Police as soon as

reasonable practicable. There will be sufficiently trained staff to facilitate the above.

- (3) An incident book shall be kept to standard at the premises and maintained at all times. This must be made available for inspection on request to an authorised member of the relevant authority or a member of police staff. The incident book will record the following details:
 - (a) Times, dates book on/off of all SIA registered door supervisors (including badge number)
 - (b) All ejections of patrons
 - (c) All crimes reported to the venue
 - (d) Confiscated (seized) drugs and or offensive weapons
 - (e) Faults on the CCTV system
 - (f) Items placed (bagged and tagged) in the drugs or sharps box
- (4) A refusal record to be kept on the premises and completed by all staff involved in the service of alcohol and entry into the premises
- (5) No boxing or wrestling events to take place on the premises.
- (6) The premises will operate the 'Challenge 25' Policy at all times. This policy will be brought to customers' attention through the display of appropriate signage. The only form of identification recognised will be photographic identification cards, such as driving licence, passport or proof of age scheme (PASS) card. All staff will be trained in the operation of the Policy.
- (7) All bar staff and security staff will be trained by an accredited organisation and will be given refresher training every 6 months in crime prevention procedures (including drug awareness), conflict management, licensing legislation, underage sales and proxy sales. Records will be kept of this training on site.
- (8) Three SIA licensed security staff will be on duty at the premises 2 hours before matches at the Cardiff City Stadium until the terminal hour.
- (9) On Fridays and Saturdays three SIA licensed security staff will be on duty at the premises between 7pm and the terminal hour.
- (10) No consumption of alcohol shall take place in the first floor external area.
- (11) There shall be no performances of live or recorded music (other than low level background music ancillary to the sale of alcohol)

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.
6. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
7. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$
 where—
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

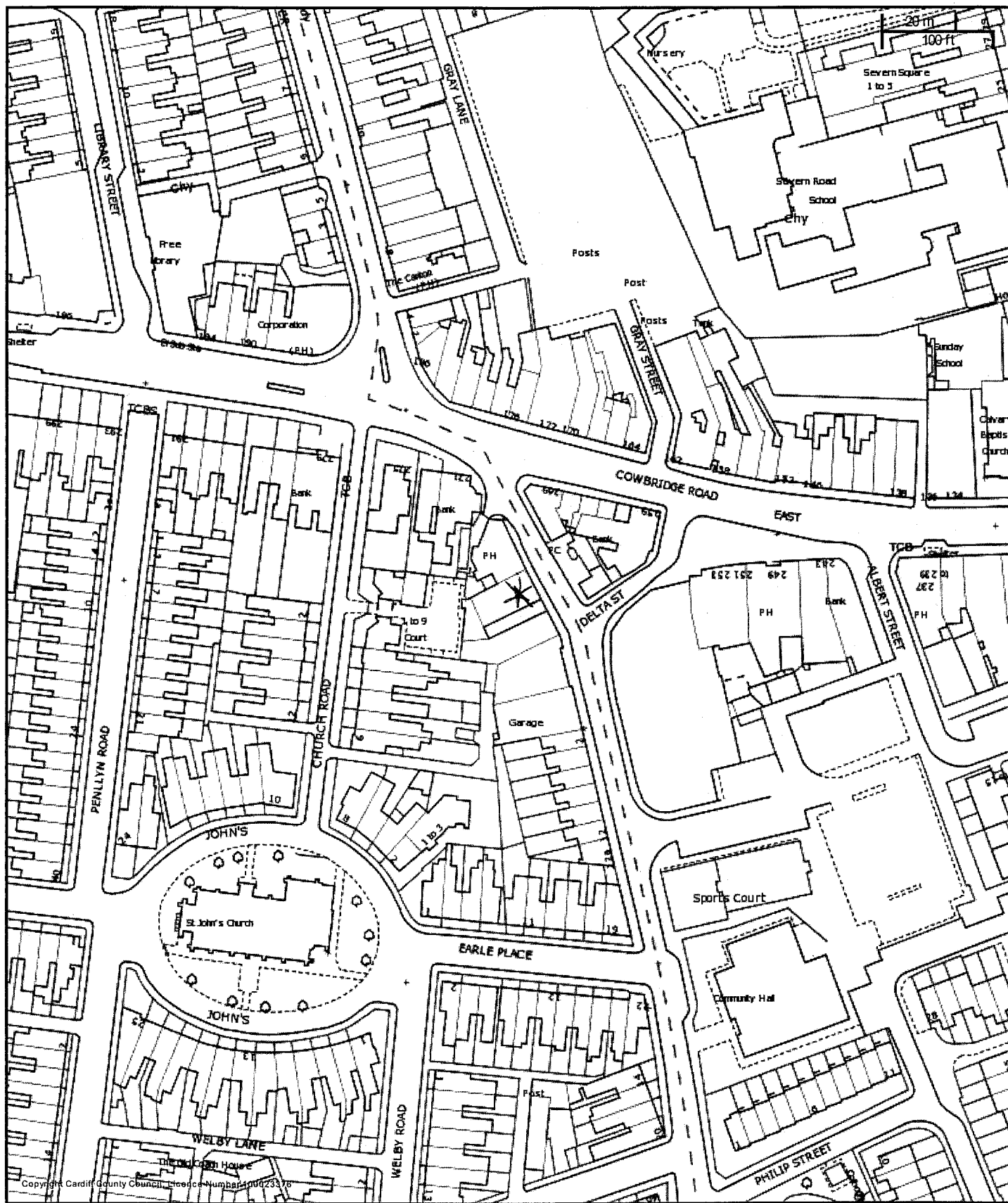
(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

8. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

9. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



Dave Holland
Regulatory & Supporting Services Date: 20 June 2015



CHIEF EXECUTIVE
 Paul Orders
 County Hall
 Atlantic Wharf
 Cardiff CF10 4UW
 Tel: 029 20872000

City of Cardiff Council
Cyngor Dinas Caerdydd



CitySports Bar

Scale: 1:1417
 Date: 24/7/2015
 Coordinates:
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 Ordnance Survey 100023376 (2014).

Licensed Premises Gaming Permit Applications.

The Sub-Committee are requested to determine the following applications for the grant of gaming machine permits in respect of licensed premises.

<i>No.</i>	<i>Date Recieved</i>	<i>Premises Name</i>	<i>Address</i>
24	20/07/2015	Clive Arms	360 Cowbridge Road East Canton Cardiff CF5 1HE
<i>Machines: 4</i>			
231	20/07/2015	Three Elms	Merthyr Road Whitchurch Cardiff CF14 1JE
<i>Machines: 6</i>			

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