

LICENSING SUB COMMITTEE

21 AUGUST 2015

Present: County Councillor Parry(Chairperson)
County Councillors Boyle and Goddard

18 : DECLARATIONS OF INTEREST

No declarations of interest were received.

19 : APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - PITCH
BAR & EATERY

Applicants

Mr Benjamin Browne – Licence holder
Ms Georgina Jardim – Business partner

Responsible Authorities

Ilaria Agostini-Green – Licensing Officer, Cardiff Council
Tony Bowley, Licensing Officer, South Wales Police

The Application

An application for a Premises Licence – Variation was received from B Browne & Co Ltd in respect of Pitch Bar & Eatery, 3 Mill Lane, Cardiff CF10 1FL.

The following application for variation was made:

To extend the hours permitted for the sale of alcohol as follows:

Monday to Sunday 10.00 to 01.00

To extend the hours permitted for the provision of late night refreshment as follows:

Monday to Sunday: 23.00 to 01.30

To extend the opening hours as follows:

Monday to Sunday: 23.00 to 01.30

Responsible Authorities

Mr Tony Bowley advised the Committee this was a small premises on Mill Lane. The current licence inherited by Mr Brown is an old fashioned restaurant type licence which allows music and dancing until 3.00am but alcohol sales stop much earlier. The police were objecting to the variation as the premises is in the saturation zone, Mr Browne wants to extend the hours for sale of alcohol therefore the Committee must decide if there would be a negative impact on the licensing objectives by doing so.

Ms Agostini-Green added that as the premises are in the Cumulative impact zone the presumption was to refuse the variation unless the applicant can prove there would be no negative impact on the licensing objectives.

The Committee were advised that there had been no incidents of reported to the police from the premises in many years.

The Applicant

Mr Browne advised the Committee that he was the operator, DPS and licence holder of Pitch and his business partners were Mario and Georgina Jardim. He stated that Pitch was his own concept, serving locally produced food and drink in a small restaurant with sixty covers; 80% of the floor space was tables and chairs with 20% for moving in between and serving, 75% of the business was food sales, there was no room for dancing and no room to stand at the small bar. The menu was provided for the Committee to view and Mr Browne stated that they promote non-alcoholic drinks, with alcoholic drinks fetching a premium price with Cocktails between £6.50 and £7.80.

The only drinks promotion was happy hour between 3-5pm each day to supplement meals, no other cheap alcohol offers were promoted. The restaurants demographic was 95% between ages 35-65. The restaurant operates a Challenge 25 policy after advice provided by the Police, monthly team meetings endorse this policy; the premises had no issues with anti social behaviour of alcohol related crime and disorder.

Mr Browne stated that he had liaised with Mr Bowley on many occasions and his intention was to improve the area, he had voluntarily installed CCTV, had licensed door staff working on major event days even though his license did not require him too, he also used plastic vessels on major event days. Also on advice of the Police he had trialled a 3am finish on a TENS and had experienced no problems.

Mr Browne concluded saying that he wanted to extend the hours to sell alcohol alongside food and would happily surrender the 3am entertainment part of the licence.

The Chairperson invited questions and comments from Members:

- Members asked if the kitchen closed earlier would drinks still be served. They were advised that drinks are sold alongside food and they wanted the flexibility to serve food until they closed.
- Members asked how many extra covers they were likely to have if they had extended hours. Mr Browne stated that it would be around 50/60 per hour on a weekend.
- Members sought clarification on whether the Police were satisfied with liaisons with Mr Browne. Mr Bowley stated that he was and that Mr Browne had been in contact throughout and followed advice given to him, his conduct gave then confidence.

- Members asked if the hours were commensurate with other restaurants in the City. Members were advised that most closed at 11pm and a few had very late closing hours.
- Members noted that there was waiter service, no bar area, there were more than 1 personal licence holder on the premises on the weekends and that Challenge 25 Policy was in place.

Summing Up

Mr Bowley stated that the police were reassured by what they had heard at the meeting and that they would be even more reassured if the 3am entertainment part of the licence was surrendered.

Mr Browne stated that he would happily surrender the 3am entertainment part of the licence, he wanted to promote the licencing objectives and have a positive impact on the area and the city.

RESOLVED – That the Sub-Committee having considered all the information and in accordance with the requirements of the Licensing Act 2003, the Section 182 Guidance and the Licensing Authority's own Statement of Licensing Policy the Sub Committee granted the application and remove the provision of regulated entertainment from the licence as agreed.

The meeting terminated at Time Not Specified