

LICENSING SUB COMMITTEE

28 AUGUST 2015

Present: County Councillor Parry(Chairperson)
County Councillors Morgan and Murphy

20 : DECLARATIONS OF INTEREST

No declarations of interest were received.

21 : APPLICATION FOR PREMISES LICENCE - GRANT, THE GRAZING SHED,
31 ST MARY STREET, CATHAYS

Applicants: Louisa Jones, Director
Daniel McGee, Operations Manager

Responsible Authority: Tony Bowley, South Wales Police

The Application

An application for the grant of a Premises Licence was received from The Grazing Shed Limited in respect of The Grazing Shed, 37 St Mary Street, Cardiff.

The applicant applied for 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) Description of Premises (as stated by applicant):

“The premises will be a gourmet burger restaurant. It is situated on St Mary Street. We will have a fridge behind the till selling locally brewed ale and cider for restaurant consumption only with a meal.”

(3) 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: 07:00 to 23:00

(4) 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 22:30

Responsible Authority Representations

Tony Bowley addressed the Sub Committee on behalf of South Wales Police. Members were advised that South Wales Police were objecting to the application on the grounds of the prevention of crime and disorder. Mr Bowley stated that the

premises were located within the cumulative impact zone and Member would be well aware of the evidence demonstrating a correlation between the availability of alcohol and the incidences of crime and disorder.

Mr Bowley advised that for a licence to be granted the applicant would need to demonstrate that in granting a licence would be no negative impact on the licensing objectives caused by the premises operating.

The Head of Regulatory Services stated that representations were also received from the Licensing Department, Cardiff Council. However, no officers were available to attend the hearing. Licensing Officers were objecting to the application on the grounds of the prevention of crime and disorder.

Applicants Representations

Louisa Jones presented the application and responded to the concerns raised by South Wales Police and Cardiff Council Licensing. Members were requested to refer to the training document circulated and also the revised application.

Members were advised that the business model for the premises aimed to provide local sources fresh produce quickly. The business claimed to be different from traditional burger outlets in this respect. Bread was baked in Penarth and all beef was from Carmarthenshire. Sale of alcohol was ancillary to the provision of food and accounted for less than 2% of sales.

Ms Jones stated that the premises had been operating for some time, without incident. She had met with representatives of South Wales Police in order to discuss how to approach their application and how best to operate in an area such as St Mary Street. Additional measures were identified and have been provided including CCTV, staff training, additional training for management, an events police, conflict management, plastic vessels and the Challenge 25 scheme.

Daniel McGee said that the premises would have an experience manager who had previously worked in the City Centre in licenced premises, though not in the cumulative impact zone. A limited range of alcoholic beverages would be offered. However, drink may only be purchased with a meal. A 330ml bottle would cost £4 and these would be local or niche beers, ales and ciders.

Members noted that the application was seeking off sales also. Mr McGee explained that the off sales condition related to consumption of alcohol in the outside seated area only. Mr Bowley stated that similar premises in the City Centre would have a condition on the licence which limited off sales for consumption in the outside area only. The applicants indicated that they would be happy to accept a similar condition. Members were further advised that SIA trained security staff would be provided on major event days in the City Centre.

Members raised questions regarding the size and operation of the outside area. Mr Bowley indicated that South Wales Police had no specific concerns relating to the outside seating area.

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 resolved to grant the application subject to a condition limiting off sales for consumption in the outside seating area only.

22 : APPLICATION FOR PREMISES LICENCE - GRANT, WE LOVE ITALY, 1-3 ROYAL ARCADE, CATHAYS

Applicants: Fransico Pavenetto represented by Jenny Fry

Responsible Authority: PC Tim Davies, South Wales Police

The Application

An application for the grant of a Premises Licence was been received from Italy & More Limited in respect of We Love Italy, 1-3 Royal Arcade, Cardiff.

The applicant applied for 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) Description of Premises (as stated by applicant):

“Ground floor property on the corner of St Mary Street and Royal Arcade at the end of a multi storey Victorian terraced building in the city centre. The premises comprises inside and outside seating areas where consumption of food and alcohol is to be permitted. The ground floor also comprises the main servery counter. The existing business also operates a take-away facility. There is a basement area which has staff facilities and a walk in freezer for food storage.”

(3) 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 Saturday: 09:00 to 23:00

Sunday: 10:00 to 18:00

(4) To provide licensable activities during the following hours:

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

Monday to Saturday: 09:00 to 23:00

Sunday: 10:00 to 18:00

Responsible Authority Representations

PC Tim Davies addressed the Sub Committee. PC Davies indicated that the premises were located within the cumulative impact zone and that South Wales Police were objecting to the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

Referring to the crime statistics circulated previously, PC Davies stated that a high number of alcohol relating incidents were occurring. The applicant would therefore need to demonstrate that they would be able to operate without having a negative impact upon the licencing objectives.

PC Davies stated that the premises were small and could cater for 13 covers inside and 22 covers in the outside seating area. Having met with the applicant on 23 July 2015, PC Davies identified that there would be 2 personal licence holder present. The applicant was seeking to sell a limited range of alcoholic beverages – 2 beers and 4 wines. CCTV was installed at the premises but PC Davies was unable to inspect this on the day of the visit for technical reasons.

Members were advised that 3 TENs had been held at the premises. There were no reported incidents of crime and disorder on these occasions and no reported incidents otherwise.

PC Davies requested that, if Members were minded to agree the application, that the conditions set out in the written representations be considered. The applicant had agreed to accept the conditions other than condition 8, relating to an incident book, which South Wales Police had agreed to remove. PC Davies stated that the conditions accepted by the applicant would go a long way to ensuring that no additional crime and disorder and public nuisance occurred.

Applicants Representations

Jenny Fry presented the application. The business was a franchise and the first of its kind in the UK, seeking to provide fast, inexpensive Italian food. All drinks would be provided by waiter/waitress service and would be dispensed into plastic vessels at all times.

As advised previously the applicant had accepted all the conditions requested by South Wales Police. The CCTV system was now operating and covers all public areas and the outside seating area.

Referring to the representations submitted by the Planning Department, Ms Fry provided clarification that the applicant had updated the planning permission in June 2015 and the premises would be able to open to the public until 2300 hours. Evidence was provided to support this.

The applicant agreed to amend the hours for the sale of alcohol to terminate at 2230, in order to allow for 30 minutes drinking up time and a condition limiting off sales for consumption in the outside seating area only.

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 resolved to grant the application subject to a conditions agreed.

The meeting terminated at Time Not Specified