

LICENSING SUB COMMITTEE

4 SEPTEMBER 2015

Present: County Councillor Parry(Chairperson)
County Councillors Hudson and Kelloway

23 : DECLARATIONS OF INTEREST

There were no interests declared in accordance with the Member's Code of Conduct.

24 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - GRILLSTOCK, ST MARY STREET

CCCP/018884 – GRILLSTOCK - APPLICATION FOR PREMISES LICENCE -
GRANT

Name of Premises: GRILLSTOCK

Ward: Cathays

Applicant: Grillstock Ltd in respect of Grillstock, 47- 48 St Mary Street,
Cardiff CF10 1AD

Other Persons: Ben Merrington, representing the applicant
Jeremy Woodcraft, solicitor representing the applicant

Responsible Authority: Tim Davies, South Wales Police

Other Interested Parties: Giovanna Makris, Charleston's restaurant, 46 Caroline
Street, Cardiff

1. **Application**

1.1 An application for a Premises Licence - Grant, has been received
from Grillstock Ltd in respect of Grillstock, 47- 48 St Mary Street,
Cardiff CF10 1AD

1.2 The applicant has 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. The provision of regulated entertainment in the form of recorded music.
3. The provision of late night refreshment.

(2) Description of Premises (as stated by applicant):

"The premises, if granted a licence, would become a restaurant bar providing mainly bar-b-que food for consumption both on and off the premises along with sale of alcohol primarily for consumption on the premises but with some limited off sales. The premises also plays recorded music and serves hot food and drink after 23:00 on Thursday to Saturday. The premises will extend over part first floor (staff facilities) ground floor and basement (toilets and back of house)"

- (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:

Sunday to Wednesday: 11:00 to 23:00

Thursday to Saturday: 11:00 to 00:00

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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

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

Sunday to Wednesday: 11:00 to 22:45

Thursday to Saturday: 11:00 to 23:45

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

2. The provision of regulated entertainment in the form of recorded music (indoors):

Sunday to Wednesday: 11:00 to 23:00

Thursday to Saturday: 11:00 to 00:00

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

3. The provision of late night refreshment (indoors):

Thursday to Saturday: 23:00 to 00:00

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Responsible Authority Representations

There were no representations made by the Licensing Authority.

South Wales Police Representations

Tim Davies advised the Committee that the premises, which are not yet operational, are situated in a saturation zone. The police objections are based on two licensing objectives; the prevention of crime and disorder and the prevention of public nuisance. Police statistics show that St Mary St suffers from a higher than usual

number of alcohol-related incidents. The main concern was that the operators proposed to stay open past 11pm, but after meeting with the police they have agreed to stop selling alcohol at 10.30pm and have a thirty minute drinking-up time. The applicants have also agreed to have CCTV installed and have agreed not to permit customers to take drinks in glasses out of the premises. Although primarily a premises in which food will be served, there is also a bar area. The applicants have stated that they will not be serving alcohol to take out, but have included the sale of alcohol off the premises as part of the application, because sometimes customers may wish to take home with them alcohol that they have purchased with their food. Problems in the area more usually arise from pubs, bars and nightclubs but some premises that primarily serve food are also the source of problems. The police would like clarification particularly on how the operators plan to use the bar area in the premises.

Interested Parties' Representations

Giovanna Makris, representing Charleston's restaurant, advised the Committee that the area does not need another premises that sells alcohol as there are already too many. Her family have operated their business for twenty-six years. There are already many alcohol-related incidents in the area and it is chaotic at times. From about 12am onwards drunken people will sometimes try to get in to Charleston's to use the toilets. Staff have been abused and had food thrown at them. Charleston's is a grill steakhouse.

Applicant's Representations

Jeremy Woodcraft informed the Committee that the premises are to be a grill barbeque restaurant. It will be an upmarket, high-quality restaurant and the applicant believes that it occupies a niche in the market. The operators have businesses such as this in five other parts of the UK and all of them are situated within saturation zones. On average, customers spend about £18 at their restaurants, and a breakdown shows that 80% of the income is from food sales and only 20% from alcohol sales. The average spend at premises run by the applicants is more than three times what it might be for a customer at McDonalds or Burger King. As well as high-quality, expensive beers, house wine will also be sold. The premises does not have a large number of seats and the operators have no interest in encouraging people to occupy these if all they are doing is drinking alcohol. They will not be encouraged to do this but sometimes if a group of, say, four friends attends the premises, only two of them may wish to purchase food, while the others may only want to buy a drink. In such circumstances, it is difficult to refuse alcohol to those who are not eating. The applicant does not intend to sell six packs of beer for people to drink at their table. The applicant would be happy to have attached to the license a condition that says that the sale of alcohol must be ancillary to the sale of food, but not one that specifies that it must be with a table meal.

The operation of the applicant's establishments in other areas shows that they have not had an adverse effect on the areas in which they are situated. This is only an A3 application, so even if new owners take over the premises the conditions of the licence, if granted, will continue to apply.

There will be waiter service at the premises and alcohol will only be served to those who are seated. The operators will not want to have customers congregating in the

bar area and that area will not be used for the sale of alcohol to the public. Any recorded music that is being played will be stopped by 11pm. The restaurant will be one that is attractive to families and more mature people. The landlord of the premises could not find a retail outlet to take on the lease. The premises will be a long way from being a vertical drinking establishment. By 12am, which is the time that trouble in the area most often starts, the premises will have been closed for one hour. The premises will employ 25-30 members of staff and all will have received training, which will be documented. The business model resembles that of Nandos.

Police Summary

Tim Davies advised the Committee that as the applicants have already agreed to stop selling alcohol after 10.30pm, the police will be satisfied if two further conditions are added, namely that the applicants will not sell alcohol to anyone who just comes in off the street and will not sell alcohol in multiple units on the premises.

Applicant's Summary

Jeremy Woodcraft advised the Committee that the applicant is happy to accept the condition that the sale of alcohol will be ancillary to the sale of food. The applicant will only sell bottles or cans of alcohol in single units and not in six-packs. The applicant agrees that on event days there will be no sales of alcohol to be taken off the premises. The applicant will not encourage the sale of alcohol only. The operators have a wide-ranging clientele. In the operation of their other venues they have proved that can operate without causing any problems for the area in which those businesses are situated. It will be a small operation and the applicant believes that it will contribute to the Council's cumulative impact policy and to Cardiff as a city.

The Sub-Committee adjourned to discuss the application.

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 GRANT the application, subject to the conditions already agreed between the applicant and the police and also to the following conditions:

- 1) The sale of alcohol is to be ancillary to the sale of food.
- 2) There are to be no off-sales on event days.
- 3) Off-sales at other times shall not be of alcohol in multiple units.

The meeting terminated at 11.45 am