

LICENSING SUB COMMITTEE

7 OCTOBER 2016

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

11 : DECLARATIONS OF INTEREST

No declarations of interest were received.

12 : APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - ICE ARENA WALES

RESOLVED – That consideration of this application be deferred for 1 week.

13 : APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - THE GATE ARTS CENTRE

Applicants: Matt Meads, Director
Mark Rawlings, Bookings Manager

Interested Others: Councillor Sue Lent, Ward Member
John Beckerton, local resident

The Application

An application for the variation of a Premises Licence was been received from Gate Trust Limited in respect of The Gate Arts Centre, Keppoch Street, Roath Cardiff.

The following application for variation was made.

This application is to amend the timings on the existing licence and to add the provision of late night refreshment as follows:

The sale by retail of alcohol for consumption on the premises:

Monday to Thursday: 10:00 to 23:30
Friday & Saturday: 10:00 to 00:30
Sunday: 10:00 to 22:30

The provision of regulated entertainment in form of live music and recorded music:

Monday to Thursday: 09:00 to 23:30
Friday & Saturday: 09:00 to 00:30
Sunday: 09:00 to 22:30

Provision of late night refreshment:

Monday to Thursday: 23:00 to 23:30
Friday & Saturday: 23:00 to 00:30

Opening hours:

Monday to Thursday: 09:00 to 00:00

Friday & Saturday: 09:00 to 01:00

Sunday: 09:00 to 23:00

At the commencement of the meeting the Members were advised that the applicant has accepted all of the conditions suggested in the representations received from South Wales Police. The agreed conditions were set out in the report.

Mr Beckerton sought clarification on the hours applied for as he considered that there was a discrepancy between the hours agreed between the applicant and South Wales Police, and the hours in the public notice displayed at the venue. Officers advised that hours in the public notice related to the opening hours for the centre.

Councillor Lent presented a petition signed by local residents and a copy of an email she had received regarding the application.

Interested Other Representations

Mr Beckerton addressed the Sub Committee on behalf of a number of residents from Keppoch Street who had expressed their opposition to the application by way of a petition.

Mr Beckerton considered that the hours applied for were not appropriate for a residential area. These premises were large venue and there was no separation between the premises and local residents. Residents were already suffering from levels of noise nuisance and disturbance which he related to events and customers from the venue. Concerns were also relayed regarding parking issues in the immediate vicinity.

Members were advised that the premises have a 450 person capacity and there was potential for large groups of people to leave the venue at midnight, or later at the weekend. Further, equipment is dismantled at the end of the evening via the side entrance and this caused local residents further disturbance.

Mr Beckerton considered that the application was not appropriate.

Councillor Lent raised concerns regarding parking and congestion, noise from cars leaving the venue and car doors slamming. The application was described as unwarranted and unacceptable. Members were advised that smokers congregate in the street outside the premises and the noise was not contained. Residents also suffered disturbance from bands playing music.

Applicants Representations

Martin Meads presented that application. Mr Meads accepted the concerns expressed by local residents and he was not seeking to cause disruption. However, the premises were a community arts centre looking to extend their programme. Events were being held under Temporary Event Notices but these were limited to 12 events each year.

Members were advised of the types of community events held at the venue, for example cinema, kids events and arts festivals. The application sought to extend the number of such events to between 15 and 20 per year. There have been a negligible number of complaints in relation to the events held at the venue. The venue has a good track record and the application has also provided an opportunity to review the policies and procedures in place in partnership with South Wales Police. This was described as having been 'a useful exercise'.

Matt Rawlings advised that a Sound Management Policy had been introduced at the premises to monitor sound levels throughout events. Careful consideration is given to the choice of events hosted to ensure that there is nothing 'too loud'. The applicants were will to accept a condition which would require door staff to be present after 2100 hours when events are taking place. The doorstaff would be responsible for ensuring that customers show consideration for local residents and leave the area quietly.

Matt Rawlings confirmed that all doors and windows are closed when regulated entertainment is taking place. Soundproofing in the main performance space also helps to prevent sound breakout. Staff will telephone taxis for customers and there is an area at the venue where customers can wait for taxis inside the premises.

Members were advised that a single complaint was received regarding noise at an event held in April. Management at the premises reacted immediately. The volume was turned down and sound level checked at a number of different locations inside the premises and outside the premises.

Martin Meads stated that 90-95% of the Arts Centre programme would be unchanged. There were not high levels of complaints regarding the existing programme. The application sought to optimise the options open to the venue but the applicants are happy to concede on some of the conditions being sought. A commitment was given that any issues of nuisance will be addressed, whether the application was successful or not.

Martin Meads ask whether residents were able to determine whether the noise disturbance they had indicated they were experiencing was from other premises in City Road, Wellfield Road and Albany Road.

Summing Up

Mr Beckerton re-emphasised the residential nature of the area and the concerns held by local residents. He considered that the application, if granted, would change the nature of the premises.

Councillor Lent considered that if there was no control on the number of events at the venue then the conditions requested by South Wales Police were unlikely to lessen the impact of those events on local residents. Traffic and parking issues were also of concern.

Martin Meads reiterated his request for an incremental increase in their hours of operation to allow for a small increase in the number of events possible. The venue's events were community facing and the concerns of local residents were recognised.

The centre would continue to endeavour to minimise any nuisance caused to local residents. The venue was fully committed to the licensing objectives and was open to ideas about how to improve matters for local residents.

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, subject to the conditions suggested with South Wales Police and accepted by the applicant.

14 : SMALL SOCIETY LOTTERY REGISTRATIONS

RESOLVED – That the following Small Society Lottery Registration be revoked due to non-payment of the annual fee:

Ffrindiau Ysgol Y Berllan Deg

The meeting terminated at 11.15 am

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