

LICENSING SUB COMMITTEE

4 NOVEMBER 2016

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

21 : DECLARATIONS OF INTEREST

No declarations of interest were received.

22 : APPLICATION FOR THE GRANT OF A PERSONAL LICENCE

The Committee considered an application for a Personal Licence received from Mr S. Forde. South Wales Police were consulted upon the application and had objected to the application in view of the applicant's previous conviction.

The Committee received representations from South Wales Police and from Mr Forde. Representations were also received from Mr Lanning, who acted as a character witness for Mr Forde.

RESOLVED – That the application for a personal licence be granted.

23 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - ORGANICAFE

Applicants: Michaela Fantozzi

Interested Others: Councillor Graham Hinchey
Mrs Jenny McClelland

The Application

An application for the grant of a Premises Licence was received from Mr Luca Fantozzi in respect of Organicafe, 104 Caerphilly Road, Birchgrove, Cardiff.

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) Description of Premises (as stated by applicant):

“Café and delicatessen.”

(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: 08:00 to 17:30

Sunday: 09:00 to 15:00

(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: 08:00 to 17:30

Sunday: 09:00 to 15:00

Members were advised that the applicant had agreed to accept the conditions suggested in the representations received from South Wales Police. The application would therefore be amended to include the following conditions:

1. The premises licence shall only remain in force as long as the main use of the premises is that of a café/restaurant.
2. A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated as all times the premises are open and alcohol is offered for sale. The system shall cover all areas to which the public have access (excluding toilets) including all public entrances and exits and external areas used by customers. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee or authorised officer of Cardiff Council Licensing in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practical. There will be sufficient staff training to facilitate the above.

Applicants Representations

Councillor Graham Hinchey addressed the Sub Committee. Councillor Hinchey stated that the Council has been working to regenerate local shopping centres throughout the city by encouraging local businesses and by encouraging residents to shop and eat locally. The applicants were local residents who live within walking distance of the premises. They had 30 years of experience in the trade between them and were seeking to provide high quality, organic, Italian cuisine.

Members were advised that the premises were not open during the evenings. The application was modest and sought to allow a glass of wine to be taken with food. The premises were self-contained and there would be no external consumption of alcohol.

Councillor Hinchey stated that the applicants were responsible managers and the premises were popular locally. There were no issues of anti-social behaviour related to the premises.

Michaela Fantozzi stated that the premises were quiet and great care would be taken when serving alcohol.

Mrs Jenny McClelland advised Members that she lived locally and frequented the café regularly. Her knitting groups was using the café for a buffet lunch she was also organisation drop-in IT lessons. Mrs McClelland stated that the café was a community facility.

Responding to questions from Members, the applicant advised that she intended to apply for a personal licence once the premises licence was in place. The application covered off sales which would permit customers to purchase a bottle of some of the unique Italian wines to be offered.

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.

24 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - CORNERSTONE

Applicants: Spiro Board, represented by Mr Matthew Phipps

Responsible Authorities: Rob Gunstone, South Wales Police
Cheryl Williams, Cardiff and Vale Health Board

The Application

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 films, live music and recorded music.
3. The provision of late night refreshment.

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

“The restored building will house an international student café downstairs, an upstairs conference/dining facility, retaining the rear hall as a communal facility. A commercial tenant (Spiro's) will drive the business creating 6 full time and 20 part time jobs. A partnership with RNIB Cymru will provide employment and training, blind gardening facilities as well as outside space for guide dogs. Local community groups, schools, etc will use the building and the hall currently used by NHS. While Cardiff University wishes the café to become a hub for international students.”

(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 Thursday: 08:00 to 01:30
Friday and Saturday: 08:00 to 02:30

(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 Thursday: 10:00 to 01:00
Friday and Saturday: 10:00 to 02:00

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

Sunday to Thursday: 08:00 to 01:00
Friday and Saturday: 08:00 to 02:00

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

Sunday to Thursday: 23:00 to 01:00
Friday and Saturday: 23:00 to 02:00

At the commencement of the meeting Mr Matthew Phipps advised that, following lengthy discussions between all parties, the applicants and the responsible authorities had reached an agreement. Mr Phipps stated that the conditions suggested by South Wales Police as set out in the letter dated 21 October 2016, were accepted by the applicants, albeit with a number of amendments. Mr Phipps advised the Member of the Sub Committee the precise wording of the revised agreed conditions.

The application would be amended to include the following conditions:

INSERT CONDITIONS HERE

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.

The meeting terminated at 12.00 pm

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