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Cardiff
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CF10 4UW
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AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 7 JULY 2017, 10.00 AM
Venue	ROOM I, CITY HALL - CITY HALL
Membership	Councillor Jackie Parry (Chair) Councillors Hudson and Jacobsen

1 **Declarations of Interest**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 **Application for the Grant of a Premises Licence - Pennyroyal, High Street, (Pages 1 - 10)**

Davina Fiore

Director Governance & Legal Services

Date: Monday, 3 July 2017

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO. 1185

LICENSING SUB-COMMITTEE: 7 July 2017

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 010083

Name of Premises: The Pennyroyal, 22 High Street, Cardiff, CF10 1PT

Ward: Cathays

1. Application

1.1 An application for a Premises Licence - Grant, has been received from Pryn Bars Limited in respect of The Pennyroyal, 22 High Street, Cardiff, CF10 1PT.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

1. The provision of recorded music
2. The supply of alcohol for consumption on and off the premises

(2) To allow the premises to be open to the public during the following hours and for any hours consequential to the non standard timings:

Monday to Sunday: 12:00 to 01:00

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

1. The provision of recorded music:
Monday to Sunday: 12:00 to 01:00
2. The supply of alcohol for consumption on and off the premises:
Monday to Sunday: 12:00 to 01:00

2. Promotion of Licensing Objectives.

2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report.

3. Relevant Representations

Representations have been received in respect of the application, copies of which are enclosed with the report.

4. Legal Considerations.

4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

- a) To grant the application.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) Reject the whole or part of the application.

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. Issues for Discussion.

5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

**Dave Holland
Regulatory Services**

21 June 2017

M Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

ALL 3 DIRECTORS WILL HAVE A PERSONAL LICENSE
THERE WILL BE A PERSONAL LICENSE HOLDER ON SITE AT ALL
OPERATING TIMES
THE VENUE WILL OPERATE A "CHALLENGE 25" POLICY
THE VENUE WILL OPERATE A ZERO DRUGS POLICY
ACCESS TO VENUE WILL BE CONTROLLED BY BUZZER DOOR ENTRY
~~CCTV WILL BE IN OPERATION IN ALL AREAS AND KEPT FOR 28 DAYS~~

b) The prevention of crime and disorder

VENUE WILL PROVIDE LICENSED DOOR STAFF ON FRIDAYS & SATURDAYS
AND DURING MAJOR EVENTS
OUR FRONT DOOR WILL BE CLOSED AND ACCESS PROVIDED TO GUESTS
AT STAFF DISCRETION
THE PROPOSED CAPACITY IS 75 AND IS FULL SEATED CAPACITY
WE WILL LOOK TO NOT EXCEED THIS CAPACITY
DOOR WILL REMAIN LOCKED WHEN DOOR STAFF ARE
OTHERWISE ENGAGED

c) Public safety

NO GLASSWARE WILL BE USED ON MAJOR EVENTS DAYS
ON ADVICE FROM LOCAL AUTHORITY
NO OFF-LICENSE SALE WILL OCCUR ON MAJOR EVENTS
AND NONE BEFORE MIDDAY OR AFTER 7PM
NO BOTTLE SALES OF SPIRITS WILL BE CONSUMED ON SITE
GUESTS WILL NOT BE ALLOWED TO TAKE DRINKS OUTSIDE AFTER 7PM

d) The prevention of public nuisance

MUSIC WILL BE CONTROLLED TO AN AMBIENT LEVEL AND
EXTERNAL VOLUME MONITORED AND RECORDED WEEKLY
GUESTS WILL BE DIRECTED TO LEAVE QUIETLY AND TO
RESPECT OUR NEIGHBOURS
RELEVANT SIGNALS WILL BE ON DISPLAY AT ALL TIMES

e) The protection of children from harm

NO UNDER 18'S WILL BE ALLOWED ON PREMISE DURING
OPENING HOURS.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Barker, Kirstie

From: Timothy.Davies@south-wales.pnn.police.uk
Sent: 07 June 2017 15:51
To: alexjt1989@yahoo.com
Cc: Licensing (Licensing, Regulatory)
Subject: Penny Royal - Premises Licence Application [OFFICIAL]
Attachments: 20170607151835245.pdf

*** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

OFFICIAL

Please find attached South Wales Police objection in relation to the premises licence application for Penny Royal.

Regards

Tim

Tim Davies

Police Constable 3466 / Cwnstabl 3466

Police Licensing / Trwyddedu Heddlu

Cardiff Bay Police Station/ Gorsaf Heddlu Bae Caerdydd,

James Street/ Stryd James,

Cardiff/ Caerdydd.

CF10 5EW.

Internal Phone / Ffôn mewnol 34207

External Phone / Ffôn Allanol 02920527207

Mobile / Ffon Symudol 07976277161

Email / E-bost tim.davies@south-wales.pnn.police.uk

Please visit our website/ Ewch i'n gwefan www.south-wales.police.uk

-----Original Message-----



Licensing Department,
Cardiff Bay Police Station,
James Street,
Cardiff
CF10 5EW

6th June 2017

PRYL BARS LTD.
1 Hop House,
St Mary Street,
Cardiff
CF10 1FD

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE
LICENSING ACT 2003.**

"PENNYROYAL", 22 HIGH STREET, CARDIFF CF10 1PT

I, Chief Inspector HOWE of the South Wales Police for the district of Cardiff, hereby give notice that an objection shall be made to the application for the grant of a premises licence for "PENNYROYAL", 22 High Street, Cardiff.

This objection is made under the licensing objectives of;

The prevention of crime and disorder,

The prevention of public nuisance.

(The premises are in a saturation policy zone, there is a disproportionate amount of alcohol related crime, disorder and public nuisance in the area).

Should the Licensing Committee be minded to grant this application, the Police ask that the following conditions be placed on the licence;

1. The hours for the sale of alcohol shall be limited from 1200 to 0030 each day.

p.t.o

HEDDLU DE CYMRU URhS Y DWYRAIN
Gorsaf Heddlu Bae Caerdydd, Stryd James, Bae Caerdydd CF10 5EW
Mewn argyfwng ffoniwch **999**, fel arall, ffoniwch **101**
Ffacsimili: 029 2052 7280 Gwefan: www.heddlu-de-cymru.police.uk

SOUTH WALES POLICE EASTERN BCU
Cardiff Bay Police Station, James Street, Cardiff Bay CF10 5EW
In an emergency always dial **999**, for non-emergencies dial **101**
Facsimile: 029 2052 7280 Website: www.south-wales.police.uk

2. A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all parts of the licensable areas to which the public have access (excluding toilets) including all public entrances and exits and outside 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.

4. On major event days all drinks will be served in non glass vessels.

5. On major event days SIA door staff will be present and on duty during all times the premises are open to the public.

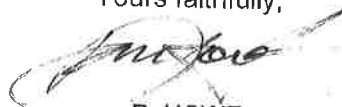
Door staff will be present and on duty from 2100 hours to closing time on Fridays and Saturdays.

~~6. All customers will be seated and the service of drinks will be by waiter/waitress.~~

7. There will be no lap dancing, striptease or entertainment of an adult nature.

Should you have any queries regarding the above objection, please contact Licensing Officer Tim DAVIES at the Licensing Department, Cardiff Bay Police Station. Telephone 02920 527207.

Yours faithfully,



D. HOWE
CHIEF INSPECTOR.

Griffiths, Paul (PPE)

From: Thayer, Simon J <sjthayer@valeofglamorgan.gov.uk>
Sent: 16 June 2017 13:14
To: Griffiths, Paul (PPE); Licensing (Licensing, Regulatory)
Cc: 'alexjt1989@yahoo.com'
Subject: RE: Licensing Act 2003: New Premises: Pennyroyal, 22 High Street, CF10 1PT.

Paul,

I would wish to object to this application for a premises licence under the 'Prevention of Public Nuisance' objective.

However, if the applicant were to accept conditions requiring the following then I would withdraw my objection:

1. Install a sound limiter, and in conjunction with Officers from Shared Regulatory Services, Bridgend, Cardiff and the Vale of Glamorgan, set an agreed level at which the sound limiter must be set;
2. The Licence Holder or nominated person shall ensure that no music or speech shall be relayed via external speakers;
3. Except for access and egress (through a double door entry lobby) of the premises, all doors and windows shall be kept shut;
4. There shall be no provision of regulated entertainment other than in the form of recorded music;
5. Any outside seating area shall only be utilised by members of the public between the hours of 12:00 and 21:00

With regards,



Mr Simon Thayer

Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan

Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg

Phone | Ffôn: 02920871650

e-mail / e-bost: SThayer@Cardiff.gov.uk

The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

From: Griffiths, Paul (PPE)

Sent: 22 May 2017 10:22

To: Old Email Addresses - 2015b; Bond, Graham; CH - Child Protection Unit; Old Email Addresses - 2015b; DC Consultations; Fire Service; Food Safety Team; Health & Safety Enforcement Section; Hotchkiss, Jackie; Kelly, Cerys; NA Plan; NHS Health Board; Planning Assistants; Police Licensing Mailbox; Public Health; Reville, Shaun; Sian Pollution

Cc: Barker, Kirstie

Subject: Licensing Act 2003: New Premises: Pennyroyal, 22 High Street, CF10 1PT.

I am writing to advise you that an application for a Premises Licence under the Licensing Act 2003 was received by this office on 19th May 2017 in respect of the above premises.

Griffiths, Paul (PPE)

From: Planning Assistants
Sent: 15 June 2017 09:38
To: Griffiths, Paul (PPE)
Subject: FW: Licensing Act 2003: New Premises: Pennyroyal, 22 High Street, CF10 1PT.
Attachments: Pennyroyal.22 High Street.517.docx

Paul,

I have the following comments regarding the premises licence below.

I refer you to the recently approved application 17/00919/MNR which contains the following condition.

4. **Members of the public shall only be admitted to or allowed to remain on the premises between the hours of 09:00 and 23:30 on any day.
Reason: To ensure that the amenities of other premises in the vicinity are protected.**

Following the grant of planning permission, failure to comply with the above condition could result in a £20,000 fine if convicted at a magistrates court.

Regards

Kevin Bosquette

Planning Assistant

*Development Management/Rheoli Datblygiadau
City Operations/Gweithrediadau'r Ddinas
Tel/Ffon: 029 22330832
kevin.bosquette@cardiff.gov.uk*

From: Griffiths, Paul (PPE)
Sent: 22 May 2017 10:22
To: Old Email Addresses - 2015b; Bond, Graham; CH - Child Protection Unit; Old Email Addresses - 2015b; DC Consultations; Fire Service; Food Safety Team; Health & Safety Enforcement Section; Hotchkiss, Jackie; Kelly, Cerys; NA Plan; NHS Health Board; Planning Assistants; Police Licensing Mailbox; Public Health; Reville, Shaun; Sian Pollution
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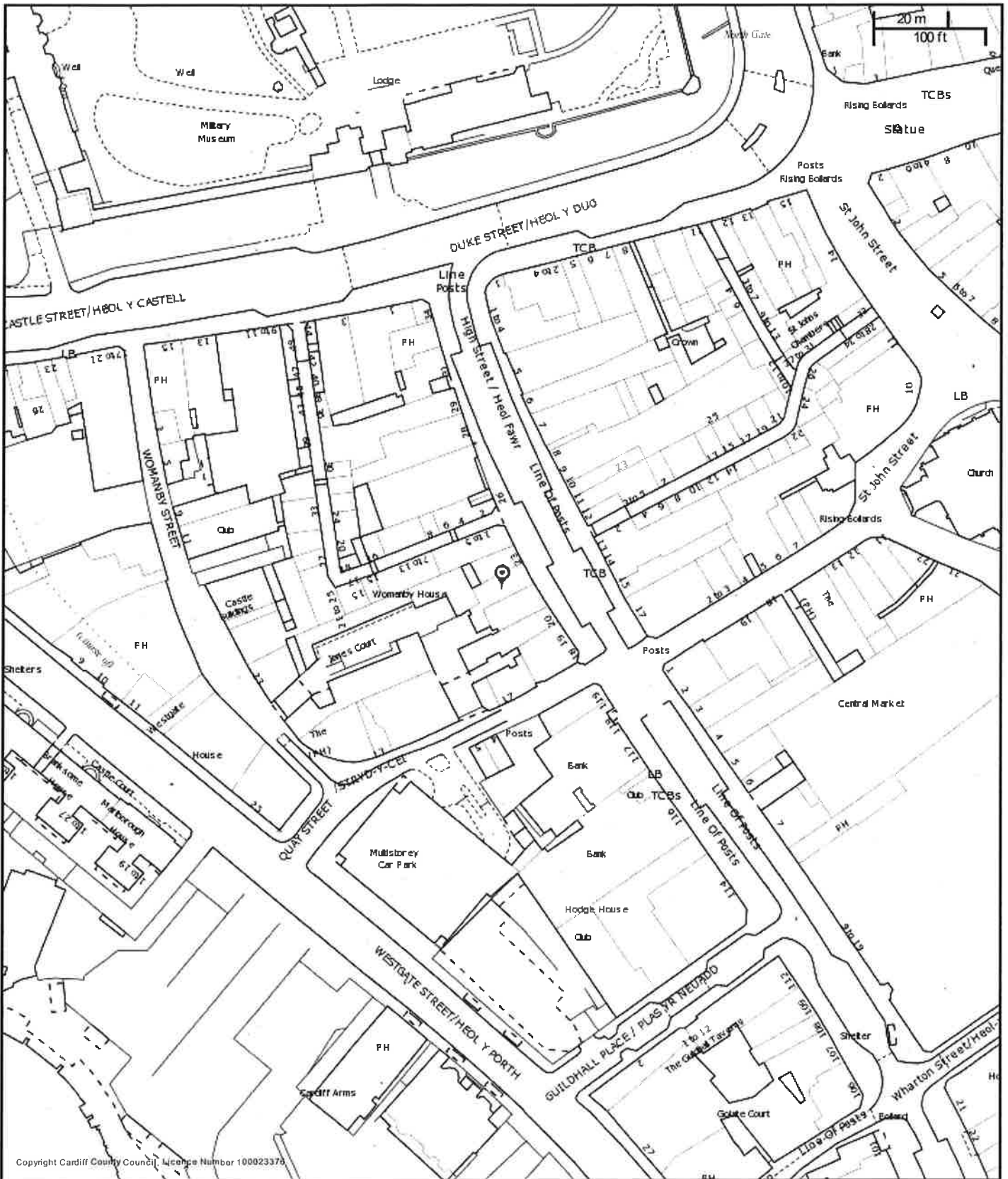
Representations may be made in respect of this application by 16th June 2017.

If copies of the application have not been received by the Responsible Authorities within 3 days following receipt of this e-mail please advise me accordingly.

I trust that this is of assistance. If you have any queries please do not hesitate to contact me.

Regards

Paul Griffiths



CHIEF EXECUTIVE
 Paul Orders
 County Hall
 Atlantic Wharf
 Cardiff CF10 4UW
 Tel: 029 20872000

City of Cardiff Council
Cyngor Dinas Caerdydd



CARDIFF
 CAERDYDD



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