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AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 22 SEPTEMBER 2017, 10.00 AM
Venue	ROOM 137, CITY HALL - CITY HALL
Membership	Councillor Jackie Parry (Chair) Councillors Goddard and Taylor

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 - Wally's Liquor Cellar** (Pages 1 - 6)

Davina Fiore

Director Governance & Legal Services

Date: Monday, 18 September 2017

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

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO. 1203

LICENSING SUB-COMMITTEE: 22 September 2017

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 014141

Name of Premises: Wally's Liquor Cellar

Ward: Cathays

1. **Application**

1.1 An application for a Premises Licence - Grant, has been received from Steven Salamon.

1.2 The applicant has applied for a Premises Licence for the above premises and has given the description of the premises as follows:

"The premises is a retail unit in Castle Arcade in Cardiff City Centre, comprising a ground floor which will be used for the retailing of up-market alcohol, namely craft beers, spirits and fine wines. The unit will be used primarily for off-supplies of alcohol but we would also intend to offer sampling to customers from the ground floor".

1.3 The following licensable activity is proposed:

1. The supply of alcohol for consumption on and off the premises:

Monday to Friday: 08:30 to 17:30

Saturday: 08:30 to 18:00

Sunday: 10:30 to 17:00

During December: Monday to Saturday 08:30 to 20:00

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

07 September 2017

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Steven Joseph Salamon, proprietor of Wally's Delicatessen, will be the designated premises supervisor. He has held a Personal Licence since 13th April 2005 and has extensive experience in the retail supply of alcohol both on and off premises at Wally's Delicatessen, 38-46 Royal Arcade, Cardiff. The licensable activities will be the sale of alcohol by retail for consumption off the premises and the consumption of alcohol on the premises via occasional sampling. There will be no provision of regulated entertainment nor provision of late night refreshment. Employees are prohibited from opening bottles of alcohol for customers who have made purchases. The premises are situated within an arcade containing other business premises. The arcade has security and cleaning staff and is closed at night. All staff will be appropriately trained in the responsible retailing of alcohol.

b) The prevention of crime and disorder

The owners of the arcade provide security patrols for the arcade during critical periods and open and close the arcade morning and night. Good working relations exist between store owners and security staff and the site is part of the City Centre RadioNet system. CCTV cameras will be installed covering all ground floor areas of the premises with a monitor visible on the shop floor. Recorded evidence on disk can be provided to the police authorities immediately upon request. Higher value alcoholic products will be positioned near the counter area where staff will mainly be located. No alcohol will be sold to any customer showing signs of excessive drinking. In these circumstances the customer will be asked to leave the premises and, if necessary, security staff informed. No alcohol will be sold to anyone under the age of 18. Signs will be prominently displayed stating that it is a criminal offence to sell alcohol to anyone under the age of 18. Records of any crime or disorder incidents and where the sale of alcohol has been refused will be maintained. At all times there will be a minimum of 2 members of staff on the ground floor, increasing in busier periods. The entrance to the stairwell on the ground floor will be protected by a security barrier.

c) Public safety

The owners of the arcade provide, operate and maintain a fire safety system, including smoke detectors, break-glass, fire alarms and evacuation procedures which is regularly tested. Fire assembly point information will be publically displayed and fire safety procedures will be clearly displayed in the staff area. CO2 and foam fire extinguishers will be installed throughout the premises. An emergency fire escape route is via the basement and onto Womanby Street. Emergency lighting operates in the unit on the ground floor and basement. A Health & Safety at Work Risk Assessment and a Fire Risk Assessment will be carried out and any recommendations acted upon. A First Aid Box containing basic First Aid supplies will be maintained in the staff area. Manual lifting guidelines will be prominently displayed in the staff area. The entrance to the stairwell on the ground floor will be protected by a security barrier to prevent accidental slips.

d) The prevention of public nuisance

Licensable activities will only take place during trading hours, i.e. 08.30 to 17.30, with extended hours to 20.00 during December. Rules relating to the responsible retailing of alcohol will be displayed prominently in the staff room. No alcohol will be sold to any customer showing signs of excessive drinking. In these circumstances the customer will be asked to leave the premises and, if necessary, security staff informed. No alcohol will be sold to anyone under the age of 18. Signs will be prominently displayed stating that it is a criminal offence to sell alcohol to anyone under the age of 18. Records of any crime or disorder incidents and where the sale of alcohol has been refused will be maintained. At all times there will be a minimum of 2 members of staff on the ground floor, increasing in busier periods. Good working relations exist between store owners and security staff and the site is part of the City Centre RadioNet system. Recyclable and general waste is stored in bins in the ramp leading to Womanby Street, owned and collected by the landlords.

e) The protection of children from harm

No alcohol is to be sold to any persons under the age of 18. Due to the up market nature of the shop it is unlikely that children will enter unaccompanied by an adult. Where an employee has any doubts about a customer's age they must request appropriate identification and no sale will be made if this cannot be provided or if it does not prove the person's age. Employees are asked to request identification if they believe a person could be under 21. Employees under the age of 18 are not permitted to sell alcohol without the express permission of the premises supervisor or a responsible designated manager. Rules relating to the responsible retailing of alcohol will be displayed prominently in the staff room.

Section 19 of 21

CARDIFF COUNTY COUNCIL

04 SEP 2017

LICENSING SECTION



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

30th August 2017

Steven SALOMAN,
Wallys delicatessen,
38-46 Royal Arcade,
Cardiff
CF10 1AE

APPLICATION FOR THE GRANT OF A PREMISES LICENCE,
"WALLY'S LIQUOR CELLAR, 10-14 CASTLE ARCADE, CARDIFF CF10 1BU.

I have caused enquiries to be made into this application and make the following representations that I wish to be considered when deciding on the licensable activity and conditions for this licence.

We therefore ask that the Licensing Committee hear the representation made by the Police when determining the grant of this application.

1. 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 areas to which the public have access (excluding toilets) including all public entrances and exits and any outside area 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.

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

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Prif Gwnstabl **Peter Vaughan, QPM, BSc (Hons), DipAppCrim. CCMI** Chief Constable

2. On major event days in Cardiff City Centre all alcohol will be sold in non-glass vessels.

Should the applicants agree to the representation made to meet the Licensing Objectives before a hearing takes place then please accept that the Police will automatically withdraw their request for a hearing with the Licensing Committee.

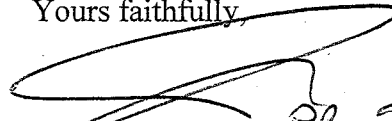
If the applicant does not agree with the afore-mentioned representation the Police objections will be based on the following:-

The prevention of crime and disorder.
Public safety.

Addition evidence to support the Police representation and conditions may be used at a subsequent hearing before the Licensing Committee hearing. This evidence will be expanded on verbally, written, statistical or CCTV evidence.

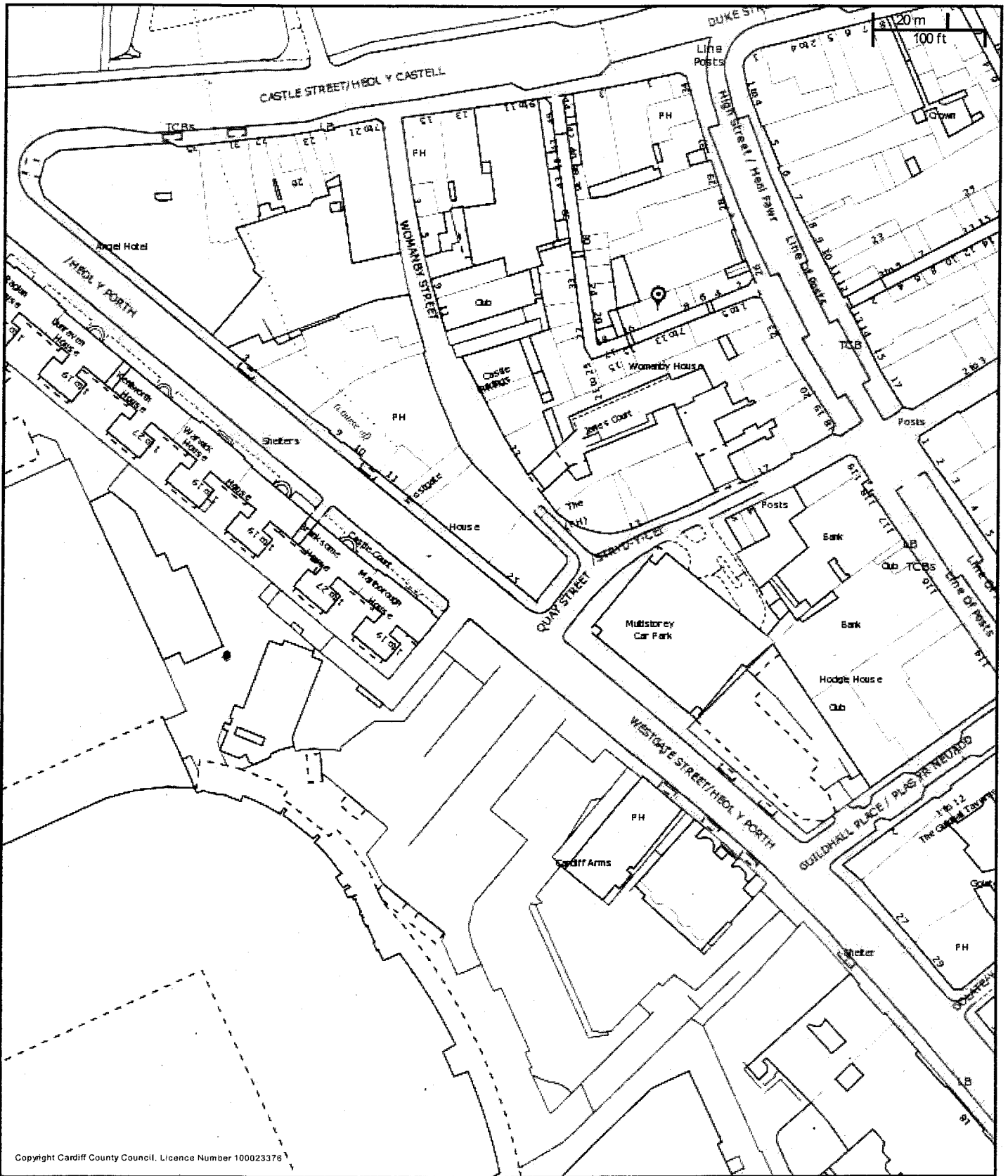
If you wish any further information then please contact Police Licensing Officer Tony Bowley at the Cardiff Bay Police Station ☎ 029.20. 633421.

Yours faithfully,



M. HOBROUGH
Chief Inspector.

PP Insp 4367 Lee



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CHIEF EXECUTIVE
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City of Cardiff Council
Cyngor Dinas Caerdydd



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