

LICENSING SUB COMMITTEE

13 JULY 2018

Present: County Councillor Mackie(Chairperson)
County Councillors Lancaster and Wood

15 : DECLARATIONS OF INTEREST

None received.

16 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - RADYR
TAP, STATION ROAD, RADYR, CARDIFF.

Present:

Applicant: Phil Newbold – Applicant and Co-Director – Vale of Glamorgan
Brewery Limited,
Sean Murphy – Director - Vale of Glamorgan Brewery Limited,
Rob Madison, Employee of Vale of Glamorgan Brewery Limited

Other Persons: Alison Kitchener – Objector
Sarah Welbourn - Objector
Jamie Green – Local Resident

The Application

An application for a Premises Licence – Grant, was received from Vale of Glamorgan Brewery Limited in respect of Radyr Tap, 1b Station Road, Radyr, Cardiff, CF15 8AA.

The applicant has applied for the following;

In respect of the following licensable activities:

The supply of alcohol for consumption on and off the premises

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

The opening hours are proposed as follows:

Monday to Saturday: 12:00 to 23:30

Sunday: 12:00 to 22:30

Christmas Eve: 12:00 to 00:30

New Years Eve: 12:00 to 01:00

To provide licensable activities during the following hours:

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

Monday to Saturday: 12:00 to 23:00

Sunday: 12:00 to 22:00

Christmas Eve: 12:00 to 00:00

New Years Eve: 12:00 to 00:30

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

Christmas Eve: 23:00 to 23:00

New Years Eve: 23:00 to 00:30

Prior to the commencement of the meeting, the applicant had agreed to the conditions suggested by South Wales Police as outlined in the report.

Other Persons Representations

Sarah Welbourn addressed the Committee outlining her objections to the application as being; the area is residential, there are people who would be directly affected by the premises, including people's properties backing directly onto the premises and flats opposite. She expressed concerns the noise the premises would create especially late at night and considered that if granted then there should be agreement to ameliorate the noise. She was happy that the Police conditions had been agreed but she remained concerned about the licensing hours and considered that 11.30 was too late for such as residential and she would prefer this to be 10.30pm. She also expressed concerns about any TV showing sports but was advised that there would be no regular sports shown just occasional big sporting events; the licensing officer stressed that this was not a licensable activity, neither was music up until 11.00pm, the license was purely for the sale of alcohol on/off the premises and recorded music on Christmas and New Year's Eve.

Alison Kitchener addressed the committee with her objections to the application as being; there was already a pub in Radyr/Morganstown area and there was easy train access to the city centre for an array of other pubs and bars. She added that Radyr also had the Tennis and Golf Clubs which sold alcohol. She was concerned about noise disturbance with children living in the residential area close to the premises. She considered that the application should be kept in context and that the restaurant in Station Road was usually closed by 10.30pm, they had a good front of house policy, kept noise to a minimum and had had no issues.

She stressed that she would want no activity at the rear of the premises at all as the layout of the properties meant that it created an amphitheatre effect and noise from staff, bottles, bins, and smokers would be amplified. She stressed that she would want all doors/windows at the rear of the property to be closed at all times. She also considered that a 10.30pm end time would be more appropriate. Ms Kitchener was concerned as to whether people smoking outside the front of the property would be able to drink too and was advised that unless seated any off sales would be in closed vessels. Ms Kitchener considered that with the property being open all day and children passing by during the day that the premises was not appropriate for the area, she added that it would be useful to have an understanding between the premises and residents and if broken then it could be brought back to committee, she was advised that this was not in the remit of the committee but if there were any problems/issues with the premises then the licence could be called in for review.

The Chairperson invited questions at this stage, Jamie Green noted that there had been 103 supportive comments for the planning application, so people in the area

wanted the premises to open. He added that the restaurant in Station Road had a licence until 12pm and had had no issues.

Councillor Lancaster asked whether there had been any management engagement with the community, Ms Welbourn stated that there hadn't been, and that a meeting before committee would have been useful. Ms Kitchener added that the applicant had been difficult to get hold of and hadn't answered phone calls. The applicant stressed that there had been issues with the phone line which were now resolved. Ms Kitchener noted that the premises would have a manager and it wouldn't be any of the people at committee, the licensing officer advised that the manager would be a DPS and hold a personal licence.

Jamie Green addressed the committee with his support for the application. He advised that he had been leading a campaign to bring a pub to the village for the past 8 years. He had engaged with supportive and non-supportive residents and he had had no issues with communication with the applicant. He noted that the Tennis and Golf Clubs were for members only and had a dress code; he added that to restrict the licence to 10.30pm would be an opportunity missed. He considered that this was an opportunity for the community to come together, that Radyr had an emerging centre in Station Road, this was an opportunity to make a vibrant place for all generations and was an important and significant issue for local residents.

Applicants Representations

The applicant addressed the committee stating that they fully understood residents' concerns, but they run numerous premises around the City for over 12 years and have put noise and waste management policies in place, adding that it makes business sense to have the community on board. The applicant added that they have over 100 staff, run larger premises in residential areas and have had no issues. They added that they don't serve drunk people, they are seasoned, experienced, professional operators who would work within the licence if granted and work with the community, but that an earlier licence would be too restrictive.

The applicant stated that smokers would not be allowed to take drinks outside unless they were seated, there would only be 6/8 seats outside. There would be a sign up asking customers to leave the premises quietly, there would be no beer garden or customer access to the rear of the premises. It was added that they would be happy to ensure that the bins are only emptied between the hours of 10am and 12pm – outside of trading hours. The applicant explained that there would be no 2 for 1 drinks deals, they would only be serving premium products, there would be no live music or regular sports events shown; off sales would be to take home or as gifts and would be sealed. The applicant stated that they had informed the Radyr and Morganstown Association and Community Council who had been supportive. It was noted that Station Road used to have a pub called the Radyr Arms but that was turned into flats; currently there is nothing similar to this application in Radyr. When questioned with regard to the 11.00pm licence, the applicant stated that this was normal, there were no other pubs that closed at 10.30, normal licence hours served customers who work late or who chose to go to the pub later in the evening.

The Chairperson invited questions at this point, Councillor Wood asked how the applicant would ensure that smokers would not take their drinks outside and were advised that staff would tell them, there would be CCTV, there would be signs and

that the premises is so small the bar staff could vocalise this from the bar to the front of the property, it was also a condition on the licence. Councillor Wood noted the '1 warning then barred' reference and asked how this would work in practice. The applicant advised that they were a member of pub watch, it would be communicated to the police, there would be an in-house register and as there would be small team working at the premises this would be communicated amongst each other. The applicant explained that there would be a Manager, and Assistant Manager, a few part time staff and that the Manager would be the DPS, essentially there would be the same 1 or 2 people at the premises most of the time.

Councillor Lancaster was pleased to hear that the bins would be emptied between 10am and 12pm, the applicant stated that they would also fence off the bin area at the rear of the premises. Councillor Lancaster sought clarification on the outside seating area and was advised that it was 2metres, and would only have around 6/8 seats, there would be no heaters or canopies.

Councillor Lancaster noted the reference to 'Community Pub' and asked for more information on this. The applicant advised that they would like to host a regular community night, they would also invite local clubs, associates etc. such as the History Club to use the premises; they planned to hold quiz nights and board games evenings, they would allocate charity vouchers, provide a book exchange and sponsor local sports clubs; they hoped to be inundated with community use. Ms Kitchener stated that she hoped any such nights would finish at a reasonable time and she expressed further concerns about parking.

Summing Up

Ms Welbourn considered it had been a helpful meeting, she was pleased that the Police conditions had been agreed. She was happy that there had been an agreement for the bins to be emptied only between 10am-12pm; that there would be no heaters and that there would be no canopies. She was also happy that there would be no vertical drinking outside the premises but remained concerned about licensing hours being 11.30pm.

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, GRANT the Application subject to the additional condition of the bins only being emptied between the hours of 10:00am and 12.00pm and also the consolidation of the Police Conditions with regard to outside drinking to read: *'Off sales of alcohol will only be in sealed containers other than to persons seated at the external designated tables and chairs associated with the premises'*

17 : TEMPORARY EVENT NOTICE - PONTCANNA CARAVANS
(EISTEDDFODD)

Objection withdrawn.

18 : TEMPORARY EVENT NOTICE - THE LAZY LEEK, 183A KINGS ROAD

Objection withdrawn.

The meeting terminated at 12.00 pm