



County Hall  
Cardiff  
CF10 4UW  
Tel: (029) 2087 2000

Neuadd y Sir  
Caerdydd  
CF10 4UW  
Ffôn: (029) 2087 2000

## AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 24 AUGUST 2018, 10.00 AM
Venue	ROOM I AND J, CITY HALL - CITY HALL
Membership	Councillor Mackie (Chair) Councillors Lancaster 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 Variation of a Premises Licence - CF11, Cathedral Road**  
*(Pages 3 - 34)*
- 3 **Application for the Grant of a Premises Licence - Wally Spirits of Wales**  
*(Pages 35 - 40)*
- 4 **Urgent Items (if any)**

**Davina Fiore**  
**Director Governance & Legal Services**  
Date: Monday, 20 August 2018  
Contact: Graham Porter,  
02920 873401, g.porter@cardiff.gov.uk

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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.**

**LICENSING SUB-COMMITTEE: 24<sup>th</sup> August 2018  
Report of the Head of Regulatory Services**

**Application for Premises Licence - Variation**

**Licence No: CCCP01978**

**Name of Premises: CFEleven, 151 Cathedral Road, Cardiff, CF11 9PG**

**Ward: Riverside**

**1. Application**

1.1 An application for variation of a Premises Licence has been received from Jason Hamer in respect of CFEleven, 151 Cathedral Road, Cardiff, CF11 9PJ.

1.2 The applicant has applied to amend the licensable hours as follows:

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

Monday to Sunday: 10:00 to 00:00

New Years Eve: until start of permitted hours on 1<sup>st</sup> January

1.3 An amendment to the approved plan to include two outdoor areas in the premises licence (a copy of the plan is attached).

1.4 To remove condition 4: "Patrons will not be allowed outside the premises with alcoholic beverages".

**2. Promotion of Licensing Objectives.**

2.1 A copy of the operating schedule submitted with the application is attached.

**3. Relevant Representations**

3.1 A representation has been received from South Wales Police and the conditions suggested by them have been agreed with the applicant. The objection has therefore been withdrawn (see attached).

3.2 Representations have been received from local residents and local ward Councillors. Copies of these objections are attached.

**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 August 2018**

SITE PLAN OF 1900

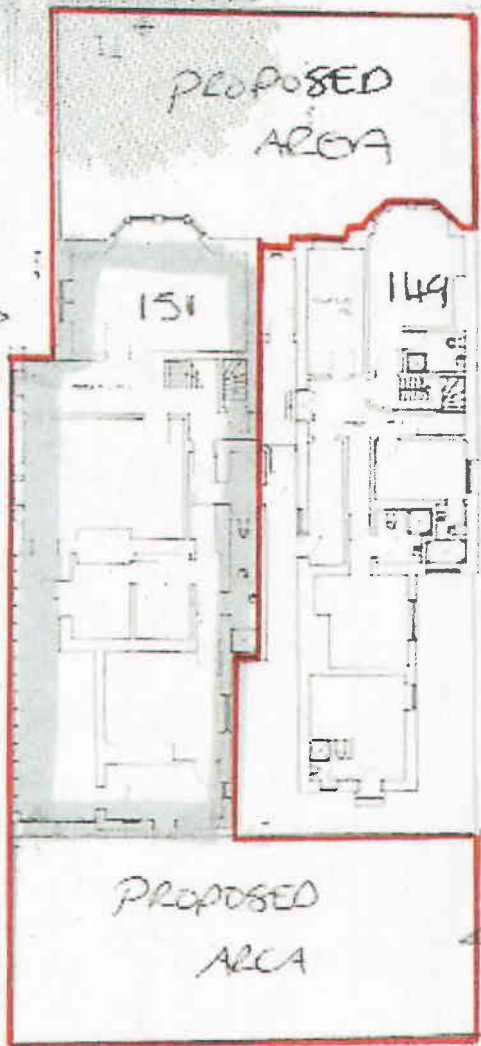


CATHEDRAL ROAD

CATHEDRAL ROAD

← FRONT GARDEN

Current  
Licence  
Area  
→



← REAR GARDEN

CFE11even  
151 Cathedral Road  
Cardiff  
CF11 9PJ

*Continued from previous page...*

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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**Section 16 of 18**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

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

The measures currently contained in Annex 2 of the premises licence, with the exception of condition 4, still apply.

In addition, the applicant seeks the further additional measures in support of the application:

1. Use of the front beer garden by members of the public will cease at 21:00 hours each day and use of the rear beer garden by members of the public will cease at 23:00 hours each day.
2. The Designated Premises Supervisor shall ensure that outside tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.

b) The prevention of crime and disorder

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c) Public safety

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d) The prevention of public nuisance

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e) The protection of children from harm

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**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

**Barker, Kirstie**

**From:** John.Crowther@south-wales.pnn.police.uk  
**Sent:** 30 July 2018 16:39  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CF Eleven, 151 Cathedral Rd, Cardiff - Application to Vary a Premises Licence  
**Attachments:** letter from CI.doc; Letter from CI signed.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 fgythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. \*\*\***

Good afternoon,

Please see the attached Reps from SWP regarding the above application. I have discussed this matter with Claire Hartrey and mentioned the confusion regarding the plans submitted with the application. The applicant seeks to licence the entire footprint of the property, but states he has no intention of selling alcohol outside. To that end he agreed to supply amended plans, showing the outside area as being used solely for consumption of food and drink. This does not resolve the issue since the application seeks only on-premises consumption, so drinks could still not be consumed outside if the amended plan is actioned. In an attempt to overcome this difficulty, SWP have suggested a condition whereby there will be no outdoor bars positioned at CF Eleven. Therefore, the original plan is acceptable as long as the applicant accepts the conditions in our reps.

I attach a word copy for your assistance.

PC 946

John Crowther

Swyddog Trwyddedu / Licensing officer.

Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police

URS y Dwyrain / Eastern BCU

Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station

Stryd James / James Street

Bae Caerdydd / Cardiff Bay

CF10 5EW

☎: 02920 633496 | Ext: 34950 |

📞 / SWPolice 📧 @SWPolice 📺 @SWPolice 📺 / SWPTV



**Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101. Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffonwch 999 bob amser.**

**Do you need to speak to police but don't require**

**an emergency response? Call 101. The number can be used to report a non-emergency to any force in Wales and England. In an emergency, always dial 999.**

1998 -



CARDIFF

30 JUL 2018

LICENSING SECTION

Licensing Department,  
Cardiff Bay Police Station,  
James Street,  
Cardiff.  
CF10 5EW  
30 July 2018

Jason Hamer,  
CF Eleven,  
151 Cathedral Road,  
Cardiff,  
CF11 9PG

APPLICATION FOR A VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003.  
CF ELEVEN, 151 CATHEDRAL ROAD, CARDIFF, CF11 9PG

Dear Sir,

I have caused enquiries to be made into this application and make the following representation 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. Should the applicants agree to comply with the representation made to meet the Licensing Objectives before a hearing is held then please accept that the police will automatically withdraw their request for a hearing with the Licensing Committee.

POLICE REPRESENTATION:

**Add the following conditions to the existing premise licence conditions;**

1. Sale of alcoholic beverages will only be made to persons who remain at CF Eleven to consume them.
2. Use of the outside areas for consumption of alcoholic beverage will cease as follows;  
Front – 21:00hrs daily. Rear – 23:00hrs daily.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. South Wales Police welcomes receiving correspondence in Welsh and English.  
Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd. Any correspondence received in Welsh will be answered in Welsh and corresponding  
gohebu yn Gymraeg yn arwain at oedi. in Welsh will not lead to a delay in responding.

Prif Gwnstabl **Matt Jukes QPM, MA(Oxon)MSc.** Chief Constable



3. There will be no external audio speakers used to provide background music after the following timings: Front – 21:00hrs daily. Rear – 23:00hrs daily.
4. The Designated Premises Supervisor shall ensure that outside tables are cleared of all bottles and glasses on a regular basis during trading hours, to avoid an accumulation of glass ware.
5. When live music is provided (indoors only) the windows and doors will remain closed except when patrons need to enter or exit the premise and outside area(s).
6. There shall be no outdoor bars positioned at the premise.
7. Security Industry Authority (SIA) Door Supervisors will be provided at times when the Designated Premises Supervisor (DPS) deems it necessary, having undertaken a written risk assessment which shows the rationale for SIA being provided or not.
8. At times when SIA are on duty, they shall display their SIA badge(s) on armbands.
9. A register of door staff employed shall be maintained at the premises and shall include:
  - (i) The Security Industries Agency registration numbers of each door supervisor;
  - (ii) The full name of each member of door staff;
  - (iii) The times the door staff start and end duty.
  - (iv) The name of the company through which the Door Supervisors were employed.

If the applicant does not agree with the afore-mentioned representations, the police objections will be based on the following;

The prevention of crime and disorder

The prevention of public nuisance

Additional evidence to support the notice of objection will be presented at any subsequent Licensing Committee hearing. This evidence will be expanded on verbally, written, statistical or CCTV evidence.

If you require any further information please contact PC946 John Crowther at Cardiff Bay police station, Licensing Department on 101(South Wales) ext. 34-950.

Yours sincerely,



J Jones  
Chief Inspector

AGREED Police Refs.

**From:**  
**Sent:** 31 July 2018 13:56  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Cc:** John.Crowther@south-wales.pnn.police.uk  
**Subject:** RE: CF Eleven, 151 Cathedral Rd, Cardiff - Application to Vary a Premises Licence [HJ-HJ1.FID5464695]

Hi Claire

I've taken instructions and I can confirm that the conditions suggested by South Wales Police are agreed by my client.

On this basis, I note that we can revert to the original plan filed with the application since the conditions adequately limit use of the outside areas.

I look forward to receiving the Committee report in due course.

Kind regards  
Nicola

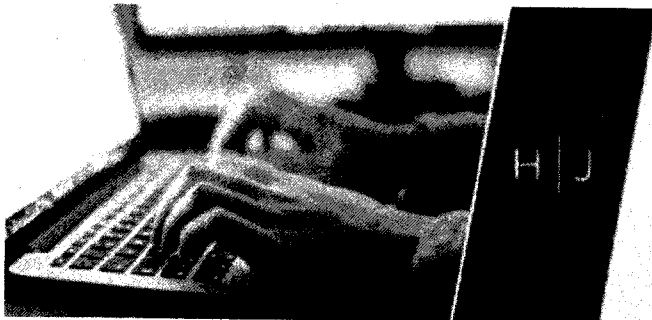
Nicola Jordan  
Paralegal

1978

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t: +44 (0)29 2039 1036  
f: +44 (0)29 2078 6726

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**WE'VE UPDATED OUR PRIVACY NOTICE**

We treat privacy and confidentiality very seriously at Hugh James. We comply with all aspects of the UK's data protection legislative framework, which includes the European General Data Protection Regulation (GDPR) and the UK's own legislation. We have updated our Privacy Notice to comply with the GDPR.

Our updated notice is available to view here: [hughjames.com/privacy](http://hughjames.com/privacy)

**From:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) [mailto:licensing@cardiff.gov.uk]  
**Sent:** 31 July 2018 09:54  
**To:** Nicola Jordan  
**Subject:** FW: CF Eleven, 151 Cathedral Rd, Cardiff - Application to Vary a Premises Licence

**Email received from external source**

Hi Nicola

As discussed, please see attached.  
We'll send the other representations over shortly.

Kind regards

Claire

**From:** John.Crowther@south-wales.pnn.police.uk [mailto:John.Crowther@south-wales.pnn.police.uk]  
**Sent:** 30 July 2018 16:39  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>  
**Subject:** CF Eleven, 151 Cathedral Rd, Cardiff - Application to Vary a Premises Licence

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Good afternoon,

Please see the attached Reps from SWP regarding the above application.  
I have discussed this matter with Claire Hartrey and mentioned the confusion regarding the plans submitted with the application.  
The applicant seeks to licence the entire footprint of the property, but states he has no intention of selling alcohol outside. To that end he agreed to supply amended plans, showing the outside area as being used solely for consumption of food and drink. This does not resolve the issue since the application seeks only on-premises consumption, so drinks could still not be consumed outside if the amended plan is actioned.  
In an attempt to overcome this difficulty, SWP have suggested a condition whereby there will be no outdoor bars positioned at CF Eleven. Therefore, the original plan is acceptable as long as the applicant accepts the conditions in our reps.

I attach a word copy for your assistance.



PC 946

John Crowther   
Swyddog Trwyddedu / Licensing officer.  
Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police  
URS y Dwyrain / Eastern BCU  
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station  
Stryd James / James Street  
Bae Caerdydd / Cardiff Bay  
CF10 5EW

## **Barker, Kirstie**

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**From:** [REDACTED]  
**Sent:** 05 July 2018 16:11  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Cc:** [REDACTED]  
**Subject:** 151 Cathedral Rd

143 Cathedral Rd  
CARDIFF  
CF11 9PJ  
July 5<sup>th</sup> 2018

### **Re: Application to vary licencing conditions at CFEleven, 151 Cathedral Rd, Cardiff.**

Dear Cardiff Council Licencing Team,

With the agreement of those named below, I am writing to object strenuously to the application to extend the permitted hours for the sale of alcohol at CFEleven (151 Cathedral Road) and to rescind the condition banning outside drinking. We are confident our views are shared by many others, however we are submitting this objection immediately in order to register from the outset that we find the proposal completely unacceptable and in contravention of both the detail and the spirit of the licence granted in February 2017.

I refer you to the words of the applicant's representative at your original sub-committee meeting (as quoted in your letter to objectors 6/2/17). The representative told the sub-committee that the applicant's "sole intention in applying for the premise licence is to increase his guesthouse business rating by being able to offer this facility".

Your letter goes on to state: "The sub-committee were advised that the bar is unlike a public house bar: there are no optics; there will be one draft beer; a small number of bottled beers; and a small selection of wines." It continues "...drinking will not be permitted in the outside areas. The small rear garden is used as a smoking area."

Despite objections from residents, the sub-committee decided to take the applicant at his word and granted a limited licence. Your letter notes (much to the surprise of local residents who had never been approached by the applicant or his representative): "We are satisfied that the applicant has considered the local area".

Now the facts: This year the applicant has turned the visible identity of CFEleven from a guesthouse into what he bills on signs outside the premises as a "Gin and Tapas Bar". Outside the building he openly advertises 160 different gins. He has, until today, had signage to this effect along his front fence; these have been taken down today, however the large sandwich board which, when the gin bar is open, he places on the public footway, remains. His clientele far exceeds those staying as guests. He has set up covered seating in the front garden and erected open gazebos with multiple tables and chairs in the rear outside area, which he has doubled in size by extending into the rear area of 149 Cathedral Road. Despite the terms of the licence, this doubled outside area (which now extends across two properties) has become the main drinking and entertainment area of the premises. Though your licencing officer has told me that the applicant has no public performance licence, he has advertised and presented live music in the grounds; neighbours have had to endure weekend music performed and powerfully electronically amplified from the rear outside area. This very loud music and the other sounds of the outside revelers dominate the neighbourhood when in progress and intrude on everyone else's garden relaxation.

With regards to the outside area, the applicant is, in effect, attempting retrospective authorisation for contraventions already in place. This is a poor reflection on local democracy and an affront to the licencing sub-committee's role within Cardiff's legislative procedures. I should point out that the applicant has made no attempt to negotiate with those of us living nearby. Having lodged his application at a time when many people are away on holiday, he has also placed the obligatory notice of variation in a position where it cannot easily be noticed or read from the public pavement. Had I not spoken to your office to ask how we might object to his contraventions of the current conditions, we would not have known about this application to dramatically increase the scope of his operation.

His wish to extend his hours to 10am to midnight every day of the week including Sundays would, if granted, be an intolerable imposition on the neighbourhood. Please refer back to your February 2017 decision and your response to the objections made at the time. Councillor Gordon, who objected on our behalf, pointed out our concerns about late-

night drinking and noise levels, and these fears were reflected in the time restrictions you carefully placed on the licence you granted. Those issues remain precisely the same as they were at the time of the original ruling; there is thus no acceptable basis on which to overrule your previous decision.

As Councillor Gordon told the sub-committee, this stretch of Cathedral Road has always been residential and guest houses. Her objections reflected residents' worries about escalating activity – which have proven to be well-founded.

Clearly, the applicant's practice and intentions are not in line with the gentle story of a relatively restricted business model on which the sub-committee granted the original licence and we, the local residents, now face being forced to suffer the intrusive and invasive consequences of the applicant's commercial ambition. This is, we believe, an issue of fundamental fairness. The right to enjoy one's property peacefully (including land and houses) is enshrined in Protocol 1, Article 1 of The Equality and Human Rights Commission (represented here by the EHRC Wales). By granting the applicant's proposal you would be denying residents that right.

We ask you to refuse all aspects of his application to vary the conditions of his licence; we also request that you take immediate steps to ensure that the applicant adheres to the terms of his original licence and that should he fail to do so, his licence be revoked.

Should this matter be taken to a hearing, we ask for the opportunity to appear in person to put our case.

Please email me to confirm receipt of this objection.

With best regards

*For himself and*

*[Faint, illegible text, possibly a signature or address]*

CCCPO1978

**Hartrey, Claire**

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**From:** [redacted]  
**Sent:** 07 July 2018 11:30  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CFEleven Licensing application

Good morning

I object to the licensing extension application for these premises as this will create too much additional noise for a residential neighbourhood. Pontcanna is already saturated with licensed premises and it would adversely affect the quality of life and character of the area if we had more places selling alcohol late at night.

Many thanks

[redacted]  
[redacted]  
[redacted]  
[redacted]

CCCPO1978

**Hartrey, Claire**

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**From:**  
**Sent:** 11 July 2018 08:09  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Jason Hamer CFEleven 151 Cathedral Road Cardiff CF11 9PJ

I object to the application for extended hours and plans to include two outdoor drinking areas. We are a residential neighbourhood, and the noise and rowdy behaviour of patrons are already affecting our peace and quiet. The one-hundred-seat outdoor area is already operating and attracting noisy revellers, an unwelcome development in this residential area. This development, originally a simple bed and breakfast establishment, has mutated into an entertainment venue, quite outside its original remit.

Yours sincerely,

**Barker, Kirstie**

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**From:**  
**Sent:** 12 July 2018 19:51  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CFEleven Application

Hi,

I'd like to register my objection to this licensing application by CFEleven, 151 Cathedral Road.

My house backs onto the venue and the noise is already noticeable under the existing hours they operate within. The outdoor area has already been considerably extended as far as I can see. When I bought my house I didn't want to be looking onto and hearing shouting and music from a gin bar. I have a reasonable expectation of peace and quiet.

Sent from my iPhone



**Barker, Kirstie**

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**From:** Cerys  
**Sent:** 19 July 2018 14:12  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CFEleven 151 Cathedral Road Cardiff CF11 9PJ

I am writing to object to the changes in the licensing of CFEleven on the grounds of noise pollution and nuisance. This would have a serious impact on our house in a residential area in particular with the large outdoor area for the consumption of alcohol and also a television screen and music. (

Sent from my iPhone

**Barker, Kirstie**

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**From:** I  
**Sent:** 20 July 2018 10:56  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Objection to licence extension CF Eleven B&B 149 - 151 Cathedral Rd, Cardiff CF11 9PJ

Hello,

I understand that CF Eleven B&B at 149 - 151 Cathedral Rd, Cardiff CF11 9PJ has applied for an extension to it's alcohol licence.

I would like to register my objection to this.

Firstly the owner seems to be turning this establishment via stealth into a pub. He was granted a music licence , then started having the music outside (I have the video). He then turned the rear garden of the establishment into a beer garden and extended into the property adjoined it. He currently seems to be turning the front garden into a beer garden as well.

My objection to the new application is that - there are already enough establishments in the area that serve alcohol on a 24/7 basis.

There is no onsite parking provision at the establishment due to mainly the garden being halved in size and the fact that the owner sells used cars on the remaining area.

The property is in the Councils designated Conservation Area – enabling a 24/7 alcohol policy would be detrimental to the aims and objectives of the area. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour – of which there has been an increase in both noise, loud drunken behaviour and smashed glass on or around the property

Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises (The Halfway, The Conway, The Cameo, The Cricketers, The Beverly, The Pontcanna, The Mohcyn Du, El Ganos and The Robin Hood – all within a 5 minute of the CF Eleven location.)

Residents in this area already suffer noise nuisance and antisocial behaviour that have come from other establishments , it is totally unacceptable to expect them to continue to do so with an additional establishment.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully

**Hartrey, Claire**

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**From:**  
**Sent:** 20 July 2018 21:06  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Objection 149-151 - Cathedral Road - alcohol objection

**FAO Cardiff Council Licensing Dept**

This is an objection in reference to the new application by CF Eleven B&B 149-151 Cathedral Road to sell alcohol 7 days a week.

1. **Over Use** - We have enough alcohol venues already There are approximately 5 pubs / clubs in the area already (Cathedral Road Conservation area) – **The Beverly, The Cameo Club, The Cricketers, The Conway, The Halfway, The Mochyn Du, The Robin Hood.** There are also already numerous shops selling alcohol in the area
2. **Other establishments** We also have plenty of restaurants / cafes in the area that sell alcohol
3. **Residential Area** The area is a residential Conservation area – another alcohol licence is inappropriate to the objectives of the residential conservation area. Leading to yet more people to be drawn to the area – with nowhere to park plus all the anti social behaviour that goes hand in hand with it.
4. **Anti Social Behaviour** I have concerns about drunken anti-social behaviour, breaches of peace from people leaving the establishment. There is plenty of smashed glasses on the weekends around the area, where people have dropped glasses or decided to use the local gardens as a place to leave there glasses or worse decided to urinate in the gardens.
5. **Crime / Behaviour** - Yet another venue is will bring in yet more traffic / people at unsociable hours to the area (it's supposed to be a residential conservation area)
6. **Noise** – loud drunken behaviour seems to be the new normal here, this will increase and we will have yet more loud – shouting – swearing etc
7. **Parking** The conservation area is already busy, no parking for residents that live on Cathedral road or side roads (not everyone has off road parking)
8. **Signage** – the owner has countless signs up all over the property – including some he continually puts on the pavement – and as such blocks it for wheel chairs / prams etc. conservation area. Do the Council really want adverts for alcohol on their pavements where children are exposed to them?
9. **Traffic** - This application will increase traffic, there is no parking provision , the area is packed already , and 20 mph zone designed to decrease pollution – yet more traffic will increase pollution.

I would like the committee to seriously consider these objections, I have also notified local councillors re this application and have asked them to make their representations to you

## Griffiths, Paul (PPE)

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**From:** §  
**Sent:** 20 July 2018 11:59  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Cc:**  
**Subject:** Objection to extension of licence to CFEleven, 151 Cathedral Road

Hello,

We would like to object to the extension of the licence of CFEleven, a gin and tapas bar at 151 Cathedral Road on the grounds that to do so would run contrary to the Council's licensing policy based on preventing public nuisance. We understand that an application has been made to extend the alcohol licence to midnight throughout the week and to the substantial outdoor terrace at the back (capacity estimated at 50).

The objection is that any such extension will generate unacceptable noise nuisance in a Residential area.

We note the significant parts of your Licensing policy below

### **Section 7.3 (Licensing Hours)**

Generally, in most areas of Cardiff, ambient noise levels fall significantly after 23:00 hours but noise even from well behaved customers leaving licensed premises late at night, can disturb residents especially during the working week. As a consequence, what would be acceptable in the City Centre where there are fewer residents would not be acceptable in heavily populated residential areas.

### **Section 7.4C (Prevention of Public Nuisance)**

Noise and nuisance arising from the operation of licensed premises will be considered. This will include not only the type of licensable activity taking place, for example, the playing of music, but also other wider issues that may cause disturbance such as patrons leaving the premises, either on foot or by car, or the disposal of refuse which must be carried out at reasonable time.

Operators should take particular care to ensure that customers using **external drinking areas**, smoking areas or the pavement outside, do not cause unnecessary nuisance to local residents. **It is suggested that the terminal hour for external areas that are in close proximity to residential properties does not exceed 21:00hrs.**

This part of Cathedral Road is a predominantly residential area with some commercial premises but these operate 9-5pm and do not create any noise problem. Further towards the City there are pubs and bars but the nearest in the City Centre direction is the long-established Beverley Hotel at 71 Cathedral Road and the Cricketers pub opposite at 66. From there to the small commercial hub where Pontcanna Street meets Cathedral Road (where the Half Way Pub is situated) there are no premises for which a primary business function is that of a drinking establishment. This has been so since we moved to the area in 2003. There are some B&Bs or hotels which may have drinking licences, but the licence principally enables them to sell alcohol to their residents. Their business model is not based on attracting visitors to the premises to drink. Thus, residents in this area will have purchased properties in the expectation that they were not in an area of drinking establishments likely to cause late night noise. CFEleven has been converted from a Hotel to a gin and tapas bar with rooms. The variety of gins available is a key selling point made clear on the physical advertising boards outside. It should be considered as posing the same nuisance value as any drinking establishment.

Furthermore, a nightly extension to midnight extending to outdoor areas seems incompatible with Section 7.4C given that that outdoor area backs onto residences, including ours, and customers will be leaving well after midnight. The outdoor area is already being used well beyond 9pm which seems to run contrary to your declared policy. Our bedroom looks over that terraced area and the noise is significant, increasing as a function of the number of people present and how long they have been drinking. Intermittently over the summer there have been live music sessions on Sundays between 4 and 8pm. In the hot weather this has been very popular and no doubt profitable with the outside terraced area full to capacity. This has been very noisy particularly towards the end of the session as customers show signs of several hours of drinking. The singer has been heard, from our garden, encouraging the clients to make more noise because he gets paid more. That makes Sunday afternoon in the garden a very different experience from what we would expect in a Residential area. An extension of this kind of activity would be intolerable.

We therefore oppose strongly any extension of the licence to midnight or to serving drinks to customers in the terraced area after 9pm

Yours sincerely

**From:**  
**Sent:** 21 July 2018 13:43  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CF Eleven B&B 149-151 Cathedral Road Alcohol application

**Hopefully this is the correct email address to object to application from 149-151 Cathedral Road CF Eleven B&B**

**Attention of Cardiff Council Licensing Dept**

This is an objection in reference to the new application by CF Eleven B&B 149-151 Cathedral Road to sell alcohol 7 days a week.

The owner of this establishment is turning this address into a pub using planning applications one by one. First there was the A3 planning, then there was the part time weekends only alcohol licence. Then there was the music licence. Since then he has converted both rear gardens into a beer garden, he has also moved his live music to outdoors. He also runs a used car business from the rear of the property, hence not providing any car parking spaces. He uses the address of Maggie Jones B&B over the road as the admin office. If you google CF eleven cars – you will find them listed in many places. Anyway – my objections are as follows :-

**1. Concentration of Licensed Outlets.**

There are 5 public houses in the conservation area already – The Conway, The Halfway, The Beverly, The Cricketers, The Mochyn Du, The Robin Hood, The Cameo Club. There are also already numerous shops selling alcohol in the area

In addition to above there are numerous restaurants in the area with alcohol licences.

After leaving local restaurants late at night the concern is that people will be drawn into the residential and conservation area.

The addition of another outlet selling alcohol in this location, which is a conservation area is inappropriate during daylight hours and after dark adds to concerns about breaches of the peace increasing in and around the area, usual loud noisy drunken behaviour and smashed glass (which no one ever clears – other than the council after a week)

**2. Crime and Disorder.**

Late / Early hours opening and an alcohol licence will draw unwelcome attention and increased foot fall at unsociable hours to a residential and conservation area.

Noise, public nuisance, anti-social behaviour, low-level nuisance especially non reported incidents eg inc. shouting, swearing, urination in public, littering will be increased.

**3. Public Nuisance.**

Late / Early opening hours times in a quiet, residential, conservation area will unnecessarily draw people from a wider area at unsociable hours. Signage will be visible from a distance up and down Cathedral Road. The owner currently has 5 signs plus sign on the pavement advertising his alcohol offers which will add additional draw of pedestrians and vehicles. To note again, this is a conservation area.

#### **4. Traffic Impact**

Yet more traffic, zero additional parking, impacts local residents who do not have off road parking or a parking permit. Cathedral Road is now a traffic compact zone 20mph zone, this will impact traffic, parking and pollution of an already packed area.

#### **5. Children exposure to advertising alcohol .**

The establishment already has 6 or so large signs advertising their alcohol promotions, including the sandwich board continually left on the pavement. This application conflicts with the amenities available to children in the area, putting them at risk from anti-social behaviour, increased littering, exposure to the marketing and sale of alcohol, increased potential for road traffic incidents.

Thank you for taking the time to seriously consider these objections.

1978  
**Griffiths, Paul (PPE)**

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**From:**  
**Sent:** 22 July 2018 10:03  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CF11, 151 Cathedral Road  
**Attachments:** CFEleven, 151 Cathedral Road, Cardiff, CF11 9PJ.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, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. \*\*\*

Dear Sirs

As a neighbour of the CF11, I wish to strongly object to the variation of the premises licence, attached. Permitting the new conditions would cause serious inconvenience and fatigue to residents living in the vicinity of the premises.

In particular, increasing the hours during which alcoholic drinks are served in conjunction with allowing patrons to drink outside will obviously result in increased consumption and consequently in higher noise, in the form of raised voices and shouting. There is already a higher incidence of broken glass around the premises, and this would only increase with glasses being broken as animated patrons go outside to smoke with drinks in hand. Increased consumption and later permitted hours for serving alcohol in front and around of the premises will undoubtedly result in incidences of brawling, raising noise levels even further and affecting safety of residents. By granting the extension of hours, the premises will serve alcohol after pubs and bars in the area have already closed, or stopped serving alcohol. This will result in patrons who have already been consuming alcohol elsewhere nearby, congregating in and around the premises, again raising noise pollution and disturbance. It is a well known fact that, in the circumstances, patrons under the influence of alcohol urinate in neighbouring doorways and alleyways, creating health hazard. Allowing patrons to drink outside will also result in increase in litter from discarded cigarettes etc.

The area the premises is located in is a residential area, inhabited mainly by families. The business model the premises will adopt with the proposed change of current licensing rules is not suitable for the area and is highly detrimental for families and residents living nearby, on the grounds of unreasonable noise pollution, safety and security and hygiene. It contradicts the spirit of the decision to declare this part of the city a conservation area. Granting such variations to the licence of the premises will also create a precedent and result in other establishments asking for, and being granted, variations of their licences, extending licensed hours, areas where drinks can be consumed and consequently, inconvenience and detriment to the residents. The business model the variation of the licence would allow is suited for central city areas, where entertainment and leisure premises are already predominant in Cardiff, where services exist to cope with consequences of such businesses, including cleaning, security and increased police presence. In the current economic climate, the City Council and services it runs are already stretched, and it can ill afford creating another area of the city where extra services are constantly needed to clean up, police and answer calls of residents experiencing nuisance.

I, therefore, would urge the Council to reject the application.

Yours faithfully

Sent from my iPad

Sent from my iPad



1978,  
**Griffiths, Paul (PPE)**

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**From:** M -  
**Sent:** 22 July 2018 18:51  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** 149 - 151 Cathedral Rd, Cardiff CF11 9PJ alcohol application extension

Good evening ,

I would like to place on record my objection to the application by CF Eleven bed and breakfast to extend their alcohol licence. My reasons for doing do so are as follows :-

- A Seven day a week alcohol licence is not required in the conservation area. There are several alternative establishments in the area already. Cameo, Halfway, Beverley, Conweay, Cricketers, Mochyn Du, Robin Hood etc as well as several restaurants all of who serve alcohol already.
- The address od 149-151 seems to slowly being converted into a public house . Opened to non guests / public. 2 large beer gardens in the rear of the property already being used. Loud live music being played outside.
- Drunkenness / anti social behaviour being encouraged by the owner. There are several alcohol advertising boards all around the property including one that is always there blocking the pavement.
- We also don't want to see adverts for alcohol that school children will every time they walk past the address.
- The address is in the middle of a Residential area / Conservation area. This location should be subject to a commercial alcohol establishment. The area cannot handle the additional footfall / parking issues that will come with more public users of the premises – when they are not staying there
- There is no parking facilities – the owner uses the rear space of the property as part beer garden and part used car sales – which he sells from the premises

The venue is / was a bed and breakfast – it is not supposed to be a separate 'Gin' bar open to the public. The public are already well catered for in the area without the need or requirement for further such establishments.

Kind regards

**Barker, Kirstie**

---

**From:** Wild, Caro (Cllr)  
**Sent:** 25 July 2018 09:16  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** FW: CF11 - application

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

**From:** t  
**Sent:** 24 July 2018 21:19  
**To:** C2C <C2C@cardiff.gov.uk>  
**Cc:** Wild, Caro (Cllr) <Caro.Wild@cardiff.gov.uk>; r  
**Subject:** CF11 - application

Good evening

Please accept this email as opposition from myself and my wife to the licensing extension application by the CF11 establishment on Sneyd street/Cathedral Road as this will lead to further noise pollution and anti-social behaviour.

Heulyn Gwyn Davies

CARDIFF COUNCIL

22<sup>nd</sup> July 2018

24 JUL 2018

LICENSING SECTION

Licensing Section  
City of Cardiff Council  
Cardiff CF10 3ND

Dear Sir/Madam,

Objection to Variance of Hours at CFEleven, 151, Cathedral Road, Cardiff CF11 9PJ

We are writing to respond to the notice of application for the captioned premises. We confirm our objection to the extension of licensing hours at the captioned premises from 22:00hours until midnight on all seven days of the week.

There is already considerable noise from licensed premises in the residential area after 10pm. This proposed variation to extend hours would only make the situation worse,

Yours sincerely,

*[Handwritten signature]*  
e

**Hartrey, Claire**

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**From:** Claire Hartrey  
**Sent:** 29 July 2018 06:40  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Licensing application objections

Please ignore my previous email. I am resending this objection, because the previous email did not have my home address and I have added some further concerns.

Hello,

I am writing to you to put forward my objections to the application by Jason Arthur Hamer, premises CFEleven, 151 Cathedral Road, Pontcanna, CF11 9PJ. To vary the hours of alcohol sale Monday-Sunday 10:00-00:00.

I am objecting to the whole application and request that you refuse it on the grounds that granting the application will not promote the licensing objectives - particularly the prevention of public nuisance, public safety and the prevention of crime and disorder.

I live behind CFEleven - I have the right to peace and quiet from within my house. I have concerns that with the proposed application, CFEleven could become a public nuisance.

There are often empty and smashed glasses left in the shared lane and on Sneyd Street and which is a danger to the public and customers can cause unjust disruption to neighbouring residents. They already have loud live bands late on a Sunday evening which can be heard from within my house - this is unacceptable and the proposed amendments will make this situation even worse.

It appears the outdoor area has already been extended recently so it is now directly behind my house - I am not sure if this is part of the application or not and whether this should have already taken place?

Kind regards,

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Sent from my iPhone

**Hartrey, Claire**

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**From:**  
**Sent:** 29 July 2018 12:55  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Variation of a Premises Licence CFEleven 151 Cathedral Road Cardiff CF119PJ  
**Attachments:** CFEleven 151 Cathedral Road Cardiff CF11 9PJ.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. \*\*\***

Dear Sirs

I am writing to object to the above application:

Although I do not live in the immediate vicinity of the premises my home is surrounded by licensed buildings on Cathedral Road the majority of which have outside permissions and I know from experience living here for the last 20 years of the nuisance and disruption that would be inflicted upon near neighbours if any of the Three variations were permitted.

1. Monday to Sunday 10:00 to 00:00. Far too late in a residential area  
New Years Eve: This would appear to be a 24 Hour licence variation.
2. Coupled with the above to licence outdoor areas, even for the existing licenced hours would significantly inconvenience residents. The rear area has already been equipped to accommodate their guests with a large permanent umbrella and several smaller ones.
3. To permit alcohol to be taken outside, would compound the issues mentioned above for neighbours..

On a wider note Cathedral Road is well served by public houses and restaurants and to increase footfall on The Road as people make their way to and from The City, which is I suspect the purpose of the application, would increase incidents of noise and nuisance.

Your Faithfully

**Griffiths, Paul (PPE)**

1978

**From:** T . . .  
**Sent:** 30 July 2018 14:13  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** CFEleven, 151 Cathedral Road, Cardiff, CF11 9PJ - APPLICATION FOR A VARIATION OF A PREMISES LICENCE - Objection

**Importance:** High

Good afternoon,

I would like to formally object to the proposed variation 1, 2 and 3 of the premises licence at CFEleven, 151 Cathedral Road, Cardiff, CF11 9PJ, which I am directly affected by due to the proximity of CFEleven to the rear of my property to which I reside i.e. 72, Plasturton Avenue, CF11 9HJ.

This objection is made on the following grounds:

Contrary to the licensing objectives i.e. the prevention of public nuisance it is considered based on our experience to date that there would as a result of the extended licensing hours be an overall harm to the public good, particularly within a predominantly residential area.

This is on the basis that there has already been on occasions under the current licencing arrangements, a public nuisance from the premises whilst it is open late in the evening. This public nuisance has occurred due to the noise/disturbance posed when there are 'event nights' such as loud music / singing/karaoke at the premises where patrons drink in the outside area to the rear of the premises.

This public nuisance occurs in a predominately residential area resulting in the rear windows to my home having to be kept closed (whereby the noise is still considered to pose an unacceptable disturbance) and being unable to enjoy our garden during the evenings. It is considered that this is contrary to the licensing objective of the prevention of public nuisance.

I believe that the request to extend the licensing hours beyond that which is currently permitted will cause further disturbance to such an extent that it would inevitably directly affect the enjoyment of my home.

There is concern that as there is already considered to be noise nuisance and disturbances/ anti-social behaviour, that the application to vary the licence would create unacceptable levels of public nuisance late in the evening and on a Sunday due to the likely increased footfall at unsociable hours that would permeate from the premises to a largely residential area within a conservation area, which the applicant would have no control over.

The above matters would be exacerbated by the increase in capacity of the premises, particularly resulting from the proposed increase to the rear outdoor area.

It is also considered that amending the licence to permit patrons to take their drinks outside of the premises could potentially increase the risk to public safety e.g. broken glasses and it is important that crime and disorder, potentially associated with drinking outside of the premises is prevented in this predominantly residential family area.

If you require any additional information please do not hesitate to contact me.

Regards

1978  
**Griffiths, Paul (PPE)**

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**From:**  
**Sent:** 30 July 2018 13:55  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Application for a Variation of a Premises Licence

Dear Sir or Madam

I wish to object to this application made by Mr Jason Hamer of CFEleven, 151 Cathedral Road, Cardiff CF11 9PJ.

I live on Plasturton Avenue which backs onto Cathedral Road. I object to the extension of hours and increase of outside area because the noise from the existing outside area is already unpleasant and encroaches on the many houses and flats where people are living.

The noise surely should not be permitted to go on beyond 11pm every night of the week. Noise from this kind of venue continues into the street when people leave. Under the influence of alcohol they fail to respect the needs of other people who may be sleeping nearby so that they can do their jobs properly the next day.

There are a large number of pubs and clubs already in the area. Alcohol abuse is a cause of enormous problems with ill health and violence being just some of them.

In this society it is difficult to control the abuse of alcohol but I feel strongly that what was a hotel should not be permitted to sell alcohol all day every day until midnight and especially in these outdoor areas where the noise travels to all the neighbourhood and people frequently spill out onto the pavement.

Yours faithfully

## Barker, Kirstie

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**From:** Gordon, Iona (Cllr)  
**Sent:** 09 July 2018 11:31  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Cc:** Singh, Kanaya (Cllr); Wild, Caro (Cllr)  
**Subject:** Objections to a variation of a Premises License for CF11 Cathedral Road  
**Attachments:** Screen Shot 2018-07-08 at 12.22.55.png

Dear Licensing,

Riverside Councillors, Cllr Singh and Cllr Wild and I wish to object to the application for a variation in the premises licence for the Gin Bar, CF11, 151 Cathedral Road, Cardiff. We hope the license will come to the licensing committee for consideration as there is a great deal of concern about the way the business is running at the moment. I welcome attending and know many residents would like to attend and give their first-hand information about how this business is being run, and the distress it is causing.

CF11 are flaunting their current license and instead of being a small boutique hotel providing a high quality service for their guests they are promoting the Gin Bar as a public venue for indoor and outdoor drinking and music. The Council planning department are already looking into the illegal display signs and sandwich boards they put out, which are not allowed under the Conservation Area regulations on signage.

I sincerely hope that the variation to the premises licence will be refused and, moreover, that the CF11 license should be reviewed as soon as possible as they are breaching it in so many ways.

Noise pollution has been called on many occasions because of the volume of music and noise from the premises which disturbs the neighbourhood. The variation asks that permission be given to extend the hours and have outdoor drinking and music. This already goes on, with the hot summer nights residents want this activity to stop and be refused permission as they are already showing that they pay scant regard to what is allowed and what is not.

This is a residential part of Cathedral Road, and the only businesses are guest houses and the Barclay Residential Care Home. CF11's operations are causing a local anti-social nuisance, via the noise and activity. There is massive local opposition to the Gin Bar trading as CF11 for a variation of its licence including our own.

Kind regards,

Iona

Councillor Iona Gordon    Cynghorydd Iona Gordon

Riverside Ward            Ward Glan yr Afon

Cardiff                    Caerdydd

@CllrIonaGordon



## **Barker, Kirstie**

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**From:** Wild, Caro (Cllr)  
**Sent:** 09 July 2018 18:45  
**To:** Gordon, Iona (Cllr); Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Cc:** Singh, Kanaya (Cllr)  
**Subject:** RE: Objections to a variation of a Premises License for CF11 Cathedral Road

I echo Cllr Gordon's views entirely.

It is worth noting that residents are generally supportive of local hospitality businesses. And in the main these establishments respect their neighbours and recognise they are part of a wider community. And we find a balance.

The CF11 Gin Bar's proposals go against this ethos and risk many people not having a reasonable level of residential enjoyment.

Please let me know how our objections can be submitted and heard, and I too would ask that we look into reviewing their license as it stands now.

Many thanks

**Councillor Caro Wild**  
**Riverside Ward**

**From:** Gordon, Iona (Cllr)  
**Sent:** 09 July 2018 11:31  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>  
**Cc:** Singh, Kanaya (Cllr) <Kanaya.Singh@cardiff.gov.uk>; Wild, Caro (Cllr) <Caro.Wild@cardiff.gov.uk>  
**Subject:** Objections to a variation of a Premises License for CF11 Cathedral Road

Dear Licensing,

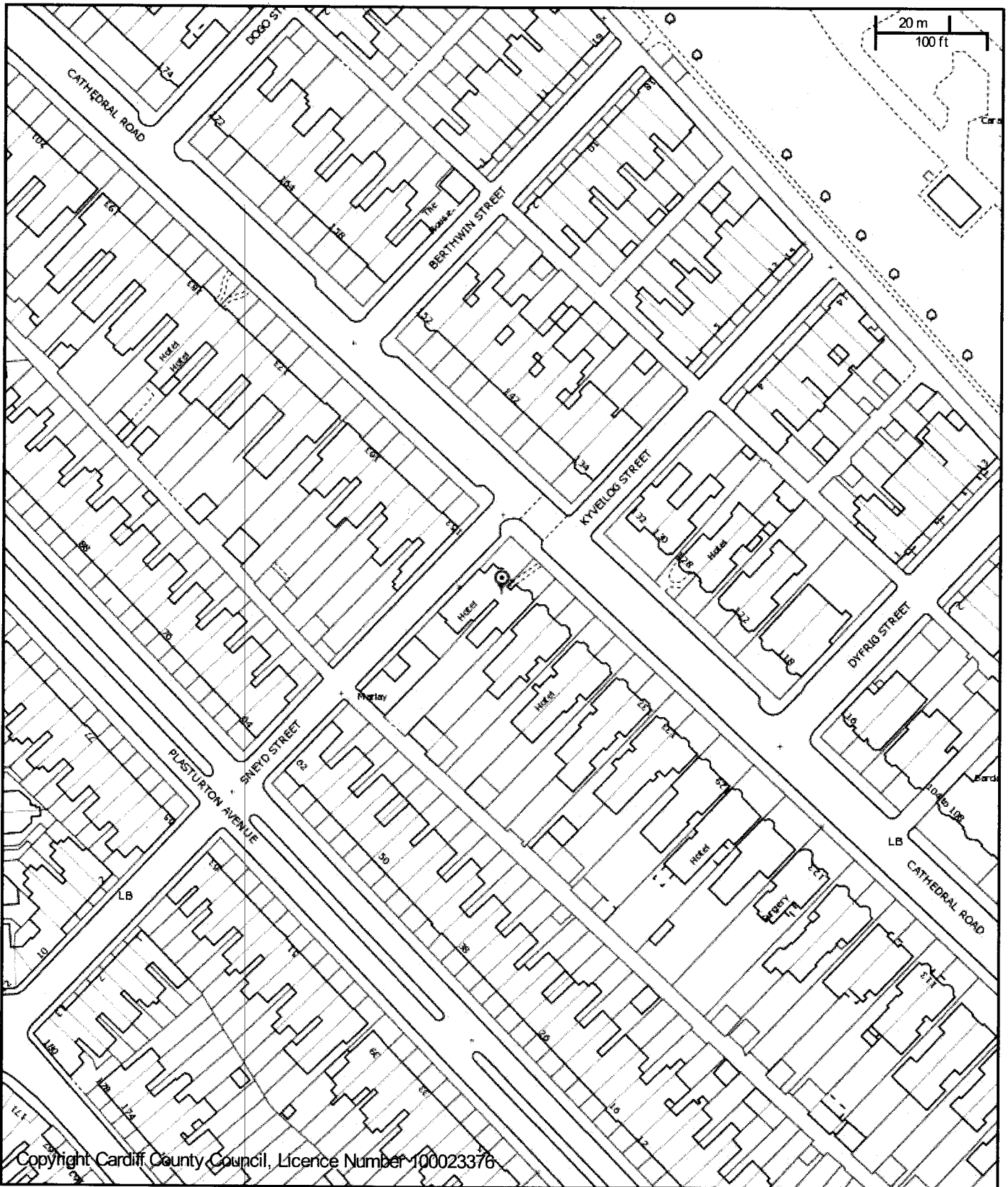
Riverside Councillors, Cllr Singh and Cllr Wild and I wish to object to the application for a variation in the premises licence for the Gin Bar, CF11, 151 Cathedral Road, Cardiff. We hope the license will come to the licensing committee for consideration as there is a great deal of concern about the way the business is running at the moment. I welcome attending and know many residents would like to attend and give their first-hand information about how this business if being run, and the distress it is causing.

CF11 are flaunting their current license and instead of being a small boutique hotel providing a high quality service for their guests they are promoting the Gin Bar as a public venue for indoor and outdoor drinking and music. The Council planning department are already looking into the illegal display signs and sandwich boards they put out, which are not allowed under the Conservation Area regulations on signage.



I sincerely hope that the variation to the premises licence will be refused and, moreover, that the CF11 license should be reviewed as soon as possible as they are breaching it in so many ways.

Noise pollution have been called on many occasions because of the volume of music and noise from the premises which disturbs the neighbourhood. The variation asks that permission be given to extend the hours and have outdoor drinking and music. This already goes on, with the hot summer nights residents want this activity to stop and be refused permission as they are already showing that they pay scant regard to what is allowed and what is not.

This is a residential part of Cathedral Road, and the only businesses are guest houses and the Barclay Residential Care Home. CF11's operations are causing a local anti-social nuisance, via the noise and activity. There is massive local opposition to the Gin Bar trading as CF11 for a variation of its licence including our own.



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<p>CHIEF EXECUTIVE Paul Orders County Hall Atlantic Wharf Cardiff CF10 4UW Tel: 029 20872000</p>	<p><b>City of Cardiff Council</b></p> <p><b>Cyngor Dinas Caerdydd</b></p> 		<p><b>Title</b></p> <p>Scale: 1:1417 Date: 7/8/2018 at 14:04 PM Coordinates © Crown copyright and database rights (2014). This copy is produced specifically to supply County Council information NO further copies may be made. <b>Ordnance Survey 100023376 (2014).</b></p>
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**CARDIFF COUNCIL  
CYNGOR CAERDYDD**

**Agenda Item CO.**

**LICENSING SUB-COMMITTEE: 24<sup>th</sup> August 2018**

**Report of the Head of Regulatory Services**

**Application for Premises Licence - Grant**

**Application No: 025124**

**Name of Premises: Wally's Spirits from Wales Ward: Cathays**

**1. Application**

1.1 An application for a Premises Licence - Grant, has been received from Wally's Spirits from Wales Limited in respect of Wally's Spirits from Wales, Mall Site 11, St David's Dewi Sant, Cardiff, CF10 2ER.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

1. The supply of alcohol for consumption off the premises.

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

"Mall kiosk in St. David's 2 Shopping Centre. Located on ground floor at foot of escalator opposite Disney Store. Size 2.5m x 4.2m. Off supplies only. All bottles of alcohol will be displayed behind glass fronted display cabinets and passed to customers upon purchase. Free sampling will be available to selected customers".

(3) The opening hours are proposed as follows:

Monday to Saturday: 09:30 to 20:00

Sunday: 11:00 to 17:00

Non Standard Timings: extended during December for Christmas trading, Student Lock-In in September/October, Spring Treat, Christmas Treat. Licensable activity will take place during St David's 2 opening hours.

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

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

Monday to Saturday: 09:30 to 20:00

Sunday: 11:00 to 17:00

Non Standard Timings: extended during December for Christmas trading, Student Lock-In in September/October, Spring Treat, Christmas Treat. Licensable activity will take place during St David's 2 opening hours.

**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**

- 3.1 A copy of the representation received from a local business is attached to 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 August 2018**



*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 and Wally's Liquor Cellar, has held a Personal Licence since 13th April 2005 and has extensive experience in the retail supply of alcohol, having been authorised since 1996 by the Licensing Justices of the Cardiff Magistrates Court to sell alcohol by retail at Wally's Delicatessen, 38-46 Royal Arcade, Cardiff and since September 2017 at Wally's Liquor Cellar, 10-14 Castle Arcade, Cardiff.

The licensable activities will be the sale of alcohol by retail for consumption off the premises. There will be no provision of regulated entertainment nor provision of late night refreshment. Employees are not allowed to open bottles of alcohol for customers who have purchased alcohol from the business or from any other stores. A staff training manual will be issued to all staff and held on the premises.

The premises are located within a City Centre Shopping Mall St. David's 2 containing other business premises selling both alcohol and non-alcohol products. The area of the Centre where the business is situated is closed to the public from 8.30 pm to 8.00 am and the whole Centre is closed from 12.30 am to 6.30 am. The Centre is patrolled throughout the day by security staff and a comprehensive CCTV system and radio network is in place.

There are residential apartments situated on the upper floors of St. David's 2 but these are unaffected by the operations of the businesses within the Shopping Centre.

b) The prevention of crime and disorder

The kiosk is situated on the mall concourse within the St. David's 2 Shopping Centre, which is well lit and busy with public and Centre staff. SD2 employs Interserve security staff who are on site 24/7 and on patrol throughout the day and who are connected to the City Centre Radio security system and to SD2 staff. The role of security is to provide a safe and secure environment for customers and retailers and to support with any security related incidents such as theft or similar related.

There is a comprehensive CCTV system in place with 279 cameras covering both front and back of house and with full coverage of the kiosk area and which can provide images to Police as requested. The purpose of the CCTV system is to record incidents, anti-social behaviour and to protect the Centre, its customers and its staff.

The area where the kiosk is situated is closed off at night between the hours of 8.30 pm and 8.00 am.

All alcohol products will be displayed behind glass display cabinets and bottles will only be passed to customers during a controlled staff-customer interaction and upon completion of the purchase. The cabinets will be locked during non-trading hours using secure locks. Signs will be clearly posted that all shoplifters will be prosecuted and that CCTV is in operation.

A policy for verifying customers age will be in operation where any customer will be asked to provide proof of age if it is suspected they are or may be under 25. The EPOS system will prompt staff to consider proof of age for all purchases. No bottles of alcohol will be opened by staff for consumption by customers. Carefully controlled sampling of alcohol can take place during a customer-staff interaction at the discretion of the Designated Premises Supervisor.

Off-sales of alcohol in glass bottles will be sold on Major Event Days in keeping with the Premises Licence of Wally's Delicatessen and Wally's Liquor Cellar. The off-sale of alcohol is the business' only product and it would have to close down on Major Event Days if a plastic vessel only policy were imposed. The alcohol products sold are high-end craft spirits and are costly to purchase and are unlikely to appeal to those interested in using the bottles as an offensive weapon. There will be no sale of chilled alcohol for immediate consumption. Sales will only be during trading hours which do not continue beyond 20.00 hours except on extended Christmas trading days and other sales promotion events days. All other retail businesses within SD2 have to operate the same opening hours.

Sales of alcohol will not be made to anyone exhibiting signs of drunkenness or aggressive behaviour. There is no major experience of open drinking or anti-social behaviour within SD2 and if there was this would be dealt with by SD2 security staff. There will be no aggressive or significant discounting of alcohol. Rules relating to the responsible retailing of alcohol will be given to all staff and kept on the staff manual.

**Continued from previous page...**

**c) Public safety**

The kiosk is situated on the concourse of SD2 with easy passage to and from the kiosk from all sides. SD2 operates and maintains a fire safety plan and tests fire alarm systems weekly within all retail units and all fire evacuation and prevention systems and maintains fire escape routes. Procedures are issued to all Centre staff who will be trained in the evacuation process and provided with a fire walk through. The glass in the display cabinets will be 10mm toughened and laminated glass.

**d) The prevention of public nuisance**

The business is situated on the ground floor of a commercial shopping centre. Staff will liaise with SD2 security staff and nearby businesses to ensure any problems are dealt with as they arise. There are residential apartments situated on the upper floors of St. David's 2 but these are unaffected by the operations of the businesses within the Shopping Centre.

**e) The protection of children from harm**

No alcohol sales will be made to customers whom staff suspect of being less than 25 without asking for appropriate ID. A list of appropriate ID will be maintained. A till prompt message will be used to remind staff to ask for suitable ID. Signs will be displayed stating that it is illegal to sell alcohol to anyone under the age of 18. No member of staff under the age of 18 will be employed. Rules relating to the responsible retailing of alcohol will be given to all staff and kept in the staff manual.

SD2 have a lost child procedure in place

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

## Barker, Kirstie

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**From:**  
**Sent:** 26 July 2018 11:55  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Objection to Premises License "Wally's Spirits from Wales Limited"  
**Importance:** High

To Whom it may concern,

I wish to make an objection to the license application for Wally's Spirits from Wales Limited at Mall site 11, St David's Dewi Sant, Cardiff CF10 2ER.

This proposed stall/shop set up is directly outside a children's toy shop which is wholly inappropriate for a number of obvious reasons – In previous years similar stands have been set up and also have brought a significant risk and issue surrounding the sale and giving away of free alcohol samples to customers, this has meant that open alcoholic beverages have been left within the children's toy store which obviously poses a significant risk to minors/children shopping.

This type of business and sale of alcohol would be better suited within a different part of the shopping centre that does not sit directly outside any of the centre's child focused stores.

Thank you for taking the time to consider my representation/objection to this matter.

Kind Regards

### Store Manager

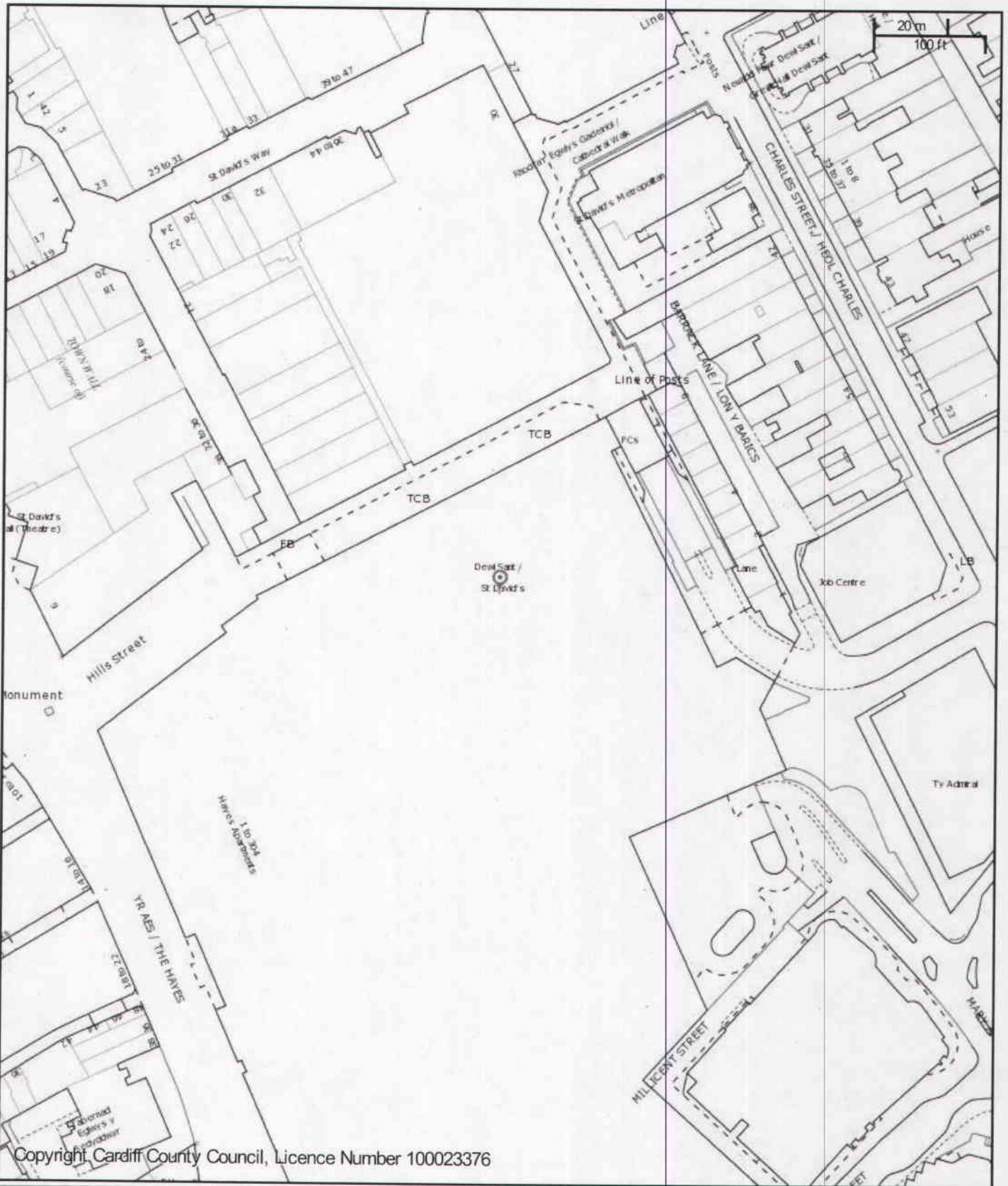
Hamleys Cardiff  
St. Davids Centre  
46-48 Lower Grand Arcade  
Cardiff  
CF10 2ER  
Mobile: 07791 123456  
Direct Line: 0117 925 1234



The Finest Toy Shop in the World

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