



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

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

AGENDA

Pwyllgor	IS-BWYLLGOR TRWYDDEDU
Dyddiad ac amser y cyfarfod	DYDD GWENER, 23 TACHWEDD 2018, 10.00 AM
Lleoliad	YSTAFELL E, NEUADD Y DDINAS - NEUADD Y DDINAS
Aelodaeth	Cynghorydd Mackie (Cadeirydd) Cynghorwyr Jacobsen a/ac Sattar

- 1 Datganiadau o Fuddiant**
- 2 Cais am Amrywio Trwydded Eiddo - Ty Madeira, St Mary Street**
(Tudalennau 3 - 20)
- 3 Cais am Drwydded Safle - Kevin's Bar, Cowbridge Road East**
(Tudalennau 21 - 40)
- 4 Materion Brys (os o gwbl)**

Davina Fiore

Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol

Dyddiad: Dydd Llun, 19 Tachwedd 2018

Cyswllt: Graham Porter, 02920 873401, g.porter@caerdydd.gov.uk

Mae'r dudalen hon yn wag yn fwriadol

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 23rd November 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Licence No: CCCP00563

Name of Premises: Ty Madeira, 32 St Mary Street, Cardiff, CF10 1AB

Ward: Cathays

1. Application

1.1 An application for variation of a Premises Licence has been received from Madeira 3 Ltd in respect of Ty Madeira, 32 St Mary Street, Cardiff, CF10 1AB.

1.2 The premises licence currently permits the following:

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

Monday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 23:30

Christmas Day: 12:00 to 23:30

Good Friday: 12:00 to 23:30

New Years Eve: until the start of permitted hours on New Years Day

The provision of late night refreshment (indoors):

Monday to Saturday: 23:00 to 00:30

Sunday: 23:00 to 00:00

Christmas Day: 23:00 to 00:00

Good Friday: 23:00 to 00:00

New Years Eve: 23:00 to 05:00

1.3 The applicant has applied to vary the licence as follows:

The sale by retail of alcohol for consumption ON and OFF the premises:

Monday to Sunday: 10:00 to 01:30 hours

New Years Eve: 10:00 until the start of permitted hours on New Years Day

The provision of regulated entertainment in the form of live music, recorded music, performances of dance and anything of similar description (indoors):

Monday to Sunday: 10:00 to 01:30 hours

New Years Eve: 10:00 until the start of permitted hours on New Years Day

The provision of late night refreshment (indoors):

Monday to Sunday: 23:00 to 01:30 hours

New Years Eve: 23:00 to 05:00

The opening hours of the premises enabling to cater for the above:

Monday to Sunday: 10:00 to 02:00 hours

New Years Eve: 10:00 until the start of permitted hours on New Years Day

2. Promotion of Licensing Objectives.

- 2.1 A copy of the operating schedule submitted with the application is attached. Also attached is a copy of the current premises licence conditions.

3. Relevant Representations

- 3.1 A representation has been received from South Wales Police. A copy of the objection is attached. The applicant has agreed to attach the conditions suggested by the Police but the objection to the granting of the variation has not been withdrawn by the Police.
- 3.2 A representation has been received from the Senior Licensing Enforcement Officer but has been withdrawn following the agreement to attach conditions (as above) to the licence if granted. A copy of the objection is attached.
- 3.3 A representation has been received from a local business. A copy of the objection is 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

08 November 2018

ANNEXES: CONDITIONS

Annex 1 Mandatory Conditions**Mandatory conditions where licence authorises supply of alcohol**

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the

ANNEXES: CONDITIONS continued ...

permitted price.

6. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

<http://www.legislation.gov.uk/ukdsi/2014/9780111109120/images/ukdsi_9780111109120_en_001>
where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

7. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

1. A period of 30 minutes is allowed at the end of each period of permitted hours for the consumption of alcohol on the premises by persons taking meals there provided the alcohol was supplied ancillary to a meal, and

2. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

3. It shall be an implied condition to this licence that suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Dave Holland
Shared Regulatory Services

26 September, 2018

Continued from previous page...

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve/New Years Day extension from 02:00 until start of permitted hours on 1st January

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Annex 2, Condition 2

- I have enclosed the premises licence
- 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.

Will be handed in to Licensing Office.

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.

70% of public space to have tables and chairs and see below.

b) The prevention of crime and disorder

Introduction of CCTV to an approved standard by South Wales Police.
Use of plastic drinking vessels on major event days in city except for champagne and wines.
Incident log book to record any incident occurring on the premise

c) Public safety

Continued from previous page...

To adhere to guidelines set regarding the use of plastic glasses on event days unless accompanying table meals or are consuming wine or champagne.
All food by waiter/waitress service. No Self Seating customers shown to seats by waiters/waitresses. No use of disposable crockery.

d) The prevention of public nuisance

Ensure sufficient measures are taken to prevent any noise on the premises causing nuisance or disturbance.
Ensure correct dispose of refuse and waste, at the correct time to minimise disturbance to nearby properties.

e) The protection of children from harm

No children permitted after 18:00 hours unless accompanied by an adult.
No adult entertainment.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Premises Licence

ANNEXES: CONDITIONS

Annex 1 Mandatory Conditions**Mandatory conditions where licence authorises supply of alcohol**

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- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

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 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the



Premises Licence

ANNEXES: CONDITIONS continued ...

permitted price.

6. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

<http://www.legislation.gov.uk/ukdsi/2014/9780111109120/images/ukdsi_9780111109120_en_001>
where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

7. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

1. A period of 30 minutes is allowed at the end of each period of permitted hours for the consumption of alcohol on _____ the premises by persons taking meals there provided the alcohol was supplied ancillary to a meal, and
2. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
3. It shall be an implied condition to this licence that suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.



Dave Holland
Shared Regulatory Services

26 September, 2018



Barker, Kirstie

From: [REDACTED]
Sent: 17 October 2018 17:03
To: [REDACTED]
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: TY MADEIRA
Attachments: Ty Madeira.pdf; CI Madeira Signed.docx

***** 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. ***

Dear Mr Jose De Gouveia,

Please find attached South Wales Police representations regarding the premises licence variation submitted for Ty Madeira, 32 St Mary Street, Cardiff, CF10 1AB

If you are happy to accept our representations can I ask you confirm this by return email including Cardiff Council Licensing licensing@cardiff.gov.uk

Many thanks, Kind Regards
Claire

Claire-Louise Dewhurst

**Swyddog Trwyddeduy Heddlu / Police 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

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, ffoniwch 999 bob amser.

[REDACTED]

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.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.



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

17th October 2018

Mr Jose De Gouveia
Madeira 3 Ltd
Ty Madeira
32, St Mary Street,
Cardiff
CF10 1AB

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

TY MADEIRA, 32, ST MARY STREET, CARDIFF, CF10 1AB

Dear Mr Jose De Gouveia,

I have caused enquiries to be made into this application and make the following representation;

South Wales Police wish to object to the grant of this application under the Licensing Objectives;
Prevention of Crime and Disorder
Prevention of Public Nuisance, as well as the Cardiff City Council Cumulative Impact Policy 2016-2021.

Should the committee be of a mind to grant this application, we ask that amendments are made to permitted hours and conditions are attached to the premises licence as listed below;

POLICE REPRESENTATION

PERMITTED HOURS APPLIED FOR SUPPLY BY RETAIL OF ALCOHOL FOR CONSUMPTION ON AND OFF PREMISES TO BE AMENDED TO:

Monday – Sunday 10:00 – 01:00

With the additional timings as detailed in the original application.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg.
Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd
gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding
in Welsh will not lead to a delay in responding.

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

PERMITTED HOURS FOR THE PROVISION OF REGULATED ENTERTAINMENT IN THE FORM OF FILMS, LIVE MUSIC, RECORDED MUSIC, PERFORMANCES OF DANCE AND ANYTHING OF A SIMILAR DESCRIPTION (ALL INDOORS) TO BE AMENDED TO:

Monday – Sunday 10:00 – 01:00

With the additional timings as detailed in the original application.

PERMITTED HOURS FOR THE PROVISION OF LATE NIGHT REFRESHMENT (INDOORS) TO BE AMENDED TO:

Monday – Sunday 10:00 – 01:00

With the additional timings as detailed in the original application.

PERMITTED HOURS FOR THE PREMISES TO BE OPEN TO THE PUBLIC TO BE AMENDED TO:

Monday – Sunday 10:00-01:30

With the additional timings as detailed in the original application.

CONDITIONS

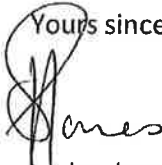
1. The Designated Premises Supervisor (DPS) will be an active member of the Cardiff Licensees Forum. He/she will attend at meetings in person, or by sending a suitable proxy.
2. On days classified as 'major event days' by South Wales Police, all drinks will be dispensed into plastic vessels, with the exception being hot drinks and wine, champagne and or cocktails served with a substantial table meal to seated persons.
3. SIA registered door supervisors will be employed at the premises at the ratio of 1:100 or part thereof, with a minimum of two at any time, from 21:00hrs whenever the premises remains open past 00:00hrs for licensable activities.
4. A register of door supervisors shall be kept at the premises. The register shall show the full name and SIA registration number of each door supervisor, stating the start and end duty times from each door supervisor. The register shall be kept by the DPS for a minimum of 12 months and will be made available to a police employee or representative of a responsible authority on request.
4. Off sales of alcohol will only be in sealed containers.
5. A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits. It will cover the external front of the premises. Any outside area used by customers will also be covered. The images will be kept for a minimum period of 31 days. Images will be produced to a police employee on the provision of satisfactory identification in a readily playable format, immediately upon request when the premises are open to the public and at all other times as soon as reasonably practicable, subject to data protection legislation. There will be sufficient trained staff to facilitate the above. Signs will be prominently displayed, advising customers that CCTV is in operation at the premises.

6. An incident book shall be kept at the premises and maintained on site for a period of twelve months. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:
All crimes reported to the venue
Any complaints received (of a Criminal or Licensing nature)
Any incidents of disorder
Any refusal of the sale of alcohol
Any visit by a representative of a relevant authority or a member of the emergency services.
Any failures of the CCTV system.
7. All staff involved in the sale of alcohol will participate in training on an annual basis concerning knowledge of licensing laws to promote responsible retailing. A record of this will be kept for a 12 month period.
8. Children under the age of 18 shall not be permitted into or remain on the premises after 21:00 hours unless accompanied by an adult and seated for a table meal.
9. At least 80% of the public space is occupied by tables and chairs
10. All meals are consumed at tables with non disposable crockery.
11. There is no self-seating; customers are shown to their table by staff.
12. All food is served by waiter/waitress service, with the only exception of buffet-style restaurants.
13. At all times when open to the public, the premise shall operate a radio system which is monitored by the local authority and South Wales Police.

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.

Should you have any further queries please contact Police Licensing Officer Claire Dewhurst on 02920 633421 or by email claire.dewhurst@south-wales.pnn.police.uk

Yours sincerely

PP  *Ch Supt 3435*
Joe Jones
Chief Inspector

Barker, Kirstie

From: Griffiths, Paul (PPE)
Sent: 26 October 2018 09:37
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Te Madeira - Police representations



Paul Griffiths |
Licensing Section (Cardiff) / Adran Drwyddedu (Caerdydd)
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rënnir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Phone | Ffon: (029) 20871651
Email / Ebst: paul.griffiths@cardiff.gov.uk

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029 20871651/ licensing@cardiff.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.

From: [REDACTED]
Sent: 25 October 2018 14:54
To: Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk>
Subject: Te Madeira - Police representations

Hi Paul

Just confirming that my client has accepted all police representations in respect of the above application. I have emailed the police with this information. Perhaps you can let your colleague Rhys have a copy of the police reps. Many Thanks for your help.

Bill Freeman

Sent from [Mail](#) for Windows 10

Barker, Kirstie

From: Morgan, Rhys
Sent: 11 October 2018 14:40
To: Barker, Kirstie
Subject: FW: Licensing Act 2003: Variation Application: Ty Madeira, 32 St Mary Street, City Centre, CF10 1AB
Attachments: Variation Ty Madeira 32 St Mary Street Cardiff CF10 1AB.pdf; 00563 Variation.O18.pdf

Good Afternoon Kirstie,

Concerning the above application for variation of premises license, I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

A Cumulative impact Policy has been adopted for the City Centre area of Cardiff. The Licensing Authority has adopted the policy due to high levels of alcohol related crime and disorder, in the interests of public safety and the avoidance of nuisance.

The policy creates a presumption that new applications or variations for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives.

The premises detailed above falls within the boundary of the Cumulative Impact Zone and therefore an objection is submitted in respect to the following Licensing Objectives.

The prevention of crime and disorder.
The prevention of public nuisance.

There has been some detail in the application on how the promotion of the licensing objectives will be undertaken, however the premises falls under the category restaurant in the Statement of licensing Policy. For which additional steps within Table 2 of the Policy highlight measures that can be adopted by the applicant in order to achieve the policies objectives. It can be see that the application details some of the additional steps within the operating schedule, however not all additional measures have yet been adopted and as such the application falls under the red category and the CIP still applies, Consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Cumulative Impact Policy.

You will need to demonstrate to the Licensing Sub-Committee that there will be no negative cumulative impact on one or more of the licensing objectives if the Premises Licence were to be granted.

Kind regards

Rhys Morgan

Licensing Section / Adran Drwyddedu

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Telephone | Ffôn 02920 871123



Language Preference

Barker, Kirstie

From: Morgan, Rhys
Sent: 29 October 2018 10:51
To: [REDACTED] Licensing (Licensing Regulatory) / Trwyddedu
(Rheoleiddio Trwyddedu)
Subject: FW: Te Madeira - Police representations

Hi Bill,

Further to discussions and the subsequent agreement the applicant has made to meet the Police proposed conditions the licensing authority would remove their objection.

Kind regards

Rhys Morgan

Licensing Section / Adran Drwyddedu

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Telephone | Ffôn 02920 871123



Language Preference

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029 20871651/ licensing@cardiff.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.

From: [REDACTED]
Sent: 25 October 2018 14:54
To: Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk>
Subject: Te Madeira - Police representations

Hi Paul

Just confirming that my client has accepted all police representations in respect of the above application. I have emailed the police with this information. Perhaps you can let your colleague Rhys have a copy of the police reps.
Many Thanks for your help.
Bill Freeman

Sent from [Mail](#) for Windows 10

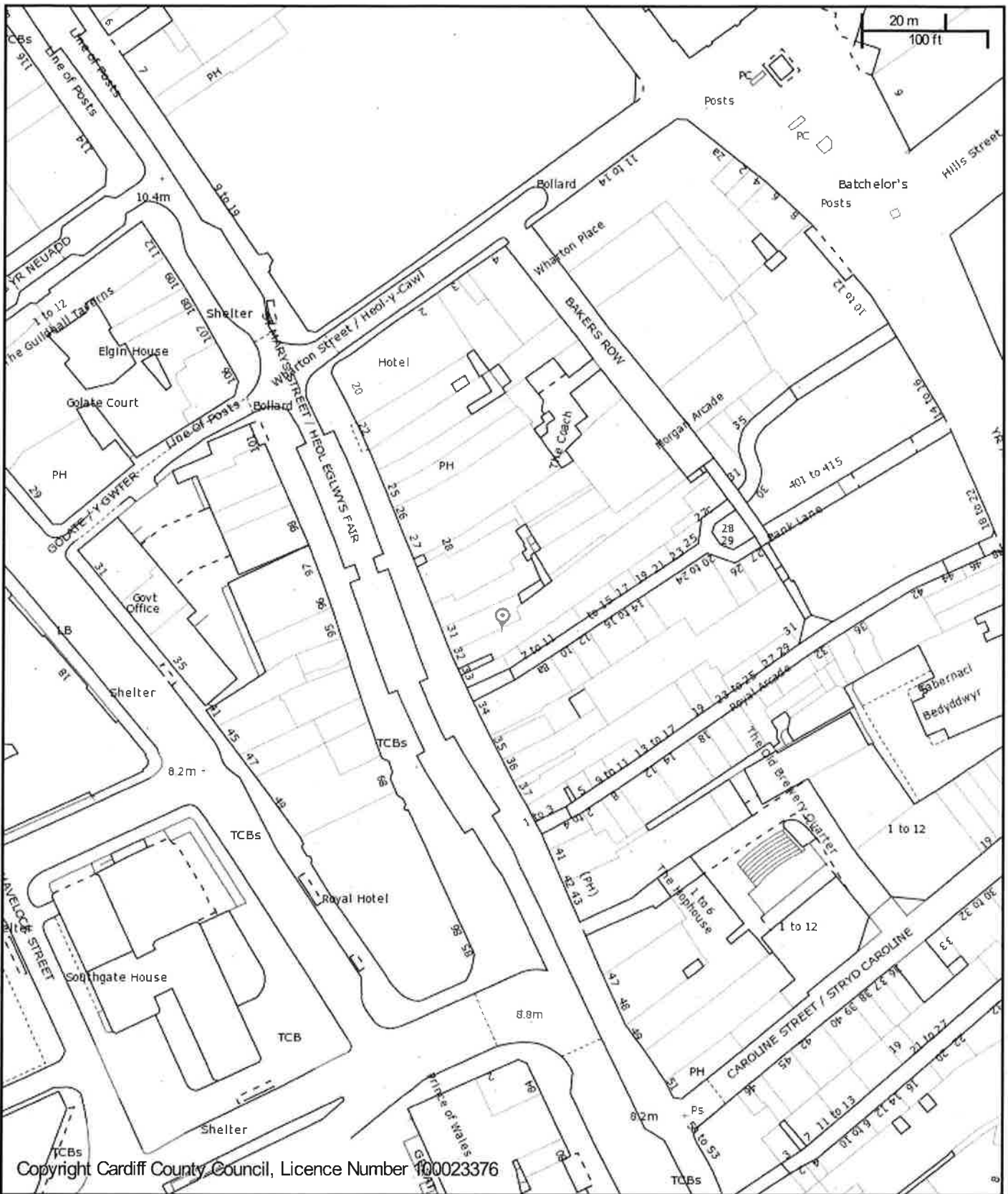
563

028066

Hartrey, Claire

From: [REDACTED]
Sent: 25 October 2018 18:23
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: objection to ty madira ,st mary street cardiff

iam writing in to object to this licensing of the application of ty madira 32 st Mary street for the sale of alcohol past 10pm and live music on the grounds that ,i run Charleston's steak house in town for 27 years i have a 6am music and alcohol licence that i do not use at all, i don't even serve drinks without food ,the amount of trouble that comes with this i feel isn't fair as iam open till 4am 6 days a week and don't want more drunks coming up my stairs as they always end up in caroline street as you know ,town isn't what it used to be ,the decent people rarely come into town past evening as the homeless have made sure of that ,i cannot walk to and from work without being shouted at and threatening behavior by them ,there is enough bars and strip clubs to keep people happy i have a really strong objection on this ,no problem being a restaurant with drinks up till 10pm thats great but no more late night places its a very big place ty madira and if they have this licence there will be alot of trouble that we just don't need these people have no experice with the late night trade,i have 27 years of it , please consider this when looking at this applicaton ,king regards [REDACTED]
[REDACTED]



CHIEF EXECUTIVE
Paul Orders

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council




Title

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 23rd November 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 027870

Name of Premises: Kevin's Bar, 161 Cowbridge Road East, Canton, Cardiff, CF11 9AH

Ward: Riverside

1. Application

1.1 An application for a Premises Licence - Grant, has been received from Kevin's Bars and Pubs Ltd in respect of 161 Cowbridge Road East, Canton, Cardiff, CF11 9AH.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail for consumption on and off the premises
- (ii) The provision of regulated entertainment in the form of live music and recorded music (indoors)
- (iii) The provision of late night refreshment (indoors)

(2) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:

Sunday to Thursday: 11:00 to 00:00

Friday and Saturday: 11:00 to 02:00

New Years Eve: 11:00 to the start of permitted hours on New Years Day

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

(i) The sale by retail for consumption on and off the premises:

Sunday to Thursday: 11:00 to 00:00

Friday and Saturday: 11:00 to 02:00

New Years Eve: 11:00 to the start of permitted hours on New Years Day

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

Sunday to Thursday: 23:00 to 00:00

Friday and Saturday: 23:00 to 02:00

New Years Eve: 23:00 to the start of permitted hours on New Years Day

(iii) The provision of late night refreshment (indoors):

Sunday to Thursday: 23:00 to 00:00

Friday and Saturday: 23:00 to 02:00

New Years Eve: 23:00 to 05:00

2. Promotion of Licensing Objectives.

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

3. Relevant Representations

- 3.1 A representation has been received from South Wales Police. A copy of the objection is attached.
- 3.2 A representation has been received from the Noise Pollution team. A copy of the objection is attached.
- 3.3 Representations have been received from other persons. Copies of the 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

08 November 2018

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises wishes to be licensed for a standard 36 hours during New Year's Eve.

Section 18 of 19

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.

No additional steps are proposed to be taken/made, other than those set out in paras b)- e) below as it is the contention of the applicant that such proposals fully cover the promotion of all four of the licensing objectives in respect of the premises which are the subject of this application.

b) The prevention of crime and disorder

1. The CCTV system installed at the premises be of a standard that is acceptable to Cardiff Police.

The responsible person shall produce a copy of any footage to the Police or Local Authority within 7 working days if required.

This system shall be recording whenever the premises are open for licensable activities. Recordings will be kept for a minimum of 31 days.

A notice will be displayed at the entrance to the premises advising customers that CCTV is in operation.

2. Customers will not be permitted to take open containers of alcoholic drinks from the premises.

3. The premises will operate a 'Challenge 25' Policy and maintain a refusals register.

4. A notice will be displayed at the premises warning customers of our zero tolerance policy with anti-social, drunken, and quarrelsome behavior and that they could be banned from all licensed premises within the vicinity under the Behave or be Banned Scheme.

c) Public safety

1. A suitable fire risk assessment will be carried out at the premises on an annual basis.

2. The fire exit doors at the rear of the property are checked regularly to ensure they function satisfactorily.

3. A fire evacuation procedure will be implemented at the premises and staff effectively trained in the evacuation procedures.

4. Adequate and appropriate first aid equipment and materials are available on the premises.

d) The prevention of public nuisance

1. The premises will be operated so as not to cause a nuisance to nearby properties. Signage will be displayed in prominent areas informing customers to have regard to the residents when leaving the premises.

2. The premises will operate a terminal hour of 22:00 in the outside location described as the (patio)area, for the

Continued from previous page...

consumption of alcohol.

After this time only those persons who wish to smoke will be allowed within this area.

3. All outside lighting will be operated on a timer and will be turned off at close of business.
4. The premises has a waste collection contract with Cardiff County Council who will remove waste on a weekly basis.
5. Staff undertake a litter pick to a distance of 5 meters around the premises every week.

e) The protection of children from harm

1. No person under the age of 18 shall be employed on the premises whether paid or unpaid for the purpose of serving alcohol.
2. No children under the age of 16 years will remain on the premises after 21.00, unless they are accompanied by an adult, or they are attending a pre-booked event or function.
3. Staff shall frequently walk the premises to ensure that the Licensing Objectives are being promoted.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

Barker, Kirstie

From: [REDACTED]
Sent: 25 October 2018 16:11
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
cam17pat@outlook.com; Kastiot.Totirama@gmail.com
Subject: Police Representations Kevins Bars 161 Cowbridge Road East.
Attachments: Headed Paper- 161 Cowbridge Road East.doc; Signed Headed letter 161 Cowbridge Road..docx

***** 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. ***

To whom it may concern,

Please find attached Police representations made in respect of the application for a new premises licence at 161 Cowbridge Road East.

At this time the Police object to the granting of a premises licence. However, should the applicant confirm their agreement, in writing, with the representations made then the Police will withdraw any objection to the granting of said licence.

Rob Gunstone
Pc 3487
Police Licensing Department
Cardiff Bay Police station.
James Street
Cardiff
CF10 5EW

[REDACTED]

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, ffoniwch 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.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.



SWYDDOGOL – OFFICIAL

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

23rd October 2018

Kevins Bars and Pubs Ltd.
161 Cowbridge Road East
Canton.
Cardiff
CF11 9AH

**APPLICATION FOR A NEW PREMISES LICENCE.LICENSING ACT 2003.
KEVINS BARS AND PUBS LTD. 161 COWBRIDGE ROAD EAST.CARDIFF. CF11 9AH**

To whom it may concern,

South Wales Police object to the granting of a premises licence in respect of the application made for a new premises licence at No.161 Cowbridge Road East, Canton, Cardiff, on the basis of the following licensing objectives namely;

The Prevention of Crime and Disorder.

Public Safety

Prevention of Public Nuisance

Protection of Children from Harm

However, should the applicant confirm they are in agreement with the below representations made by the Police which are deemed to be appropriate to both the application and in order to meet and uphold the licensing objectives, then please accept that the Police will automatically withdraw their request for a hearing before the Licensing Sub-Committee.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg.
Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd
gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding
in Welsh will not lead to a delay in responding.

POLICE REPRESENTATIONS.

A site visit has been conducted and the submitting officer has met with the applicant, the prospective DPS and other interested persons. From conversations had during this time, it was confirmed that this is very much an alcohol led venue with food being ancillary to the retail of alcohol. In addition, the premises will seek to attract football fans in the Canton area both pre and post home matches played by Cardiff City and Wales. There is also provision for a dance floor at the location which is located to the rear of the premises.

South Wales Police consider that the hours requested by the applicant are not comparable with other similar existing licensed premises in the area and as such would seek that the hours during which licensable activity are conducted reflect this.

Whilst it is acknowledged that the applicant has offered conditions as part of their application, South Wales Police believe these to be insufficient to support and promote the above licensing objectives. As such they request the following conditions be added to the premises licence should the Council Licensing Sub-Committee be so minded to grant the premises licence on this occasion.

Amendment to Hours;

South Wales Police request that the sale of alcohol on a Friday and Saturday is amended to between the hours of;

11:00 to 01:00hrs.

This is in keeping with similar nearby licensed premises.

Requested Conditions.

1.. A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal areas of the premises where the public have access {excluding toilets} including all entrances and exits and any external areas associated with the premises. The images shall be kept for a minimum of 31 days and shall be produced to a Police employee in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

Whilst the Police acknowledge the condition offered by the applicant as detailed in their application, the proposed condition sets out exactly what is required of such a condition to the avoidance of doubt and as such is deemed more appropriate to the upholding of the Prevention of Crime and Disorder.

2. At least 70% of the public space within the licensable area of the premises will be occupied by tables and chairs.

This condition is requested to prevent the venue being utilised as a vertical drinking establishment and is deemed appropriate to the proposed use of the premises as a Café/bar as set out in the application. During the site visit conducted to the premises it was outlined to the visiting officer how the premises

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would seek to attract football fans attending the Cardiff City stadium. Should the tables and chairs be removed on such occasions then there is likely to be an increase in the risk of crime and disorder and this condition would seek to address these concerns and uphold the relevant licensing objective, namely that of the Prevention of Crime and Disorder.

3. The sale or consumption of alcohol in the external area, described as the patio area in the application for the premises licence reference CEP.1123, shall cease at 21:00hrs daily.

This condition seeks to prevent public nuisance being caused to nearby residents at Wynham Place in Canton whose properties back onto the proposed premises.

4. SIA registered door supervisors will be employed at the premises on Fridays, Saturdays and those Sundays immediately prior to Bank Holidays, from 21:00hrs until the premises closes. They will be employed on a ratio of 1-75 with a minimum of two door supervisors at the premises at any one time on these days.

The presence of SIA registered door supervisors at the premises will contribute towards the prevention of crime and disorder at the premises at those times when the premises is likely to be at its busiest.

5. On any date when any regulated football match is being played at the Cardiff City Stadium, all beverages, alcoholic or otherwise, will be served in non-glass vessels for a period of two hours prior to the time of kick-off and for a period of two hours following the final whistle.

This condition is requested to address concerns over the likelihood of a glass vessel being used to inflict injury at the premises on a day when the premises are seeking to attract football fans attending the Cardiff City Stadium. As such the presence of such fans brings with it a heightened risk of alcohol related crime and disorder in and around the premises. Therefore this condition is deemed to be appropriate to Preventing Crime and Disorder.

6. On any date when any regulated football match is being played at the Cardiff City Stadium, SIA registered door supervisors will be employed on a ratio of 1-75 {with a minimum of two door supervisors at any one time} at the premises from either 4pm that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises.

The presence of SIA registered door supervisors at the premises will contribute towards the prevention of crime and disorder on a day when the premises is seeking to attract football fans attending the Cardiff City Stadium and as such the presence of such fans brings with it a heightened risk of alcohol related crime and disorder in and around the premises. Therefore this condition is deemed to be appropriate to Preventing Crime and Disorder and that of Public Safety.

7. There shall be no entry or exit to or from the premises by way of the gates in the rear external area associated with the premises described as the patio area in the application for the premises licence reference CEP.1123., except in an emergency.

This condition seeks to prevent public nuisance being caused to nearby residents at Wynham Place in Canton whose properties back onto the proposed premises. In addition, other premises in the area have experienced issues with disorder involving football fans exiting the rear of their premises and

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NOT PROTECTIVELY MARKED

engaging in crime and disorder. This condition then also seeks to address and prevent Crime and Disorder at the premises.

8. On any date when any regulated football match is being played at the Cardiff City Stadium, the rear gates to the external area shall be monitored by an SIA registered door supervisor, who will be positioned in the rear external area of the premises, described as the patio area in the application for the premises licence reference CEP.1123.

This condition is seen so as to support condition 7 above.

9. When SIA registered door supervisors are employed at the premises they will utilise at least one body worn video device. Any such device will be capable of recording both audio recordings and visual images. The recordings will be kept for a minimum of 31 days and will be produced to a Police employee in a readily available format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

The use of Body Worn Video devices by door staff has been proven to contribute towards the Prevention of Crime and Disorder.

10. The DPS will ensure that an adequate system for measuring the number of patrons in the premise is used by Door Supervisors such as counting clickers. Numbers of patrons on the premises will be recorded hourly in the door supervisor log book.

This condition is requested to ensure the premises operates within agreed capacity limits and thereby contributes towards Public safety and the prevention of Crime and disorder which can increase in a busy or over-crowded premises.

11. A register/log of door supervisors shall be kept at the premises. The register shall show the full name and SIA registration number of each door supervisor stating the start and end duty times from each door supervisor. The register/log shall be kept by the DPS for a minimum of 12 months and will be made available to a police employee or representative of a relevant agency on request.

12. An incident book shall be kept at the premises and maintained on site for a period of twelve months. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:

All crimes reported to the venue

Any complaints received (of a Criminal or Licensing nature)

Any incidents of disorder

Any refusal of the sale of alcohol

Any visit by a representative of a relevant authority or a member of the emergency services.

Any failures of the CCTV system.

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NOT PROTECTIVELY MARKED

The above condition will allow the accurate documenting of incidents likely to arise at the premises.

13. Open containers of alcohol shall not be removed from the premises, save for consumption in the external area associated with the premises described as the patio area in the application for the premises licence reference CEP.1123.

This condition seeks to address concerns over public safety in that the removal of glass containers from the premises is likely to lead to injury being caused to the public., either by way of accidental injury or these containers being used to inflict injury in the course of an assault.

14. The DPS or a personal licence holder will be on the premises at all times licensable activities are taking place.

This condition is requested to ensure the premises are run responsibly and that the licensing objectives are upheld and maintained at the premises.

15. There will be no mobile alcohol sales persons of any sort

This condition seeks to support the licensing objective of public safety to ensure that persons consuming alcohol are making regular visits to the bar within the premises and that their intoxication levels are monitored by staff who may refuse service of alcohol to drunks.

Yours faithfully,

R. Miles.

A/ Chief Inspector.

COPY TO:

Claire HARTREY
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND

NOT PROTECTIVELY MARKED

Barker, Kirstie

From: [REDACTED]
Sent: 15 October 2018 13:59
To: [REDACTED]
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Premises License Application - Kevin's Bars and Pub's Limited - 161 Cowbridge Road East, Cardiff, CF11 9AH
Attachments: 643994__SRSEP031-CardiffCouncilRepresentationFormWORD_20181015105656.pdf

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Dear Mr Paterson,

Please find attached my representations for this premises license. I tried to send it to the email detailed on the application form, but it bounced back.

Many thanks,

Gwyn

From: Mapp, Gwyn
Sent: 15 October 2018 13:46
To: [REDACTED]
Subject: Premises License Application - Kevin's Bars and Pub's Limited - 161 Cowbridge Road East, Cardiff, CF11 9AH

Dear Sir/Madam,

Please find attached a representation that I would like to make concerning the Premises License for Kevin's Bars and the Prevention of Public Nuisance.

I hope the attached is self-explanatory, but if you would like to ask any further questions, please feel free to contact me.

Many thanks,

Gwyn Mapp
Neighbourhood Services Officer



Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications

Details of person or body making representation

Your Name:	Gwyn Mapp
Your Address:	City of Cardiff Council, City Hall, Cathays Park, Cardiff CF10 3ND
Phone Number:	02920 871 650
E-mail:	[REDACTED]

Details of premises representation is about

Name and Address of Premises:	Kevin's Bars and Pubs Limited, 161 Cowbridge Road East, Canton, Cardiff, CF11 9AH
Application Number: <i>(if known)</i>	643994

Please tick one or more of the licensing objectives that your representation relates to:

Prevention of crime and disorder	<input type="checkbox"/>	Yes
Public Safety	<input type="checkbox"/>	Yes
Prevention of public nuisance	<input checked="" type="checkbox"/>	Yes
Protection of children from harm	<input type="checkbox"/>	Yes

Please summarise your concerns about this application:

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

The proposal involves the introduction of a "Café Bar venue comprising of two separate floors, retailing alcoholic and non alcoholic beverages, providing musical entertainment and television viewing facilities."

The proposal involves the provision of regulated entertainment (live and recorded music) on both floors until 02:00 on Fridays and Saturdays.

In addition, there is mention of an external area to be used for the external consumption of alcohol until 22:00 with only smokers allowed access after this period. It is proposed that the premises stays open until 00:30 Sunday to Thursday and until 02:30 on Fridays and Saturdays.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives:

I believe there is the potential for the licensing objective "Prevention of Public Nuisance" not to be met for the following reasons:

Regulated Entertainment

I am concerned that allowing the premises to provide live and recorded music until 02:00 would cause an unreasonable noise disturbance to local residences, which by my estimation numbers approximately 75 properties within a radius of 50m, including one flat that shares a party wall with the premises.

Research into the licensed premises that are surrounding 161 Cowbridge Road East shows that regulated entertainment ceases at midnight (King's Castle, Time & Beef & The Italian Way). Allowing this premises to host regulated entertainment until 02:00 would not be in keeping with the other licensed premises in the area.

External Area

I am concerned about the patron noise from the external area and it's impact upon local residences. The application seems to suggest that the external area will be open as long as the premises is open, so until 02:30 on Fridays and Saturdays and until 00:30 on other days. This is likely to result in unreasonable disturbance to many of the local residents.

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website.

By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section, City of Cardiff Council, Room 203 City Hall, Cardiff CF10 3ND

By E-mail:

licensing@cardiff.gov.uk

Griffiths, Paul (PPE)

From: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Sent: 02 October 2018 16:50
To: Griffiths, Paul (PPE)
Subject: FW: Licensing application.



Paul Griffiths |
Licensing Section (Cardiff) / Adran Drwyddedu (Caerdydd)
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Phone | Ffon: (029) 20871651
Email / Ebost: paul.griffiths@cardiff.gov.uk

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029 20871651/ licensing@cardiff.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.

From: [REDACTED]
Sent: 02 October 2018 16:44
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>
Subject: Licensing application.

To whom it may concern.

We strongly object to the proposed opening hours of the next door property of 161 Cowbridge Road East, due to open as a bar, (public house).

This is a residential area with the majority of properties such as ours that have tenants living above.

They propose to have live music inside the property as well as outside, at ridiculous hours.

I'm sure you have all the relevant information, so I would appreciate a reply, the last thing we want is to lose our tenant which would result in a loss of rental income, our tenant has already shown concern at the proposal.

Would Cardiff Council take responsibility for our loss of income?

I await your reply.

[REDACTED]

Noise? Have Responded. Rejected. Further Detail.

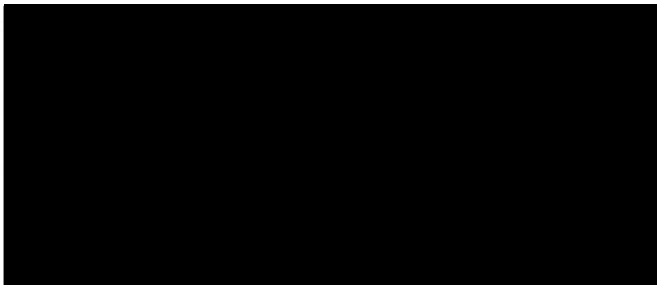
Barker, Kirstie

From: [REDACTED]
Sent: 09 October 2018 11:00
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection.
Attachments: img20181009_10553682.pdf; img20181009_10562076.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. ***

Hi good morning,
Please find attached completed documents.
Kind regards,



CITY OF CARDIFF COUNCIL

Representation Submission Form


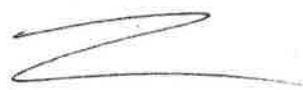
Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	[REDACTED]
Your Address:	[REDACTED]
Phone No:	[REDACTED]
Email:	[REDACTED]

Details of premises representation is about	
Name of Premises:	KEVIN'S BARS and Pubs LTD
Address of premises:	161 COWBRIDGE RD EAST CANTON CARDIFF CF11 9AH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
CLOSING TIME .. LICENSING HOURS  

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

WE HAVE NO OBJECTION TO BARS + PUBS.
WHAT WE DO OBJECT + HAVE CONCERNS REGARDING ARE
THE LICENSING HOURS PROPOSED.
THESE CONCERNS HAVE ALSO BEEN RAISED WITH
THE TENANT LIVING ABOVE OUR PREMISES.

REGARDS



The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section
City of Cardiff Council
Room 206, City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk



From: [REDACTED]
Sent: 05 October 2018 21:04
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing Application - 161 Cowbridge Road East

Dear Sir/Madam,

I wish to raise my objection to the application for a premises licence at 161 Cowbridge Road East by Kevin's Bars and Pubs Limited.

As a resident of the adjacent The Cube block of apartments, I feel all residents here and in the numerous nearby houses/flats would be adversely affected by this venture for a number of reasons.

Anti-social: Cowbridge Road East has seen a worrying rise in anti-social behaviour in the past 12 months, potentially partly caused by the range of existing pubs on the street, and the flow of revellers from this area into the City Centre from 11pm onwards. The addition of another venue, with a later proposed closing time, could only add to these issues.

Noise: Noise levels from The Kings Castle pub are already an ongoing issue, and a new venue opposite is a concern. The previous occupant, Got Beef, used the rear space as an outdoor garden; if this is repeated, the residents of The Cube will be unable to avoid any noise and nuisance from this. A number of apartments in this building overlook the outdoor space, with previous negative experience from the last occupant (Got Beef). There is also the Canton Court housing development directly to the rear.

I urge the licensing committee to review this proposal seriously and consider the large number of residents (including the increasing number of vulnerable homeless) living in an area that is currently suffering from an influx of bars, takeaways and general anti-social behaviour. We do not need another reason to feel unsafe on our streets at night.

Kind regards,

[REDACTED]

Griffiths, Paul (PPE)

From: [REDACTED]
Sent: 24 October 2018 11:46
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing application by Kevin's Bars and Pubs Ltd on 161 Cowbridge Road East

Hello,

I am writing in response to the application for the opening up of a bar by Kevin's Bars and Pubs limited on 161 Cowbridge Road East, CF11 9AH.

I am currently a tenant at the flat on [REDACTED] [REDACTED]. My flat's door is next to the property on 161 and my living room and bedroom overlook Cowbridge Road East. This means that having a bar on 161 will gravely affect my living conditions and is likely to make living in my flat unbearable. A bar that stays open until 00.30 on weekdays and 2.30 on Fridays and Saturdays will create noise disturbance that is likely to make sleeping impossible.

I would, therefore, like to strongly oppose the opening of the bar and most importantly its suggested opening times. Indeed, I find it curious that such a bar is even considered for this area. This is not the centre of the city and, despite the existence of many restaurants, there are also a lot of private flats. Flats in the Cube apartments, for example, are also very close to the proposed bar and likely to be affected by it. I think it's unacceptable to even consider it.

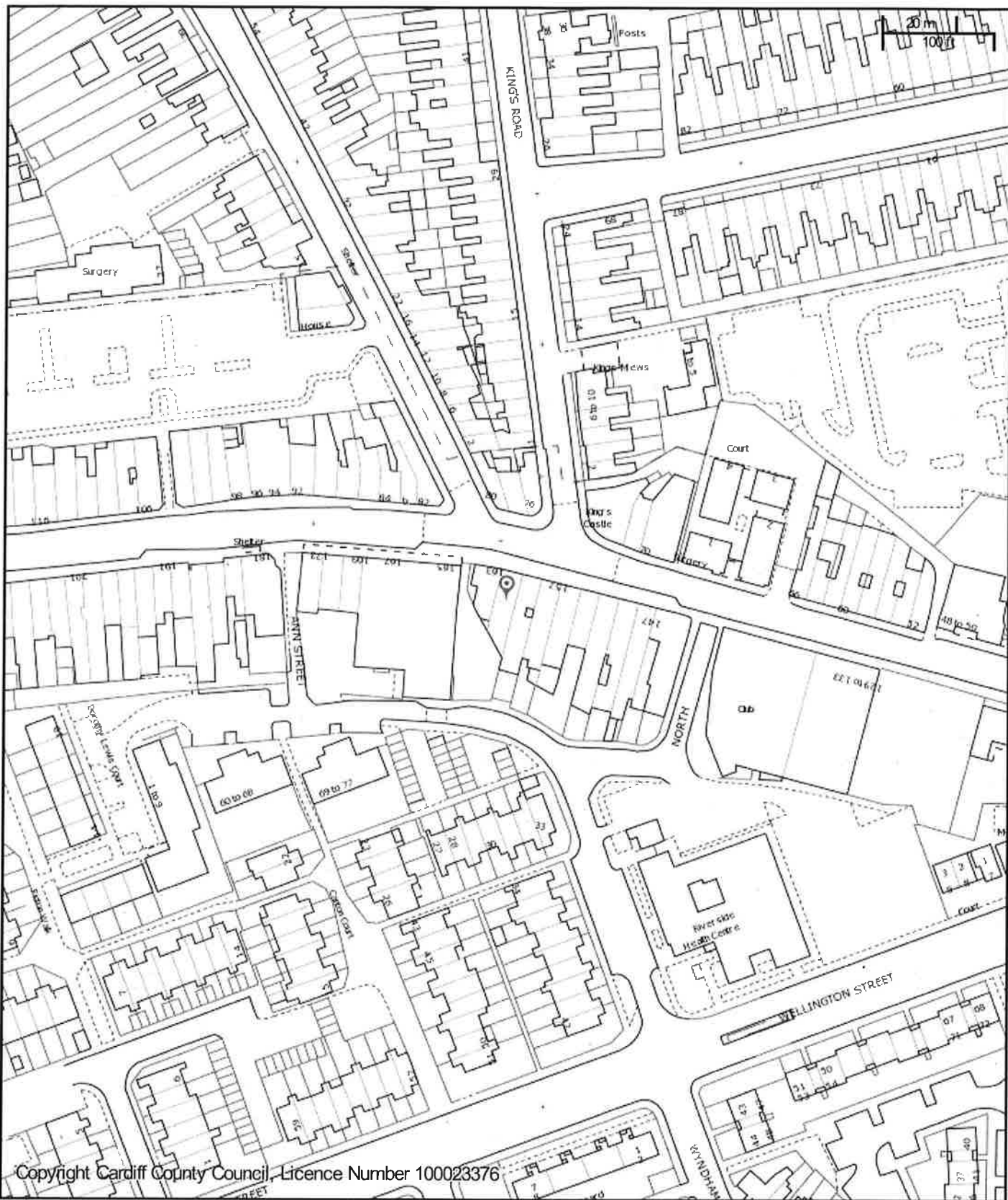
With kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



CHIEF EXECUTIVE
Paul Orders

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council




Title

Scale: 1:1417

Date: 8/11/2018 at 11:08 AM

Coordinates

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