

LICENSING SUB COMMITTEE

21 DECEMBER 2018

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

45 : DECLARATIONS OF INTEREST

None received.

46 : REVIEW OF A PREMISES LICENCE - PENGAM MOORS SOCIAL CLUB

Applicants: South Wales Police, represented by John Crowther and Claire Dewhurst

Licensee: Mr Brian Barton and Carly Ellaway

At the commencement of proceedings Mr Crowther on behalf of the Police stated that the Police and the Licensee had agreed on additional conditions to be placed on the license, as follows;

1. A CCTV system shall be installed, to a standard approved by South Wales Police. It shall be maintained and operated at all times when the premise is open to the public. The system will cover all internal and external areas to which the public has access (excluding toilets) including all entrances and exits. The images shall be stored for a minimum of 31 days and shall be produced to a representative of South Wales Police in a readily playable format immediately upon request when the premise is open and at all other times as soon as is reasonably practicable. There shall be sufficient staff trained to facilitate the production of images.

2. An incident book shall be maintained at the premise and shall be retained for a minimum of 12 months by the Designated Premises Supervisor (DPS). The incident book shall be made available to a representative of South Wales Police immediately upon request when the premise is open and at all other times as soon as is reasonably practicable. The following shall be recorded in the incident book;

All crimes reported to the premise.

Any complaint of a licensing nature.

Any incident of disorder.

Any refusal of sale of alcohol.

Any visit by a Responsible Authority or Emergency Service representative.

Any failure or defect in the CCTV system.

3. On occasions when the number of patrons at a pre-planned event exceeds 50, where alcohol is available to attendees, a minimum of two Security Industry Authority (SIA) registered Door Supervisors shall be employed. They shall be on duty from at least 30 minutes before the event commences. At the end of any such event, both SIA staff shall provide (wearing hi-visibility tabards or similar) a presence in the vicinity of Seawall Road, adjacent to the premise, to assist in the dispersal of patrons from the area for up to 30 minutes.

4. On occasions where a televised boxing event is screened for the enjoyment of patrons, there shall be a minimum of 2 SIA registered Door Supervisors shall be employed. They shall be on duty from at least 30 minutes before the event commences. At the end of any such event, both SIA staff shall provide (wearing hi-visibility tabards or similar) a presence in the vicinity of Seawall Road, adjacent to the premise, to assist in the dispersal of patrons from the area for up to 30 minutes.

5. Whenever SIA registered Door Supervisors are employed at the premise, they will utilise at least one Body-Worn Video (BWV) device. The BWV device shall be capable of recording both audio data and video images. The recordings shall be stored for a minimum of 31 days and shall be produced to a representative of South Wales Police in a readily playable format immediately upon request when the premise is open and at all other times as soon as is reasonably practicable. There shall be sufficient staff trained to facilitate the production of BWV recordings.

6. A register/log of SIA registered Door Supervisors shall be kept at the premise. The register shall show the full name and SIA registration number of each door supervisor. It shall hold details of the start and end time of each SIA Door Supervisor's tour of duty, with signed acknowledgement. The SIA register/log shall be retained by the DPS for a minimum of 12 months and shall be made available to a representative of South Wales Police immediately upon request when the premise is open and at all other times as soon as is reasonably practicable.

7. The DPS will ensure that an adequate system for measuring the number of patrons in the premise (such as counting clickers) is used by SIA Door Supervisors. The number of patrons on the premises shall be recorded hourly in the Door Supervisor log book.

Mr Crowther summarised the events that were outlined in the Sub Committees Papers, subsequent discussions with the licensee and the set of conditions that had been agreed upon.

Members asked about any other incidents at the premises and were advised that the premises does not cause the Police many problems and it is not high on their radar, adding that there had been no incidents since.

Members asked if the Police were confident that the additional conditions would be complied with and were advised that they had no reason to doubt this and that Mr Barton had good intentions to move forward.

Members discussed the SIA door staff and if these would be needed on a busy night with more than 50 patrons. Members were advised that the door staff were only required on planned events.

Ms Ellaway explained that the Halloween Event had been a non-member event and it was intended to encourage new membership to the social club. Members were advised that they wouldn't be trying another such event.

Members discussed the photographs in the paperwork of the drug paraphernalia and asked if Mr Barton had caught anyone using drugs at the premises. Mr Barton advised that he had caught around 4 people in the last 10 years and each of them had received a 12 month ban from the club.

Members asked whether the man who caused the issue at the Halloween Party had been a member and were advised that he was and that he was now banned.

RESOLVED – that the Sub Committee agreed to attach the following conditions to the licence;

1. A CCTV system shall be installed, to a standard approved by South Wales Police. It shall be maintained and operated at all times when the premise is open to the public. The system will cover all internal and external areas to which the public has access (excluding toilets) including all entrances and exits. The images shall be stored for a minimum of 31 days and shall be produced to a representative of South Wales Police in a readily playable format immediately upon request when the premise is open and at all other times as soon as is reasonably practicable. There shall be sufficient staff trained to facilitate the production of images.

2. An incident book shall be maintained at the premise and shall be retained for a minimum of 12 months by the Designated Premises Supervisor (DPS). The incident book shall be made available to a representative of South Wales Police immediately upon request when the premise is open and at all other times as soon as is reasonably practicable. The following shall be recorded in the incident book;

All crimes reported to the premise.

Any complaint of a licensing nature.

Any incident of disorder.

Any refusal of sale of alcohol.

Any visit by a Responsible Authority or Emergency Service representative.

Any failure or defect in the CCTV system.

3. On occasions when the number of patrons at a pre-planned event exceeds 50, where alcohol is available to attendees, a minimum of two Security Industry Authority (SIA) registered Door Supervisors shall be employed. They shall be on duty from at least 30 minutes before the event commences. At the end of any such event, both SIA staff shall provide (wearing hi-visibility tabards or similar) a presence in the vicinity of Seawall Road, adjacent to the premise, to assist in the dispersal of patrons from the area for up to 30 minutes.

4. On occasions where a televised boxing event is screened for the enjoyment of patrons, there shall be a minimum of 2 SIA registered Door Supervisors shall be employed. They shall be on duty from at least 30 minutes before the event commences. At the end of any such event, both SIA staff shall provide (wearing hi-visibility tabards or similar) a presence in the vicinity of Seawall Road, adjacent to the premise, to assist in the dispersal of patrons from the area for up to 30 minutes.

5. Whenever SIA registered Door Supervisors are employed at the premise, they will utilise at least one Body-Worn Video (BWV) device. The BWV device shall be capable of recording both audio data and video images. The recordings shall be stored for a minimum of 31 days and shall be produced to a representative of South Wales Police in a readily playable format immediately upon request when the premise is open and at all other times as soon as is reasonably practicable. There shall be sufficient staff trained to facilitate the production of BWV recordings.

6. A register/log of SIA registered Door Supervisors shall be kept at the premise. The register shall show the full name and SIA registration number of each door supervisor. It shall hold details of the start and end time of each SIA Door Supervisor's tour of duty, with signed acknowledgement. The SIA register/log shall be retained by the DPS for a minimum of 12 months and shall be made available to a representative of South Wales Police immediately upon request when the premise is open and at all other times as soon as is reasonably practicable.

7. The DPS will ensure that an adequate system for measuring the number of patrons in the premise (such as counting clickers) is used by SIA Door Supervisors. The number of patrons on the premises shall be recorded hourly in the Door Supervisor log book.

47 : GRANT OF A PREMISES LICENCE - THE GROAKER , HEOL Y DERI

Applicant: Mr Bray

Responsible Authorities: Claire Dewhurst and John Crowther, Licensing Officers
South Wales Police

Application:

An application for a Premises Licence has been received from Groaker Group Limited in respect of 4A/B Heol y Deri, Rhiwbina, Cardiff, CF14 6HF

The applicant has applied for the following:

In respect of the following licensable activities:

- (i) The sale by retail for consumption on and off the premises
- (ii) The provision of late night refreshment (indoors)

The following permitted opening hours:

Monday to Saturday: 08:00 to 23:30

Sunday: 10:00 to 22:00

New Years Eve: 08:00 to start of permitted hours on 1st January

To provide licensable activities during the following hours:

- (i) The sale by retail for consumption on and off the premises:
 - Monday to Saturday: 08:00 to 23:30
 - Sunday: 10:00 to 22:00
 - New Years Eve: 08:00 to start of permitted hours on 1st January
- (ii) The provision of late night refreshment (indoors):
 - New Years Eve: 23:00 to 02:30

Members were advised that the Applicant had agreed to amend the plan for the licensed area to reduce it in size and conditions had been agreed. 1 objection had been received from a resident.

The Applicant advised that he understands that it is a small village and it's a change for the community but that he would take responsibility, communicate and get

feedback from customers as he wants the business to be a community asset not a blight.

Members were advised that there would be capacity for 53, majority seating and there would be signs asking customers to leave the premises quietly; the business would be primarily Tapas food and a small selection of drinks.

Members asked about the ratio of seating and standing and were advised that the business was committed to a certain number of seats at any one time and that they would not remove tables.

Members asked for more information on the Applicants background and were advised that he was a vice president of a management company with over 3000 staff. In relation to the new business, members were advised that a team was in place already comprising a manager from the Chapter and a Chef from the Park Hotel.

Members were advised that the seating plan showed the licensed area and if this was to be changed then a variation would be required.

Members discussed community engagement and support and were advised that there had been 70 positive comments on the planning application and there was a supportive Facebook page. The applicant considered that the premises would complement the other businesses in the area.

RESOLVED: That the Sub-Committee, having considered all the information; and in accordance with the requirements of the Licensing Act 2003, the Section 182 Guidance and the Licensing Authority's own Statement of Licensing Policy, the Sub Committee GRANTED the application, subject to the following conditions:

LICENSABLE AREA TO BE AMENDED IN ACCORDANCE WITH THE REVISED DRAWING (ATTACHED).

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

Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 21:30
New Year's Eve: 11:00 to 02:00

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

Monday to Saturday: 11:00 to 23:30
Sunday: 11:00 to 22:00
New Year's Eve: 11:00 to 02:30

CONDITIONS:

1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police. It will 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 and any outside area used by patrons. The images will be stored for a minimum period of 31 days and will carry date and time markings. The images will be produced to a police employee in a readily playable format upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above. Signs will alert patrons to the use of CCTV at the premises.

2. An incident book shall be kept at the premises. Any incident of crime or disorder witnessed by staff or any incident reported by customers is to be noted in the log. The following information shall be recorded in relation to each incident:

- a. Date and time of the incident.
- b. Name of person making the report.
- c. Names of the parties involved (if known) or description of the parties (in as much detail as possible).
- d. Nature of the incident.
- e. Any action taken thereafter.
- f. Visits from Emergency Service personnel.

The book shall have sequentially numbered pages. Staff shall be trained in relation to their responsibility to complete an incident report. Sight of incident reports will be made available to South Wales Police on request.

3. Windows and doors shall be kept closed at all times after 20:00 hrs daily, except for entry and/or exit purposes.

4. There shall be no external audio speakers of any description used at the premises.

5. There shall be no music at the premises after 23:00 hrs daily.

6. There shall be seating provided, adequate to seat a minimum of 48 persons at tables at any time.

7. Alcoholic beverages shall not be removed from the premises unless in sealed containers.

8. There shall be no consumption of alcoholic beverage at the external front of the premises.

9. Alcohol sale or supply between the hours of 08:00–11:00 hrs, for consumption on premises, shall only be made to persons seated and partaking of a table meal.

10. Signage shall be displayed to remind patrons of the need to leave the premise and vicinity in an orderly manner so as not to disturb local residents and/or businesses.

11. All customer-focussed staff shall receive training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. The DPS shall keep records of such training for a period of at least 12 months.

12. Whenever the premises is open for licensable activity later than 00:00 hrs, Security Industries Agency (SIA) Door Supervision shall be provided. There shall be a minimum of one Door Supervisor provided at such times from 21:00hrs until close.

13. A register of Door Supervisors shall be kept at the premises. The register shall show the full name, address, company and SIA registration number of each Door Supervisor with signed acknowledgement of 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.

48 : VARIATION OF A PREMISES LICENCE - KINGS ROAD COURTYARD ,
KINGS ROAD

Applicants: Caroline Munro
Keith Munro

Responsible Authorities: Claire Dewhurst and John Crowther, Licensing
Officers, South Wales Police

Application:

An application for variation of a Premises Licences was received from Caroline Munro in respect of Kings Road Yard Courtyard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF.

The current conditions attached to the Premises Licence:

1. In respect of the following licensable activities:
The Supply of alcohol for consumption on and off the premises.
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:
Saturday : 08:00 – 23:00
Sunday : 08:00 – 22:00
3. The Premises are permitted to provide licensable activities during the following hours:
The supply of alcohol for consumption on and off the premises:
Saturday : 10:00 – 14:00
Sunday : 10:00 – 16:00

The following application for variation is now made

1. To extend permitted hours for the sale of alcohol on Saturdays: 10:00 – 21:30.

Caroline Dewhurst advised Members that the original variation application was for 10:00 – 22:30 but the applicant had changed this to 21:30.

Members were provided with information on the Courtyard, the business that are operating there and were shown a short video of the farmer's market events that take place there.

Members were advised that there had been an initial objection from Tony Bowley of South Wales Police, but conditions had since been offered to the applicant and these had been agreed. South Wales Police were happy that they would work well for the establishment going forward.

The other objections that had been received were summarised for Members.

The Applicant stated that currently only the Beer from the Brewery was available to buy and people wanted a choice such as Gin and Tonic or Wine. Members were advised that initially the farmers markets were held once a month but people wanted them more frequently so now they were held every Saturday. Other suggestions from the Community had been followed up such as Vintage and Flea markets and Plant fairs. The Applicant assured Members that they were not in competition with the Brewery or local business but in fact they promote and endorse them, and that when an event is held at the Courtyard, local business sales increase. There were also plans for community use of the internal space such as Dojo Yoga, Pilates and use by the Royal College of Music and Drama.

The Applicant stated that they advise neighbours in advance of events and respond to any complaints they receive.

Members discussed the licence and were advised that the Brewery holds a separate licence and it would depend what event was on as to which licence it operates under.

Members were advised that the variation in the licence would be in line with the Brewery licence.

RESOLVED: That the Sub-Committee, having considered all the information; and in accordance with the requirements of the Licensing Act 2003, the Section 182 Guidance and the Licensing Authority's own Statement of Licensing Policy, the Sub Committee GRANTED the application, subject to the following conditions:

Agreed that there would be 1 event a month over 6 months of the year.

The below condition will replace the existing condition annex 2(4)

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 and external areas of the premises where the public have access (excluding toilets) including all entrances and exits. 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.

The below condition will replace the existing condition annex 2(5)

The DPS or a Personal Licence Holder will be on the premise at all times licensable activity takes place.

The following conditions will be numbered as shown and will be added to the existing premises licence conditions

6. There shall be no amplified live music performed externally at the premises.

7. There shall be a minimum of 2 Security Industry Authority (SIA) registered door supervisors on duty at the premise whenever the number of patrons attending exceeds 90 and where licensable activity take place. On such occasions the SIA Door Supervisors will be employed from 18:00hrs until close. They shall remain on duty for up to 30 minutes after the premises close to the public, to assist in the safe dispersal of patrons from the immediate vicinity.

8. A register/log of SIA registered Door Supervisors shall be kept at the premise. The register shall show the full name and SIA registration number of each door supervisor. It shall hold details of the start and end time of each SIA Door Supervisor's tour of duty, with signed acknowledgement. The SIA register/log shall be retained by the DPS for a minimum of 12 months and shall be made available to a representative of South Wales Police immediately upon request when the premise is open and at all other times as soon as is reasonably practicable.

9. Patrons will not be allowed to carry on consuming alcohol any later than 30 minutes after the end of licensable activity.

Additionally permitted hours will be amended:

Supply of alcohol for Consumption on and off the premises

Saturday 10:00 – 21:30hrs

Sunday 10:00 -16:00hrs

49 : URGENT ITEMS (IF ANY)

None received.

The meeting terminated at 11.45am