



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

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

AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 21 DECEMBER 2018, 10.00 AM
Venue	ROOM I AND J, CITY HALL - CITY HALL
Membership	Councillor Mackie (Chair) Councillors Lancaster and Williams

1 Declarations of Interest

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 Review of a Premises Licence - Pengam Moors Social Club *(Pages 3 - 14)*

3 Grant of a Premises Licence - The Groaker , Heol y Deri *(Pages 15 - 26)*

4 Variation of a Premises Licence - Kings Road Courtyard , Kings Road *(Pages 27 - 50)*

5 Urgent Items (if any)

Davina Fiore

Director Governance & Legal Services

Date: Monday, 17 December 2018

Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 21st December 2018

Report of the Head of Regulatory Services

Application for the Review of a Premises Licence

Application No: CCCP00437

Name of Premises: Pengam Moors Social Club, Seawall Road, Tremorfa, Cardiff

Ward: Splott

1. Application

1.1 An application for a Premises Licence - Review, has been received in respect of the Premises Licence held by Mr Brian Robert Barton for Pengam Moors Social Club, Seawall Road, Tremorfa, Cardiff, CF24 5TH

1.2 The Licence Holder is permitted by the licence to provide the following:

(1) In respect of the following licensable activities:

- i) The supply of alcohol for consumption on and off the premises
- ii) The provision of regulated entertainment in the form of indoor sporting events, live music and recorded music (indoors)

(2) The premises may be open to the public between the following hours:

Sunday to Thursday: 10:00 to 00:00
Friday and Saturday: 10:00 to 01:00
Christmas Eve: 10:00 to 02:30
New Years Eve: 10:00 to 02:30

(3) The premises is permitted to provide licensable activities during the following hours:

- i) The supply of alcohol for consumption on and off the premises:
Sunday to Thursday: 10:00 to 23:30
Friday and Saturday: 10:00 to 00:30
Christmas Eve: 10:00 to 02:00
New Years Eve: 10:00 to 02:00

- ii) The provision of regulated entertainment in the form of indoor sporting events:
Monday to Sunday: 10:00 to 23:00
Christmas Eve: 10:00 to 02:00
New Years Eve: 10:00 to 02:00
- iii) The provision of regulated entertainment in the form of live music (indoors):
Friday and Saturday: 20:00 to 23:30
Sunday: 12:00 to 16:00
Christmas Eve: 10:00 to 02:00
New Years Eve: 10:00 to 02:00
- iv) The provision of regulated entertainment in the form of recorded music (indoors):
Monday to Sunday: 10:00 to 23:00
Christmas Eve: 10:00 to 02:00
New Years Eve: 10:00 to 02:00

2. Details of the Application for Review.

- 2.1 An application for Review has been received from South Wales Police. A copy of the application is enclosed with the report. The grounds for the review, as stated by South Wales Police are as follows:

“South Wales Police apply for a review of the premise licence relating to the Pengam Moors Social Club on the basis that staff allowed entry to the premises on the 26th October 2018 to a male who then committed a serious assault against another male by hitting him to the head with a baseball bat. There was then a delay in reporting this matter to the police or report the presence of the assailant who remained on the premises for a time after the assault. In doing so, the premises has failed to support the licensing objectives, namely that of Preventing Crime and Disorder and that of Maintaining Public Safety”.

3. Relevant Representations

The application for review has been advertised on the premises as required by the legislation. No representations have been received.

4. Legal Considerations.

- 4.1 Any 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 take no action.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) To exclude a licensable activity from the scope of the licence.
- d) Remove the Designated Premises Supervisor.
- e) Suspend the Premises Licence for a period not exceeding three months.
- f) Revoke the Premises Licence.

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. Recommendation.

It is recommended that the application for Review be considered and determined on its merits.

Dave Holland
Regulatory & Supporting Services

04 December 2018

[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Superintendent J. Maal of South Wales Police

(Insert name of applicant)

**apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Pengam Moors Social Club. Seawall Road Tremorfa	
Post town Cardiff.	Post code (if known) CF 24 5TH
Name of premises licence holder or club holding club premises certificate Mr Brian Robert Barton. No.7 Madoc Road, Tremorfa, Cardiff.	
Number of premises licence or club premises certificate(if known) CCCP/00437	

Part 2 – Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐

Mrs ☐

Miss ☐

Ms ☐

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address. Superintendent J. Maal Eastern Basic Command Unit Cardiff Bay Police Station James Street Cardiff CF10 5EW
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓



Please state the ground(s) for review (please read guidance note 2)

South Wales Police apply for a review of the premise licence relating to the Pengam Moors Social Club on the basis that staff allowed entry to the premises to a male who then committed a serious assault against another male by hitting to the head with a baseball bat. There was then a delay in reporting this matter to the police or report the presence of the assailant who remained on the premises after the assault. In doing so, the premises has failed to support the licensing objectives, namely that of Preventing Crime and Disorder and that of Maintaining Public Safety.

Please provide as much information as possible to support the application (please read guidance note 3)

Police Reference 1800408626 – Assault

At 22:21hrs on the night of Friday 26th October 2018 South Wales Police received a report of an assault at the Pengam Moors Social Club. The initial report to Police stated that there was a huge commotion in the club and that a male had entered the premises in possession of a baseball bat and had hit someone. Police were informed that all persons had all left but at the time of the call to Police they were still outside.

The initial Police investigation indicated that a 30yrs old male had been allowed to enter the premises with a baseball bat having stated to door staff that the bat was part of his Halloween costume, thereby being allowed to enter. At the time of the incident the club was holding a Halloween themed event. Inside the premises was a 27yr old male who was subsequently the victim of an assault when the 30yr old male struck him to the head with the baseball bat. The victim was allowed to leave the premises as was the assailant a short time later.

The 27yr old male was later the victim of a second assault at the hands of the 30yrs old male who again used a weapon to inflict injury upon him. In addition, damage was caused to property belonging to family members of the victim.

It is the view of Police that these further incidents could have been prevented had The Pengam Moors Social Club adopted a positive approach to the Prevention of Crime and disorder.

Police references 1800408735/1800408956

Mr Brian Barton is both the Designated Premises Supervisor and the Licence Holder for the premises. During a meeting with Police Licensing officers, Mr Barton accepted that the admitting of the male to premises in possession of an offensive weapon, followed by the delay in notifying the Police both of the incident and of the presence of the suspect on the premises had undermined the licensing objectives. He understood that the premises had failed to prevent crime and disorder and had failed to protect the safety of the public at the premises. In addition during the visit evidence of suspected drug usage at the premises in the form of bags suspected to have been used to contain controlled drugs were observed in the area of the mens toilets.

South Wales Police have started consultation with the premises licence holder. The review is necessary to prevent further serious incidents at the premises by way of additional conditions placed on the premises licence to promote the licensing objectives.

Have you made an application for review relating to the premises before

Please tick ✓ yes

☐

If yes please state the date of that application

Day		Month		Year	
┐	┐	┐	┐	┐	┐

If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Superintendent

HEDDLU DE CYMRU
SOUTH WALES POLICE

29 JUL 2015

Supt 4456

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Police Constable Tim Davies
Police Licensing Department
Cardiff Bay Police Station
James Street
Cardiff
CF10 5EW

Post town
Cardiff

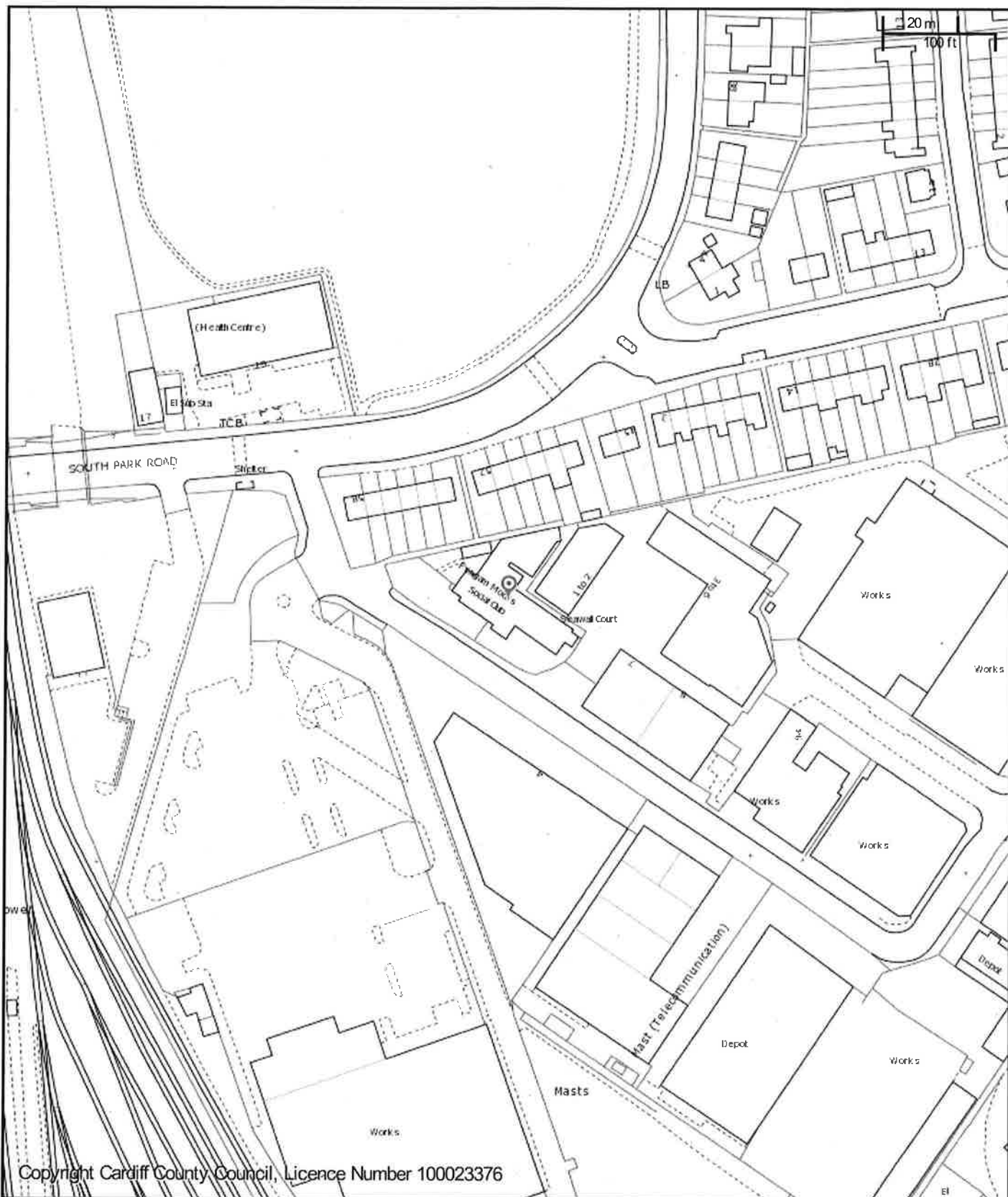
Post Code
CF10 5EW

Telephone number (if any) 02920527207

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) tim.davies@south-wales.pnn.police.uk and justin.hardwick@south-wales.pnn.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



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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: 21st December 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 028551

Name of Premises: The Groaker, 4A/B Heol y Deri, Rhiwbina, Cardiff, CF14 6HF

Ward: Rhiwbina

1. Application

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

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 late night refreshment (indoors)

(2) 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

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

- (i) The sale by retail for consumption on and off the premises:
Monday to Saturday: 11:00 to 23:30
Sunday: 11:00 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

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 which is attached.

3.2 A representation has been received from a local resident. 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

04 December 2018

Continued from previous page...

Section 18 of 21

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.

WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to:

a/ no selling of alcohol to underage people

b/ no drunk and disorderly behavior on the premises area

c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behavior

e/ no any harm to children

Uphold BII Membership

I am implementing a bespoke online training system that will allow me to ensure all staff are provided with compliance training as part of their initial recruitment, a condition of their employment and ongoing talent management. Training in under age sales prevention, drug awareness, conflict management and award for licensed premises staff will be mandatory, assist in ensuring that all staff have the extensive knowledge of the importance of adherence to the licensing act.

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby

Continued from previous page...

residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time.

Nothing belong existing Health & Safety requirements.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

From: John.Crowther@south-wales.pnn.police.uk
Sent: 23 November 2018 11:56
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Justin.Hardwick@south-wales.pnn.police.uk
Subject: The Groaker - Grant Application
Attachments: Amended seating Layout With Highlighted Licensing Area.pdf; Letter from CI signed.pdf; Letter from CI.doc

***** 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. ***

Good morning,

Please find SWP reps attached for the above grant application.

Should the applicant agree to our reps, SWP will withdraw their request for a hearing.

Word copy attached.

Email from applicant, asking for licensable area applied for to be amended to follow...

Kind regards

John



John Crowther

Cwnstabl 946 / Police Constable 946

Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police

URS y Dwyrain / Eastern BCU

Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station

Stryd James / James Street

Bae Caerdydd / Cardiff Bay

CF10 5EW

☎: 02920 527402 | Ext: 34950 | Mobile: 07805301222

/SWPolice @SWPolice @SWPolice /SWPTV

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



Licensing Department,
Cardiff Bay Police Station,
James Street,
Cardiff,
CF10 3EW

23 November 2018

Mr Bray
1st Floor
9a Heol-y-Deri
Rhiwbina
Cardiff
CF14 6HA

APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003
THE GROAKER, 4a/b HEOL-Y-DERI, RHIWBINA, CARDIFF, CF14 6HB

Dear Sir,

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

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

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

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 oedli.

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 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:

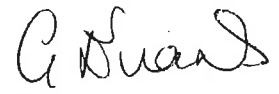
1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police. It will be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances 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.

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

Should the applicant agree to these representations, South Wales Police will withdraw their request for a hearing.

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

PP 

Yours sincerely,
J Jones
Chief Inspector

Griffiths, Paul (PPE)

From: [REDACTED]
Sent: 09 November 2018 16:15
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: The Groaker 4A/B Heol-Y-Deri CARDIFF Cf14 6HT

Dear Sir,

We wish to oppose the application for the sale of alcohol up to 2330 at this premises, which is only opening as a business for this purpose. We do not need late night drinking dens in an area that is deficient in shops selling basic necessities. In addition the noise and disturbance to residents in Rhiwbina village will be unacceptable.

Yours faithfully,

[REDACTED]

Barker, Kirstie

From: John.Crowther@south-wales.pnn.police.uk
Sent: 23 November 2018 11:57
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Groaker floor plan - Licensable Area

FYI

Regards

John

From: [REDACTED]
Sent: 21 November 2018 15:31
To: Crowther,John swp946 <John.Crowther@south-wales.pnn.police.uk>
Cc: Hardwick,Justin swp2027 <Justin.Hardwick@south-wales.pnn.police.uk>
Subject: Re: Groaker floor plan - Licensable Area

Hi John,

Further to my call to confirm you have recieved the plan I can confirm that the attached drawing is in essence what I am asking to be licenced.

Kind regards
Chri

Kind Regards
Chris

From: [REDACTED]
Sent: 21 November 2018 14:39
To: John.Crowther@south-wales.pnn.police.uk
Cc: Justin.Hardwick@south-wales.pnn.police.uk
Subject: Re: Groaker floor plan - Licensable Area

Hi John,

Sorry for the delay but being honest I could not find my email to you - I must have closed my laptop and not saved and sent it. I have since redone the diagram this morning and have attached it as promised.

I have reviewed the seating figures with the team and can we set the number of seats to 48 please?

Kind Regards
Chris



CHIEF EXECUTIVE
Paul Orders

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

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

Cyngor Caerdydd

Cardiff Council



Title

Scale: 1:708

Date: 4/12/2018 at 10:37 AM

Coordinates

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 21 December 2018

Report of the Head of Shared Regulatory Services

Application for Premises Licence - Variation

Application No: CCCP02050

Name of Premises: Kings Road Yard Courtyard

Ward: Riverside

1. Application

1.1 An application for a Premises Licence - Variation, has been received from Caroline Munro in respect of Kings Road Yard Courtyard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF .

1.2 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

1.3 The following application for variation is now made.

To extend permitted hours for the sale of alcohol on Saturdays: 10:00-22:30

2. Promotion of Licensing Objectives.

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

3. Relevant Representations

Representations have been received in respect of the application, copies of which are enclosed with the report.

4. Legal Considerations.

- 4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

- 4.2 In each case the Sub-Committee may make the following determination

- a) To grant the application.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) Reject the whole or part of the application.

- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. Issues for Discussion.

- 5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

06 December 2018

Continued from previous page...

☐ I have enclosed the relevant part of the premises licence

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

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.

1) Always have a DPS during the hours of alcohol sales and consumption. Have posters with challenge 25 displayed where the alcohol is being sold. Refuse the sell of alcohol to under aged children(-18s). CCTV cameras already in place to check and record any misbehaviour.
2) Prevent crime and disorder.
3) Work towards maximises public safety
4) prevention of public nuisance.

b) The prevention of crime and disorder

I will aim to protect the public and local residents from alcohol related crime nuisance and antisocial behaviour. During the hours we are open to sell alcohol I will make sure that at any time no alcohol related crime nuisance or antisocial behaviour takes place. During the events we will always have at the premises a DPS in charge (e.g. myself) ready to alert the police or ask the antisocial person to leave right away the premises and report to the police if there is a risk of incident getting out of hand.

c) Public safety

Will make sure the premises are safe for everyone, children included. Working CCTV cameras are already installed at the premises and signs saying children must be supervised at all time by adults.

d) The prevention of public nuisance

During the open hours I will stop straight away any activities alcohol related or not which I believe is causing a public nuisance.

e) The protection of children from harm

I will keep the premises tidy and free of any harmful substances or objects that might put the safety of children or adults into jeopardy. Also display important notices everywhere in the premises warning parents that all children must be supervised by a responsible adult. In the eventuality that some children are misbehaving I will ask them with the parents to leave the premises immediately.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Hartrey, Claire

From: Tony.Bowley@south-wales.pnn.police.uk
Sent: 18 July 2018 14:35
To: [REDACTED]
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: objection letter prem vary application KINGS ROAD YARD
Attachments: objection letter prem vary application KINGS ROAD YARD.doc

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Dear Ms. Munro,

Please find attached a police objection coupled with a representation in respect of your application to vary the hours on your premises licence.

The signed original is in the post.

Any questions please telephone or email me.

Regards

Tony

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.

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.

Unauthorised use or disclosure of this email may be unlawful. View our confidentiality statement at <https://www.south-wales.police.uk/en/email-confidentiality-statement/>

Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon. Gallwch weld ein datganiad cyfrinachedd yn: <https://www.south-wales.police.uk/cy/datganiad-cyfrinachedd-e-bost/>

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

18th July 2018

Caroline MUNRO
7 Sherborne Avenue,
Cyncoed,
Cardiff
CF23 6SJ

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

"KINGS ROAD YARD, 183A KINGS ROAD, PONTCANNA, CARDIFF CF11 9DF.

I, Chief Inspector JONES of the South Wales Police for the district of Cardiff, hereby give notice that an objection shall be made to the application for the variation of the premises licence for "KINGS ROAD YARD, 183A KINGS ROAD, CARDIFF.

This objection is made under the Licensing Objectives of;

The prevention of Crime and disorder;

(There is already a premises licence for the yard held by Simon Doherty. The nature of the premises is changing away from that originally intended by the licence operated by Mr. Doherty. There has been a recent incident of alcohol related disorder while the applicant was operating her licence. The increase in hours on a Saturday evening may lead to an increase of alcohol related crime and disorder).

Public safety;

(The premises is a courtyard with only one entrance/exit. If this exit is blocked during an emergency there is no satisfactory escape route).

p.t.o.

Should the licensing committee be minded to grant this application the police ask that the below condition be placed on the premises licence;

1. On Saturdays SIA registered door staff shall be on duty at the premises from 1800 to the close. The ratio shall be a minimum of one to 150 persons.

If you have any queries regarding the above objection, please contact Licensing Officer Tony BOWLEY at the Licensing Department, Cardiff Bay Police Station. Telephone 02920 633421.

Yours faithfully,

Joe JONES
CHIEF INSPECTOR.

COPY TO:-

Clair HARTREY,
Operations Manager,
Licensing & Strategic Services
Cardiff County Council,
City Hall,
Cardiff.
CF10 3ND.

Anthony Bowley
Police Licensing Officer
Cardiff Bay Police Station
Direct Line : +44 (0) 2920 633421 (Ext 34208)
Fax : +44 (0) 2920 527256
E-Mail : Anthony.Bowley2@south-wales.pnn.police.uk

Hartrey, Claire

From: [REDACTED]
Sent: 20 July 2018 16:14
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection To Variation of Premise License - 183A Kings Road Cardiff CF119DF
Attachments: Objection to Licence - Kings Road CF119DF.pdf

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Please find my objection attached.

I understand the closing date is the 23rd July 2018.

Regards

Simon Doherty
[REDACTED]

www.pipesbeer.co.uk
[REDACTED]

'PIPES' is the trading name of ARTISAN BREWING CO LTD.
183A Kings Road Cardiff CF119DF
VAT: 183019320 / Company No. 06570817



Dear Sirs,

My name is Simon Doherty, Director of Artisan Brewing Co T/A Pipes Brewery, 183A Kings Road.

I am writing to register my objection to the application for a varied licence by Kings Road Courtyard 183A Kings Road, Cardiff. The basis for this opposition is that granting a variation licence for this premise will only jeopardise the current faultless promotion of the licencing objectives by myself as a premise license holder for the same 'Saturday' times being requested. In particular I'm concerned with maintaining the prevention of public nuisance and crime and disorder, when there are other 'pop-up' bars utilising the license in question.

Granting this licence provides yet another source of alcohol within the courtyard in which my business is based. I'd like clear and justified reasons as to why a second retailer of alcohol is required on the same premise. We are a well-established brewery at the location and provide a high quality product to discerning clientele. We have developed a sociable, community hub enjoyed by both local residents and visitors to the capital city. We have ample facilities to accommodate for the capacity of the premise and furthermore, my license was granted on the condition that I would not serve high alcohol drinks (spirits and cocktails), I would therefore ask why this variation in question should be able to do so if I was not granted permission? And I would suggest if it were to be passed that the same restrictions be imposed in-line with my own.

Over the past several months we have witnessed vendors serving cocktails under the Kings Road Courtyard licence, and later a separate TEN's. In conjunction with this, we have noticed an elevation of customers arriving to our bar intoxicated. To note there has been a spike in incidents involving police (June 9th), aggression towards my staff and nuisance complaints from neighbours. These are all new occurrence for our business, and does seem to correlate with the extended use of the courtyard as a 'street-food' venue. We have also seen an increase in the number of people under the age of 18 attempting service at our bar. I note also a rise in people bringing their own alcohol onto the premise for consumption. Prior to these occasions and ourselves being the only licenced venue on the premise managing customer's alcohol intake seemed more plausible. There was no discrepancy over who was in charge of controlling there matters – as we manage a strictly no external alcohol policy at our venue.

Pipes Brewery has always been a very relaxed, friendly venue. We have built up a repour with our customers and are highly respected amongst the community. We welcome all down the courtyard and are considered a family friendly venue. Because of this repour and respect, we have remained incident free since our licence was granted in 2015 and furthermore our early TEN events dating back to 2008.

Residence in this area already suffer noise nuisance, and I'm sure you have a bounty of objections from local residents living in the vicinity of Kings Road Yard. As a tenant of the premise I am not notified when music is occurring until the time. It is a nuisance and does hamper my general business activities and I will be registering my complaints to noise in the future.

In view of the above, I would urge the Licencing Authority to refuse the application. If the application is accepted I'd like the condition that the license restricts the service of high alcohol beverages such and spirits, shots and cocktails. I also request some plausible separation of liability in the case of any future incidents. Also that challenge 25 materials are on display, staff in service are trained in the responsible service of alcohol and the premise license displayed on premise – all of which I am obliged to do so in adherence of my own granted premise license.

Regards

Simon Doherty

Director

Artisan Brewing Co Ltd.

183A Kings Road Cardiff, CF119DF

Hartrey, Claire

From: Robert Chapman [REDACTED]
Sent: 28 June 2018 01:18
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Gordon, Iona (Cllr); cpwilliams@valeofglamorgan.gov.uk; Wild, Caro (Cllr)
Subject: Application for Variation of a Premises Licence - 183a Kings Road, Pontcanna, Cardiff CF11 9DF
Attachments: Extended hours.jpg; 01495 Artisan Brewing Co Summary.pdf; Studios plan.pdf
Importance: High

***** 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.**

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Dear Sirs,

INTRODUCTION

I act for the owner-occupier of [REDACTED] Severn Grove, Cardiff CF11 9EN. My client's property (including the garden) backs onto Kings Road Yard, as do several other residential properties in Severn Grove, and adjoining streets. My client has lived at [REDACTED] Severn Grove since the beginning of 2001.

I am writing in response to an "application for Variation" of the licensing hours for a premises licence (first attachment). The name of the "applicant" is described as "Kings Road Courtyard". The application pertains to 183a Kings Road, Pontcanna, Cardiff CF11 9DF. There is an intention to extend the licensing hours on Saturday from **10.00am in the morning to 22.30hrs at night** on Saturday.

EXECUTIVE SUMMARY

In summary, my client OBJECTS to this proposed extension in the guise of a "variation of a premises licence". It represents what I describe as 'mission creep' whereby there are incremental changes which slowly but surely are compounding the noise nuisance.

INITIAL BUT PERTINENT OBSERVATION

Before I provide a rationale for the objection, I'd like to highlight a relevant factual detail which may be a relevant technical detail. Based on previous correspondence with your licensing department, I am led to understand that the extant Licence dated 4th December 2015 is in favour of Artisan Brewing Co., **Unit 6A**, 183a Kings Road (second attachment). **THIS IS A SPECIFIC LOCATION** within the Kings Road site (known as The Yard – third attachment). The extant hours for alcohol consumption under that licence is stated as being between the hours of **10.00 to 22.00hrs** Monday to Sunday. The current application for a variation of the existing licence is from Kings Road Courtyard. **This begs three questions:** (i) how can the current application for a variation (from Kings Road Courtyard) apply to an extant licence belonging to Artisan Brewing Co; (ii) Whilst the Artisan Brewing Co is a legal (company) entity, Kings Road Courtyard is not a legal entity, but a place - can a place be an applicant for the purposes of the Licensing Act 2003? Put another way, is it a legal entity that is able to qualify as an applicant; (iii) the extant licence pertains to a

specific geographical location described as unit 6A (where the brewery is located) whereas the geographical location pertaining to the current application for the variation is 183a Kings Road, Pontcanna, Cardiff CF11 9DF which is a residential property - it is not where the brewery is located. For clarity, your answers to these questions would be welcomed.

BACKGROUND AND RATIONALE FOR OBJECTION

Put simply, my client feels legitimately that she / he is entitled to "quiet enjoyment" of their residential property in a residential area. This premise is supported by several other residents that we have spoken to. Previous complaints have been made because of noise(s) emanating from Kings Road Yard. On the face of it, it is very easy for one department of a local authority to ignore observations that collectively relate to activities and responsibilities managed by other local authority departments. Nevertheless, let me attempt to offer some "joined-up" observations.

Activities in "The Yard", Kings Road have involved an intensification of (i) planning uses (including change of use), (ii) temporary event notices (TENs) and (iii) premises licensing. Whilst different departments will state their narrow respective responsibilities, I guess it is a matter for local politicians in the guise of Councillors to "join the dots" vis-a-vis joining up the bigger picture (which concerns different departments) to consider things in the round. In other words, to ascertain what is going on. I return to this point later but for now simply state that this response is being copied to the local councillor Iona Gordon and Councillor Caro Wild.

Outline Background Chronology

On 8th December 2009, on behalf of several residents whose properties backed onto 183a Kings Road, I was asked to write objecting to a premises licence (reference LSS/CCCP/01495) in respect of unit 6A (Artisan Brewing Company). I offered the following comments:

- *There are already quite a number of properties in the area with premises licences: the Cameo Club; the Cinnamon Tree and the proposed Thai restaurant next door to the Cinnamon Tree. Indeed, Chapter has recently re-opened with a significantly larger capacity to accommodate a larger audience – within an enclosed and sound proofed area.*
- *A premises licence suggests inviting people onto the property to imbibe alcohol. This means an increase in traffic in the area. Indeed, there was an occasion earlier this year when such an activity took place on a Sunday. The resultant noise levels and music represented a disturbance.*
- *My recollection is that such a proposal would not comply with the existing planning policy.*
- *Importantly, the existing residents are entitled to 'quiet enjoyment' and privacy.*

Therefore, for these reasons, the application for a premises licence should be rejected.

In June 2010, I had correspondence with a previous (now retired) Cardiff County Council officer, John Vessey in which I complained about the noise level of music emanating from The Yard. Whilst accepting that the licence for alcohol is your sole responsibility, it is not difficult to piece together the fact that licensed alcohol + a TEN (temporary event notice) + music is a combination that will lead to a good deal of noise in a confined area where the acoustics (shaped by the surroundings) exacerbate the volume of the sound / noise. In other words, in this scenario, **the licensing of alcohol is an integral, component part of noise attribution.**

At the beginning of July 2010, my client experienced a break-in. This may, or may not, have been linked.

In October 2010, I made a further complaint to Mr Vessey (noise pollution) about the level of noise from The Yard. This was backed up by a candid email from Mrs Flip White (a resident in Severn Grove) to Mr K Munro. In it, she refers to the *"loud noise, alcohol related activity and residents who were unable to: enjoy their respective gardens; have people round; get kids to sleep"*.

On the 8th October 2010, I received a communication from Ilaria Agnostini-Green, Licensing Enforcement Officer who had been informed about the complaint by Mr John Vessey. In her email, she refers to licensing hours for the consumption of alcohol between the **hours of 10.00am and 21.00hrs Monday to Sunday**.

Following a further complaint and visit by officers to [redacted] Severn Grove (November 2010) to witness at first hand the noise level emanating from The Yard, an abatement notice was served upon the perpetrator of the statutory noise nuisance (understood to be Artisan Brewery Co).

Scroll forward to **current times**, there has been an intensification of planning uses, evidenced for example with a recent planning approval for a bakery, including the production of pizzas. It doesn't take too much thought to make the connection between such a use, plus alcohol plus music via a TEN (temporary event notice). Yes, music has begun to creep back onto the scene. For example:

- I made a complaint again about noise emanating from The Yard in October 2017. Part of the correspondence at that time, included a communication between Councillor Iona Gordon and Mrs Stephanie Ann Wathan, Neighbourhood Services Officer (Tue 17/10/2017 10:53) in which Councillor Gordon stated: *"Thank you for your action on this noise nuisance. I can bear witness that the noise from the Yard at 183 Kings Road was unacceptable on Saturday 14th October. I held an event in St Catherine's Church hall nearby - the noise from the Yard was shocking."*
- I draw your attention to my e-mail of 21st June 2018 addressed to Mrs Caroline Munro. It was copied to the 'Licensing' department. For convenience, that email is copied below. I have not received a reply.

"Dear Caroline,

I refer to your (Kings Road Courtyard) application to vary the existing licence (first attachment). Details of the current licence are set out in the second attachment. For my benefit, could you explain why you (Kings Road Courtyard) are applying to extend or vary the licence bearing in mind that the holder of the licence is the Artisan Brewing Company?

Secondly, whilst I will be writing separately to Claire Hartrey prior to 28th June 2018, are you aware that there is an increasing unease amongst residents whose properties adjoin the property about the noise levels emanating from The Yard. I have drawn this matter to your attention on a number of occasions recently but have not received a reply. The intensification of use and noise is manifested by: (i) a recent planning decision; (ii) a recent one-off music event that went beyond the specified hours; (iii) tonight – as I write this note – an event is being held in The Yard where an organisation called The Urbanists is being hosted by Pipes. How does my client know this? Answer – by the level of noise. Were you aware of this event? I suspect not. All of this activity collectively amounts to 'mission creep'.

A timely reply would be appreciated.

Yours sincerely,

Robert I Chapman"

What is not understood by the 'operators' in the confined area to the rear of residences in Severn Grove etc is that when a mass of people gathers together (in the guise of events: typically, music and alcohol combined), the acoustic nature of that area means that **invasive noise is heightened and conveyed to**

neighbouring properties. This is especially noticeable and notable beyond 5.00pm when noise is refracted downwards in contrast with afternoons when noise begins to increase.

Returning to the application, and the **relevance of the preamble** above, it is not difficult to see that there is a tactical play here. The proposed change of use to a bakery selling goods – including pizzas – would be an accompaniment to the sale of beer from Pipes Brewery. This means that there is even more scope for people to amass in the Kings Yard area generating **significant noise**. Therefore, I am suggesting that you need to consider the context for this application and the additional **noise / nuisance** consequences that would flow. The coincidence of planning, TENs (music) plus extended licensing hours for alcohol consumption represents an **intensification of use** of the area which has consequences for existing residents **quite enjoyment**.

Further observations include:

- Neighbourhood and Community Consultation: Frankly, this has been *de minimus*.
- Vehicle Parking: Whilst there may not be vehicles parked in Kings Road Yard per se, it is likely that the combination of use, events, music and availability of alcohol in a confined area will lead to more problems with parking 'offsite'. In other words, parking in local resident areas adjoining The Yard. This is already happening and has been happening for some time. This is a consequence of intensified use.
- Hours of Opening for Alcohol Consumption: Prior to the Brewery, there was no consumption of alcohol. Subsequently, alcohol was licensed between:
 - 10.00hrs and 21.00hrs;
 - Then 10.00hrs and 22.00hrs; and
 - Now proposed 10.00hrs and 22.30hrs.

It is not difficult to see the **trend** which is linked to **use and events** (including music and loud chatter), with the consequence of noise nuisance for residents and neighbours. I describe this as deliberative action which amounts to mission creep. In other words, there appears to be a game plan for self-gain at the behest of residents who are entitled to quiet enjoyment in a residential area.

CONCLUSION

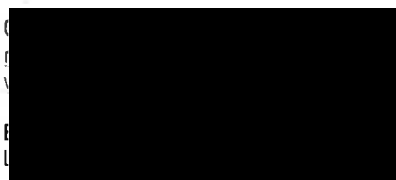
This application should not just be seen through the prism of the licensing authority. It needs to be seen as part of a contextual picture which is causing increased aggravation and nuisance – something that has been ongoing (on and off) over the last decade. Beyond the immediacy of this response to the current application, I will be liaising with residents about an application for the review of the premises licence for the reasons embedded in this e-mail communication.

Yours sincerely,

Robert I Chapman

RC Property &
Regeneration
Expert

Robert I Chapman, Director



Hartrey, Claire

From: Robert Chapman [REDACTED]
Sent: 05 July 2018 16:59
To: Caroline Munro
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Gordon, Iona (Cllr); Noise and Air Pollution \ Llygredd Swn ac aer; cpwilliams@valeofglamorgan.gov.uk
Subject: RE: Licensing Act 2003

Dear Caroline,

Thank you for your reply.

From my client perspective, there is no problem with the Farmer's Market. Indeed, there is no problem with local, micro businesses, notwithstanding the fact that my client tolerates infrequent grinding noises from one of the businesses to the rear of her property. What is more problematic though is the music and conversational noise from The Yard. I think it is fair to say that residents whose properties back onto The Yard are able to distinguish where different noises come from.

What is clear to my client and adjoining residents – but not to others who do not wish to listen proactively – is that the music loudness and conversational chatter after several drinks is a problem. Indeed, such events involving music and drink are problematic in other ways too. My client was speaking to an adjoining neighbour recently (with family) who was angered by people looking over the boundary fence into her property.

Observations made in the past to the local authority (Mr Vessey) were not really accepted until officers actually experienced the noise level themselves, at which point a noise abatement notice was served. And, there lies the rub in the current day. The Council has a resource issue to get people out to site at the appropriate time.

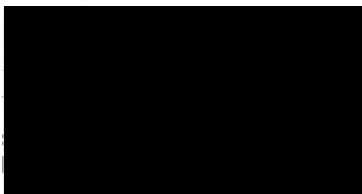
The likely outcome is that residents who want quiet enjoyment in a residential area will seek recourse to those copied into this e-mail so that a record accumulates on file for action.

Best Wishes,

Robert



Robert I Chapman, Director



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From: Caroline Munro [REDACTED]

Sent: 03 July 2018 13:58

To: Robert Chapman [REDACTED]

Cc: licensing@cardiff.gov.uk; Gordon, Iona (Cllr) <Iona.Gordon@cardiff.gov.uk>; Noise and Air Pollution <NoiseandAirPollution@cardiff.gov.uk>; cpwilliams@valeofglamorgan.gov.uk

Subject: Re: Licensing Act 2003

Dear Robert,

I have been unable to reply to your emails as I have been very busy.

For your information Kings Road Yard Courtyard licence is separate from the Kings Road Yard Microbrewery namely "Pipes". This licence is to cover the events hosted by Pontcanna Market which is separate from the brewery events.

As Pontcanna Market and landlords of Kings Road Yard, I have already being granted a licence to sell alcohol on Saturdays morning and all day until 4pm on Sundays.(see attached our licence) We will only be using the extended licence times (to sell alcohol) at one event each month until October. We are not planning to hold events in the evening every Saturday.

Because we welcome less than 500 people (see attach regulations) at the Yard, we are allowed to have live music during the hours of 8am to 11pm all time. However we are aware of the "quiet enjoyment" of the residents near by and would not abuse this right.

We believe that all the events held by Pontcanna Market are not too much of a disturbance regarding noise level and we are very careful to keep it that way.

We do have once or twice a year a live music performance which stops at 9.30pm and we believe this is reasonable. We will always inform the local residents in advance about those events.

On the whole we have had very positive feedback from local residents. They complained more about the noise emanating from the local pubs: Robin Hood, Cameo Club and live disco from St Catherine's Church, also live music parties from "Kemis" and "Pontcanna Mews". In the future please check that when there is excessive noise it may be coming from one of these other venues. Often, when people have complained in the past it was not us generating the noise.

As for events organised by "Pipes" please forward your complaint directly to Simon Doherty at: info@pipesbeer.co.uk

I hope this has clarified your concerns.

Best Wishes

Caroline

On Thursday, 21 June 2018, 18:58:11 BST, Robert Chapman [REDACTED] wrote:

Dear Caroline,

I refer to your (Kings Road Courtyard) application to vary the existing licence (first attachment). Details of the current licence are set out in the second attachment. For my benefit, could you explain why you (Kings Road Courtyard) are applying to extend or vary the licence bearing in mind that the holder of the licence is the Artisan Brewing Company?

Secondly, whilst I will be writing separately to Claire Hartrey prior to 28th June 2018, are you aware that there is an increasing unease amongst residents whose properties adjoin the property about the noise levels emanating from The Yard. I have drawn this matter to your attention on a number of occasions recently but have not received a reply. The intensification of use and noise is manifested by: (i) a recent planning decision; (ii) a recent one-off music event that went beyond the specified hours; (iii) tonight – as I write this note – an event is being held in The Yard where an organisation called The Urbanists is being hosted by Pipes. How does my client know this? Answer – by the level of noise. Were you aware of this event? I suspect not. All of this activity collectively amounts to 'mission creep'.

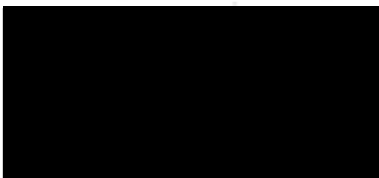
A timely reply would be appreciated.

Yours sincerely,

Robert I Chapman

RC² Property &
Regeneration
Expert

Robert I Chapman, Director



RC2 is the trading name of Robert Chapman & Company Limited. Company Registration No: 04590590; Registered Office: Bush House, 39 Cardiff Road, Llandaff, Cardiff CF5 2DP

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Hartrey, Claire

From: [REDACTED]
Sent: 17 June 2018 21:48
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Application by Kings Road Courtyard
Attachments: Video of Pipes 1562018

Dear Licencing Team,

I am writing to strongly object to the extension of the licence to this establishment. I live in [REDACTED] Severn Grove with my 5 year old son and husband.

Our property directly backs on to the venue applying for the licence.

There was no licenced venue in this location when I purchased our property. Gradually, there has been a creep in the increased use of this venue as a music event venue and a licenced property.

I objected when the owners requested a licence until 9pm back in 2010. This is because the noise from the venue is unacceptable. This licence premises is entirely outdoor. This is bad enough with the current arrangements.

The extension to licensing hours will lead to customers being within 15m of our bedroom beyond our bedtime. But the noise will also be increased due to the longer hours for alcohol consumption. As it is, there are some nights where the noise goes on far beyond the 9pm curfew, for example the video I have attached to this email. This video was taken at 22.45 on Friday evening the 15th of June when I was on call. It is taken at night and is not great quality visually but the noise is self explanatory. As a consultant surgeon I regularly work weekends on call and need good quality sleep. As it is, I cannot open our bedroom window to sleep on summer nights when this establishment is licenced due to the noise.

Their customers also climb the stairs in the courtyard and stand at first floor level whilst drinking looking directly into our kitchen and garden, just as they were doing on Friday the 15th and Saturday 16th of June.

The current situation makes the garden out of bounds on a Saturday evening for my son due to the volume of 'adult' conversations.

I would be very grateful if you would consider our plea to reject this development creep. It is already impacting on our lives.

Yours faithfully,

[REDACTED]

Hartrey, Claire

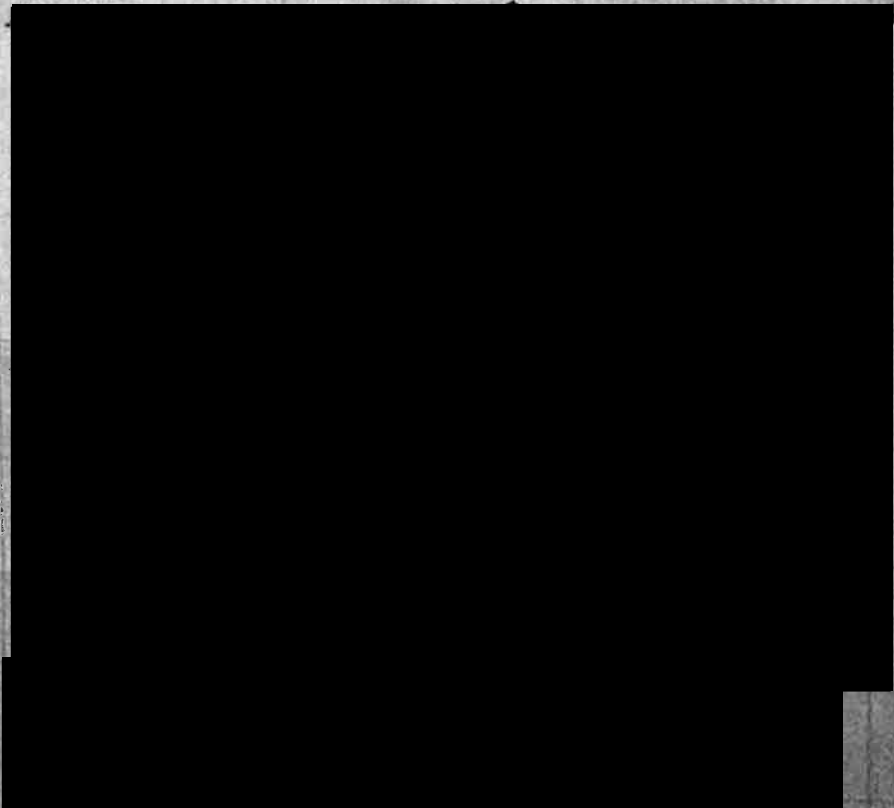
From: [REDACTED]
Sent: 27 June 2018 22:01
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Further evidence to object to extending licensing hours for 183a Kings Rd
Attachments: IMG_1164.jpg; ATT00001.txt

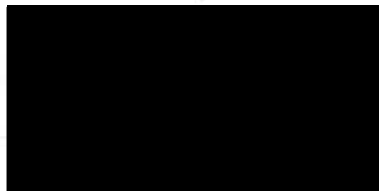
Thank you for your consideration.
[REDACTED]

Dear Licensing Team,

We, the undersigned, live in properties directly affected by the increasing noise associated with the lengthening of the licensing hours applied for by 183a Kings Road, Pontcanna, Cardiff CF11 9DF.

We object to the granting of the current request for lengthening the hours from 10.00 to 22.30.

NAME	ADDRESS	EMAIL	TELEPHONE	ADDITIONAL COMMENTS
J. Chapman R. Chapman				
A. Griffith				
V. Mace				
A. Jorwerth				
M. Davies				
M. Hopkins				



22nd JUNE

TO CARDIFF COUNTY COUNCIL
LICENCE SECTION

WE HAVE
REJECTED AGAINST THE LICENSE
AT 183A KINGS RD. COURTYARD
DUE TO THE FACT OF THE
POSSIBLE NOISE AT SUCH A LATE
TIME OF THE DAY IN A
RESIDENTIAL AREA.

YOURS SINCERELY



CARDIFF COUNTY COUNCIL

Hartrey, Claire

From: [REDACTED]
Sent: 28 June 2018 08:01
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Kings Road Courtyard

Dear Sir/Madam,

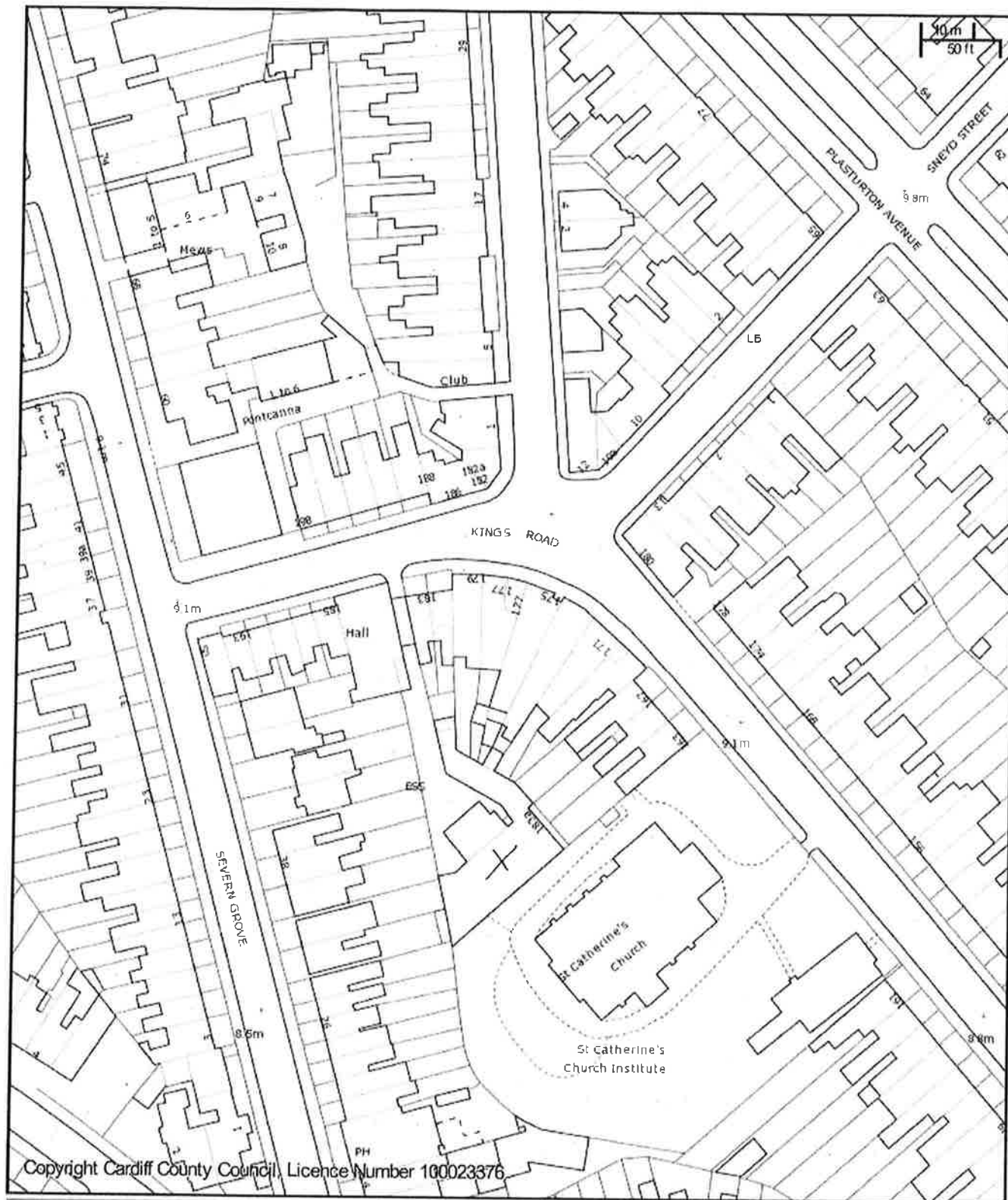
I am writing to express our objection to a recent application made by kings road courtyard, pontcanna. The application is to extend the opening hours for the sale of alcohol to 10.30pm on Saturdays.

As residents whose garden is adjacent to kings road yard we are directly affected by events there. At present, the sale of alcohol is permitted until 10pm. During busy days the noise from customers can be loud throughout the day and into the night. On saturdays this lasts until around 11pm by the time customers have finished their drinks and left. An extra 30 mins would extend this to 11.30 which we believe is too late. The noise already causes issues in getting our children to sleep; this would be made worse by the proposed changes. The noise is particularly disruptive when live bands are hosted.

I hope that you will take into account our concerns.

Yours Sincerely,

[REDACTED]



CHIEF EXECUTIVE
Paul Orders
County Hall
Atlantic Wharf
Cardiff CF10 4UW
Tel: 029 20872000

City of Cardiff Council
Cyngor Dinas Caerdydd



Title

Scale: 1:1000

Date: 1/8/2018 at 14:29 PM

Coordinates

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