



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, 7 JUNE 2019, 10.00 AM
Venue	ROOM I AND J, CITY HALL - CITY HALL
Membership	Councillors Derbyshire, Goddard and Jacobsen

- 1 **Declarations of Interest**
- 2 **Application for the Variation of a Premises Licence – Park Lane Fish and Chips** (*Pages 3 - 26*)
- 3 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services
Date: Monday, 3 June 2019
Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 7 JUNE 2019

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 035824

**Name of Premises: Park Lane Traditional Fish & Chips, 105-107 Queen Street, Cardiff
CF10 2BG**

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Park Lane Traditional Fish & Chips in respect of Park Lane Traditional Fish & Chips, 105-107 Queen Street, Cardiff CF10 2BG.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

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

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

“Fish & Chips restaurant and takeaway”.

(3) 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:

Monday to Friday: 09:00 to 04:00 hours
Saturday and Sunday: 09:00 to 07:00 hours

Non Standard Timings:

On Christmas Eve, Boxing Day, New Year’s Eve, New Year’s Day and any Sunday proceeding bank holiday until 07:00 hours the following morning.

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

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

- (ii) Late Night Refreshment (indoors and outdoors)

Monday to Friday: 23:00 to 04:00 hours

Saturday and Sunday: 23:00 to 05:00 hours

Non Standard Timings:

On Christmas Eve, Boxing Day, New Year's Eve, New Year's Day and any Sunday proceeding bank holiday until 05:00 hours the following morning.

- 1.3 A site plan of the premises can be found in *Appendix A*.

2. Promotion of Licensing Objectives.

- 2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in *Appendix B*.

3. Relevant Representations

- 3.1 A representation has been received from South Wales Police in respect of this application. A copy of the Police representation can be found in *Appendix C*.
- 3.2 A representation has been received from Cardiff Council's Licensing Department in respect of this application. A copy of this representation can be found in *Appendix D*.
- 3.2 A representation has been received from Cardiff Council's Neighbourhood Services in respect of this application. A copy of this representation can be found in *Appendix E*.
- 3.2 Representations have also been received from a number of 'other persons' as defined by the Licensing Act 2003. Copies of these representations can be found in *Appendix F*.

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

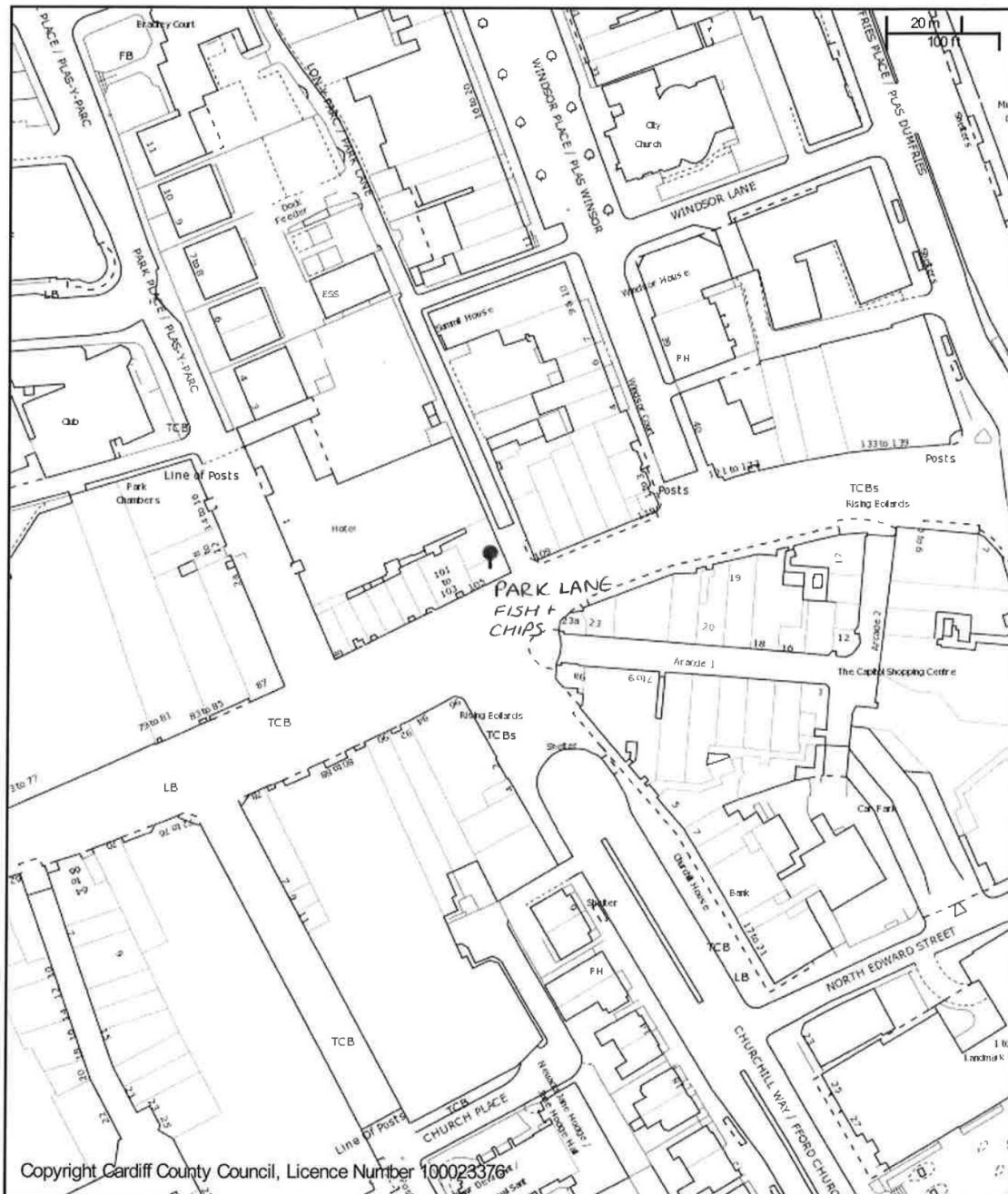
- a) To grant the application.
b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.

- 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 e.g. 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

17 May 2019

Site Plan – Park Lane Traditional Fish & Chips



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CHIEF EXECUTIVE

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



Park Lane Traditional Fish & Chips, 105-107 Queen Street, Cardiff CF10 2BG

Scale: 1:1417

Date: 17/5/2019 at 10:34 AM

Coordinates

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Ordnance Survey 100023376 (2014).

Operating Schedule - Conditions Proposed by Applicant

OPERATING SCHEDULE

General

1. Substantial food will be offered at all times the premises are open to the public;
2. The licence holder will have subscription to and active support of the Licence Holders Forum.
3. The designated premises supervisor or premises licence holder shall ensure that the members of staff working at the premises are all made aware of the conditions on the licence and/or the contents of the operating schedule, the licensable activities permitted and the times during which they are permitted.
4. The premises licence holder will surrender the premises licence number CCCP01906 upon acceptable grant of the new premises licence as applied for.

Public Nuisance

5. The premises shall ensure that no rowdy behaviour is allowed on the premises or whilst customers are leaving the premises.
6. The premises licence holder will ensure that there are regular litter patrols within the immediate vicinity of the premises when they are open.
7. All drinking vessels will be removed from the public areas as soon as they are finished with or empty.
8. The premises shall be kept in a clean and tidy condition to the satisfaction of the authority.
9. A sufficient number of suitable receptacles with properly fitted covers shall be provided for the purpose of receiving refuse from the premises.
10. Such receptacles shall be maintained in a clean and tidy condition and should be sighted in such positions as may be required by the authority and adequate arrangements shall be made for the regular removal of all refuse from the premises.
11. The designated premises supervisor or premises licence holder shall display prominent, clear eligible notices at all exits

Operating Schedule - Conditions Proposed by Applicant – Continued

requesting patrons to respect the needs of local residents and to leave the premises in the area quietly.

12. The DPS shall ensure that instructions are given to staff to request that patrons leaving the premises do so in a quiet and orderly manner.
13. Smoking policy shall be in place at the premises to ensure that customers smoking outside the premises do so quietly and respectfully.
14. The designated premises supervisor or premises licence holder shall take all steps reasonably practical to prevent a noise nuisance to any neighbouring properties during the hours of operation

Crime and Disorder

15. A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets), including any outside area. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee or authorised officer or Cardiff Council Licensing, in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practical. There will be sufficient staff training to facilitate the above.
16. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
17. The licence holder will provide one SIA registered doorman when the premises are open beyond midnight. The doorman will be present from 23:00 and they will wear a body worn camera throughout their period on duty.
18. In accordance with licencing conditions a registered door person/s will deployed at the premises, the full names and full SIA registration numbers will be entered in a register, prior to the commencement of their duties.
19. SIA registered door persons all wear distinctive clothing that clearly and easily identifies them as being such door persons.

Operating Schedule - Conditions Proposed by Applicant – Continued

20. An incident log book will be maintained by the premises manager that details incidents of note that occur in the premises. This shall include refused sales, disorder and ejections as a minimum, The log book shall be kept on the premises and be available for inspection at all times the premises is open and management shall regularly check the book to ensure that all staff are using it.
21. Full details of any incident generating the physical intervention with a patron/member of the public will be entered in the premises' incident book.
22. Strict operating procedures will be implemented at the venue, with the designated premises supervisor or in the absence of the DPS the person nominated by the DPS to be responsible for liaison with the local police.

Public Safety

23. All drinks will be served in non-glass vessels on designated major event days in Cardiff City Centre and also when events are taking place in Churchill Way whilst the road closure is in place.
24. All off sales will be made in sealed containers.
25. No customers carrying any form of alcoholic drink, open, will be admitted to the premises at any time.

Protection of Children from Harm

26. There shall be adequate proof of age requirements in place.
27. Members of the staff will have received under aged training and will sign and acknowledge to the effect that they have received and fully understand the training they have received.
28. When events that attract young persons are held in the city centre in Queen Street, Greyfriars Road or Churchill Way the designated premises supervisor will display a clear conspicuous and eligible notice stating that anyone purchasing or attempting to purchase alcohol for someone under 18 years of age will commit an offence or will be refused the sale of alcohol for that event.

Operating Schedule - Conditions Proposed by Applicant – Continued

29. A sales refusal book shall be kept at the premises and shall be checked each week by the designated premises supervisor to ensure that staff are accurately recording refusals. The refusal book should be open to inspection by appropriate officers of the responsible authorities.

Police Representation

CADW DE CYMRU'N DDIOGEL • KEEPING SOUTH WALES SAFE



SWYDDOGOL – OFFICIAL

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

10th May 2019

Park Lane Traditional Chip Shop.
105-107 Queen Street,
Cardiff.
CF10 2BG

**APPLICATION FOR A PREMISES LICENCE, LICENSING ACT 2003,
PARK LANE TRADITIONAL CHIP SHOP, 105-107 QUEEN STREET,
CARDIFF CF10 3ND.**

To whom it may concern,

I have caused enquiries to be made into this application. The premises is an existing business and is located at Queen Street in Cardiff. Whilst this area is primarily that of a retail area, there are a number of licensed premises located within a very short distance. As such this premises attracts passing trade into the early hours.

The premises sits within the area as defined by Cardiff City Council as being that covered by their Cumulative Impact Policy. As such, South Wales Police object to the granting of the application for a new premises licence on the basis that the applicant must demonstrate to the Council Licensing Sub-committee that the applicant will put in place sufficient measures to ensure that there will be no additional impact made by the premises on the area.

However, should the Licensing sub-committee be so disposed to grant the application as requested, then be advised that South Wales Police make the following representations over and above those offered by the applicant in their application.

Mae Heddlu De Cymru yn croeso iwyd 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

Police Representation – Continued

CONDITIONS OFFERED BY THE APPLICANT.

General.

1. Substantial food will be offered at all times the premises are open to the public.
2. The Licence holder will have subscription to and active support of the licence holders forum.
3. The designated premises supervisor or premises licence holder shall ensure that the members of staff working at the premises are all made aware of the conditions on the licence and /or the contents of the operating schedule , the licensable activities permitted and the time during which they are permitted.
4. The premises licence holder will surrender the premises licence number CCCP/01906 upon acceptable grant of the new premises licence as applied for.

Public Nuisance

5. The premises shall ensure that no rowdy behaviour is allowed on the premises or whilst customers are leaving the premises.
6. The premises licence holder will ensure that there are regular litter patrols within the immediate vicinity of the premises.
7. All drinking vessels will be removed from the public areas as soon as they are finished with or empty.
8. The premises shall be kept in a clean and tidy condition to the satisfaction of the authority.
9. A sufficient number of suitable receptacles with properly fitted covers shall be provided for the purpose of receiving refuse from the premises.
10. Such receptacles shall be maintained in a clean and tidy condition and should be sited in such positions as may be required by the authority and adequate arrangements shall be made for the regular removal of all refuse from the premises.
11. The designated premises supervisor or premises licence holder shall display prominent, clear eligible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises in the area quietly.
12. The DPS shall ensure that instructions are given to staff to request that patrons leaving the premises do so in a quiet and orderly manner.
13. Smoking Policy shall be in place at the premises to ensure that customers smoking outside the premises do so quietly and respectfully.

NOT PROTECTIVELY MARKED

Police Representation – Continued

14. The designated premises supervisor or licence holder shall take all steps reasonably practical to prevent a noise nuisance to any neighbouring properties during the hours of operation.

Crime and Disorder.

15. A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all areas to which the public have access { excluding toilets}, including any outside area. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee or an authorised officer or Cardiff Council Licensing, in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practical. There will be sufficient staff training to facilitate the above.
16. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
17. The licence holder will provide one SIA registered doorman when the premises are open beyond midnight. The doorman will be present from 2300 and they will wear a bodyworn camera throughout their period on duty.
18. In accordance with licensing conditions a registered doorperson/s will be employed at the premises, the full names and full SIA registration numbers will be entered in a register prior to the commencement of their duties.
19. SIA registered door persons all wear distinctive clothing that clearly and easily identifies them as being such door persons.
20. An incident log book will be maintained by the premises manager that details incidents of note that occur in the premises. This shall include refused sales, disorder and ejections as a minimum. The log book shall be kept on the premises and be available for inspection at all times the premises is open and management shall regularly check the book to ensure that all staff are using it.
21. Full details of any incident generating the physical intervention with a patron /member of the public will be entered in the premises incident book.
22. Strict operating procedures will be implemented at the venue, with the designated premises supervisor or in the absence of the DPS, the person nominated by the DPS to be responsible for liaison with the local Police.

Public Safety.

23. All drinks will be served in non-glass vessels on designated major event days in Cardiff City Centre and also when events are taking place in Churchill Way whilst the road closure is in place.
24. All off-sales will be made in sealed containers.

NOT PROTECTIVELY MARKED

Police Representation – Continued

25. No customers carrying any form of alcoholic drink, open, will be admitted to the premises at any time.

Protection of Children from Harm.

26. There shall be adequate proof of age requirements in place.
27. Members of the staff will have received under aged training and will sign and acknowledge to the effect that they have received and fully understand the training they have received.
28. When events that attract young persons are held in the city centre in Queen street, Greyfriars Road or Churchill Way, the designated premises supervisor will display a clear, conspicuous and eligible notice stating that anyone purchasing or attempting to purchase alcohol for someone under the age of 18 years of age will commit an offence or will be refused the sale of alcohol for that event.
29. A sales refusal book shall be kept at the premises and shall be checked each week by the designated premises supervisor to ensure that staff are accurately recording refusals. The refusal book shall be open to inspection by appropriate officers of the responsible authorities.

POLICE REPRESENTATIONS.

It is acknowledged that the applicant has submitted a comprehensive set of conditions contained within the application. In relation to the above, the Police make the following representations, made to streamline certain conditions for the ease of understanding, avoidance of doubt and in order to support the following licensing objectives;

Prevention of Crime and Disorder;

1. SIA registered door supervisors will be employed at the premises on those days the premises is open beyond midnight. The doorman will be present from 2300 until closure of the premises.
2. On those days designated by South Wales Police as major event days in the City Centre of Cardiff and also when events are taking place in Churchill Way whilst the road closure is in place, SIA registered door supervisors will be employed at the premises from no later than 2000hrs until closure of the premises.
3. On those occasions when the rear restaurant area { as defined on the plan submitted dated December 2015 } of the premises is open to the public, a second SIA registered door supervisor will be present in this area at all times from 2300 until the public no longer have access to it.
4. When SIA registered door supervisors are employed at the premises they will utilise a 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.

NOT PROTECTIVELY MARKED

Police Representation – Continued

5. When SIA registered door supervisors are employed in the rear restaurant area { as defined on the plan submitted dated December 2015}, they will utilise a further body worn device to that specified in Condition 4 above.

These conditions would replace condition 17 as offered by the applicant.

6. 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;

This condition would replace condition 18 offered by the applicant.

7. The Designated Premises Supervisor will be an active member of the Cardiff Licencees Forum.

This condition would replace condition 2 offered by the applicant.

8. 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.

This condition combines and replaces conditions 20/21 and 29 as offered by the applicant.

9. At all times when open to the public, the premises shall operate a radio system which is monitored by the Local Authority and South Wales Police;

10. The premises licence holder will surrender the premises licence number CCCP/01906 within 28 days of the day of the grant of the new premises licence as applied for.

Yours faithfully,


R. Miles.

A/ Chief Inspector.

NOT PROTECTIVELY MARKED

Representation from Licensing

Griffiths, Paul (PPE)

From: Morgan, Rhys
Sent: 09 May 2019 14:18
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Licensing Act 2003: New Premises: Park Lane Fish & Chips, 105-107 Queen Street, Cardiff, CF10 2BG.

Hi Paul,

The Licensing authority would wish to make the following representation.

In regard to the above application for grant 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 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.

The operating schedule contains proposed conditions and details for how the premises intend to promote the licensing objectives. It is assumed the conditions and steps proposed in the operating schedule are there for consideration of the potential cumulative impact but consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Cumulative Impact Policy and if this information is sufficient to overturn the rebuttable presumption. Reliance on operating without incident alone would ignore the purpose of cumulative impact policies, which are not intended to address individual problems at the premises themselves but problems in the wider area.

It 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



Shared Regulatory Services
Gwasanaethau Rheoliadol a Rennir

Representation from Neighbourhood Services

CITY OF CARDIFF COUNCIL	 CARDIFF CAERDYDD
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Representation Submission Form
Licensing Act 2003 - Representation in respect of Premises Licence Applications

Details of person or body making representation	
Your Name:	Gillian Jones
Your Address:	City of Cardiff Council, City Hall, Cathays Park, Cardiff CF10 3ND
Phone Number:	03001236696
E-mail:	gpjones@valeofglamorgan.gov.uk

Details of premises representation is about	
Name and Address of Premises:	Park Lane Traditional Fish & Chips, 105 - 107 Queen Street, Cathays, Cardiff, CF10 2BG
Application Number: (if known)	681161, Premises licence number CCCP/00782

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

Representation from Neighbourhood Services**Please summarise your concerns about this application:**

I wish to object to this application.

I have concern regarding the application on the grounds that the application does not promote the licensing objective of the "Prevention of public nuisance" and also that the application is not in line with the Cardiff Council Statement of Licensing specifically in regard to the Cumulative Impact Policy in respect of the city centre area. The application seeks to extend the opening hours of the fish and chip shop on Monday to Thursday until 04:00. The current closing time is 00:00. I am particularly concerned about noise from patrons entering and exiting the premises and staying in the vicinity to eat and drink food they have purchased. Furthermore I am concerned with odours arising from cooking affecting residents at the Jurys Inn Hotel

I have concern about individuals congregating and sitting outside the premises eating (and drinking) creating noise and thus sleep disturbance until the early hours to the residents staying at the Jurys Inn hotel, 1 Park Place. People noise will have an impact upon the ability of residents at the Jury's Inn Hotel to sleep at night. (Night time is considered the World Health Organisation(WHO) are hours between 11pm and 7am) and the hours applied for here are during week days in which residents are more likely to be staying at the hotel for business needs rather than for leisure. There are no other late night refreshment establishment open until 04:00 in the immediate vicinity and is therefore likely to attract a significant number of people that may be walking home towards the residential area of Cathays after a night out in the City Centre.

I have had a meeting with the general manager of The Jurys Inn, Mr Chris Swithenbank and he has told me that hotel bedrooms are located directly over the fish and chip shop and that the hotel has received complaints from residents using the hotel about noise coming from intoxicated, loud and rowdy behaviour coming from people outside and from odours from the fish and chip shop . The area in-front of the fish and chip shop is a pedestrianised shopping area which includes some fixed public seating a short distance away.

Environmental Health Practitioners are unable to deal with noise complaints of people in the street have limited powers to deal with noise complaints coming from short stay hotel accommodation under the statutory nuisance provisions covered by The Environmental Protection Act 1990.

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

I write in relation to the licensing objective, the prevention of public nuisance, I believe that the individuals visiting the premises will disturb the residents of the hotel by congregating outside and creating noise after having a night out (many have drunk alcohol) in Cardiff City centre. It is known that people tend to speak (or shout) louder after consuming alcohol. This venue would attract people to the area under and on the pavement outside the hotel after residents had gone to bed. If it was not offering food at this time the area would not be of interest to party goers at this time and people would not be congregating outside or going in and out of the fish and chip shop (opening and closing the doors) at the front of the shop. This would also cause 'noise break out' into the street disturb the hotel residents.

Representations from 'other persons'



10 May 2019

By email & post

Licensing Service
Cardiff City Council
City Hall
Cardiff
CF10 3ND

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148 Edmund Street
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Stephanie Parraton
T 0121 222 3559
stephanie.parraton@squirepb.com

Our ref SLP1/ADH

Dear Sirs

**Representation to Application for Premises Licence -
Parc Lane Fish and Chips 105-107 Queen Street, Cardiff CF10 2BG
(the "Premises").**

We act for Jurys Hotel Management (UK) Limited ("Jurys Inns") and are instructed to submit this letter as a formal representation to the application for a Premises Licence. Jurys Inns, now part of the Fattal Group operate 38 hotels in the UK and Ireland and is now the UK's second biggest hotel chain. Jurys Inn Cardiff (which formerly operated as a Thistle) has 142 bedrooms, 62 of which are Queens Street/Park Lane facing. We attach a plan showing the location of the hotel in relation to the Premises.

We requested a copy of the plan submitted with the application from the Council. The plan appears to take in premises currently occupied by BetFred. The freehold of that unit, (we believe to be 8 or 9 Park Lane) is owned by Pandox with an underlease to Jurys. We therefore believe that the applicant has no legal right to occupy or operate in the area currently included in BetFred's lease. Copy photos attached for ease of reference.

The application is to authorise the provision of licensable activities namely the sale of alcohol from 11.00-23.00 Monday to Sunday and Late Night Refreshment both indoors and outdoors, Sunday to Thursday 23.00-04.00 and Friday and Saturday from 23.00-05.00, in close proximity to the hotel. The applicant seeks opening hours until 04.00 Monday to Friday and until 07.00 on Saturday and Sunday. This is a significant increase in the operating hours as the fish & chip shop currently closes at midnight and the betting shop on Park Lane closes at 22.00. Jurys Inn Cardiff objects to the grant of this application on the grounds of the promotion of the licensing objectives, specifically the prevention of public nuisance and the prevention of crime and disorder.

We believe that the premises is currently licensed by way of two separate premises licences namely CCCP01906 and CCCP01917. We note that the applicant has indicated licence CCCP01906 will be surrendered on the grant of a satisfactory new licence but makes no

47 Offices in 20 Countries

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014 4551 1606/1/EUROPE

Representations from 'other persons'

Squire Patton Boggs (UK) LLP

10 May 2019

mention of CCCP01917. It is our understanding that the hours for late night refreshment is almost a mirror image of the application to vary the existing licence that was submitted and refused by the Committee in January 2018.

Our clients are extremely concerned that the hours sought for the sale of alcohol, and the provision of late night refreshment will adversely affect hotel residents staying at the Jurys Inn, as well as other persons in the area. In particular, the representation relates to nuisance connected with noise escape and disturbance from people entering and leaving the Premises at all times, noise disturbance from people smoking outside the premises throughout the night and into the early hours of the morning and nuisance in relation to an increase in fumes from cooking. These issues are already affecting the hotel and its guests. The hotel has received numerous complaints from guests relating to noise and disorder emanating from these Premises throughout the night, which in some cases has required refunds to customers and which has resulted in a number of negative reviews for the hotel. The additional hours sought by way of this application from Sunday to Thursday will have a further detrimental effect on hotel guests, many of whom are business travellers during the week.

The hotel already receives complaints from guests relating to noise and disturbance outside generally which will almost certainly increase if this application is granted given that the late opening of the premises is likely to attract additional persons to the area. There was evidence this would happen presented at the hearing for the licence variations in January 2018 as reflected in the decision notice (attached).

The City Centre of Cardiff is a designated Cumulative Impact area and the Cumulative Impact Policy applies to applications for grants and full variations of Premises Licences, as set out in the Statement of Licensing Policy (Part 8). The premises are in the City Centre cumulative impact area and therefore we understand that there is a presumption that these applications will be refused if relevant representations are received (the Policy clearly applies to takeaways and extensions of hours for licensable activities in these premises). If this application is granted by the Committee, in part or at all, our clients maintain that the existing issues experienced by the hotel and its guests will continue beyond current cut-off times. Our clients do not believe that the impact of the proposed application, in particular in relation to noise escape / noise nuisance can be prevented, given the proximity of the premises to hotel bedroom accommodation and therefore no conditions could address these issues satisfactorily.

We therefore ask the Committee to refuse this application in line with the Council's policy on cumulative impact in the City Centre area and to ensure promotion of the licensing objectives.

We look forward to receiving confirmation of the proposed date for the Committee hearing and thank you for your assistance.

Representations from 'other persons'



Representations from 'other persons'

Griffiths, Paul (PPE)

From: Mackie, Norma (Cllr)
Sent: 15 April 2019 13:54
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Park Lane Traditional Fish & Chips 105-107 Queen Street, Cardiff, CF10 2BG

With reference to the application from Park Lane Traditional Fish and Chips proposing to change their license as to:

1. The sale of alcohol for consumption on and off the premises: Monday to Sunday: 11:00 to 23:00
2. The provision of late night refreshment (indoors and outdoors):
Sunday to Thursday: 23:00 to 04:00
Friday and Saturday: 23:00 to 05:00

We as the Local Councillors are submitting the following objections to the application as follows based on the Licensing Objectives:

Prevention of Crime and Disorder

The proposals are likely to increase the incidence of drunken behaviour in the area by attracting more people to that area of the City at that time of night.

Public Safety

There are already incidents of crime and disorder in the area, which will not be reduced by an increase of drunken people. There were 44 crimes reported in the Queen Street area in February 2019, with similar reported in the other months of the year. 14 of these were recorded as Anti-Social Behaviour, 1 Drugs related, 4 Public Order Offence and 6 for Violence and sexual offences.

Prevention of Public Nuisance

Extending the opening hours of the premises will increase the noise, litter and disruption to residents and other businesses, particularly hotels, in the area.

We feel that extending the licensing hours at this business is not conducive to the Licensing Objectives and that it will add to the Cumulative Impact already being experienced in that area. This variation should not be granted in line with their previous application which was rejected last year.

Regards

Norma Mackie on behalf of the Cathays Councillors

Cllr N Mackie, Cllr S Merry, Cllr C Weaver, Cllr A Ahmed
Cathays Councillors

Cllr Norma Mackie

Cynghorydd dros Cathays / Councillor for Cathays
Cadeirydd Trwyddedu a Diogelu'r Cyhoedd / Chair of Licensing and Public Protection
07779 975605

Representations from 'other persons'

Licensing and Strategic Services
Cardiff Council
City Hall
Cathays Park
CARDIFF
CF10 3ND

30 April 2019

Dear Sir,

Re: Licence Application Park Land Traditional Fish and s, 105-107 Queen Street CF 10 2BG

I am informed that the licensing objectives of the Licensing Authority are:

Prevention of Crime and Disorder;
Public Safety;
Prevention of Public Nuisance;
Protection of Children from harm.

Consequently, I object to the granting of the above licence on the following grounds:

- Churchill Way is already served by licensed premises which cause problems; residents are already frequently awoken during the early hours of the morning by rowdy behaviour both on Churchill Way and North Edward Street as patrons of existing licensed premises drink outdoors and congregate after closing time and before they make their way home; this premises on Queen Street is in close proximity to Churchill Way.
- The pavements in the city centre are frequently left in a dirty and sometime dangerous state with broken glass and vomit left on the pavement.
- Noise during the late evening and early morning is not consistent with Cardiff's Development Plan and does nothing to enhance the quality of city-centre living, or indeed the shopping experience for patrons of surrounding businesses, which the Plan sought to promote;
- Sadly, Churchill Way is far from the clean and tidy street it once was: this premises is on Queen Street, at the top of Churchill Way.
- The description of the proposed premises as a 'Traditional Fish and Chips' premises appears to attempt to portray it in a more respectable and therefore acceptable light than the licence hours and activities applied for suggest; I fail to see what is 'traditional' about serving alcohol with fish and chips.

Representations from 'other persons'

Churchill Way is now, at least partially, a residential area and this needs to be respected by the Licensing Authority. The granting of this type of license interferes with the exercise of residents' right to enjoy our homes. Moreover, I fail to see how the granting of this licence would **support** the Authority's objectives to: **prevent** crime; **prevent** disorder; **promote** public safety; **prevent** public nuisance; and **protect** children.

You may recall that the European Court of Human Rights has already ruled against a local authority for failing to exercise their power to protect the public against annoyance and disturbance arising from entertainment premises.

Yours sincerely



Representations from 'other persons'

Griffiths, Paul (PPE)

From: [REDACTED]
Sent: 01 May 2019 14:16
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection for Licence application FAO AA/NM/SM/CW

To whom it may concern,

We are writing to you in response to the letter we received re: licence application for Park Lane Traditional Fish & Chips on 23rd April 2019.

We wish to **object** to the variations of the application outlined in the letter based on the 3 Licensing Objectives:

Prevention of Crime and Disorder:

We feel that the variation would increase the incidence of drunkenness in the area.

Public Safety:

There are already incidents of Crime and Disorder in the area of Queen street/ Churchill Way which will not be reduced by increased drunkenness

Prevention of Public Nuisance:

Extending the opening hours of the premises will increase the noise, litter and disruption to residents in the area and to other businesses preparing to open their businesses. It will also disrupt the work of the Street Cleansing as customers leave the venues.

Kind rgds

[REDACTED]

Topshop Topman Store Manager

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