



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	WEDNESDAY, 18 OCTOBER 2023, 10.00 AM
Venue	CR 4, COUNTY HALL - MULTI LOCATION MEETING
Membership	Councillor Michael (Chair) Councillors Driscoll and Shimmin

1 **Declarations of Interest**

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

2 **Application for the Grant of a Premises Licence - Kings Road Yard** *(Pages 3 - 104)*

3 **Application for the Variation of a Premises Licence - Pontcanna Inn** *(Pages 105 - 128)*

4 **Application for the Variation of a Premises Licence - Mo Market** *(Pages 129 - 140)*

5 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services
Date: Thursday, 12 October 2023
Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 18 October 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 088021

Name of Premises: Kings Road Yard, 183a Kings Road, Cardiff, CF11 9DF

Ward: Riverside

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Caroline Christiane Jeanne Marie Munro and Camille Marie Josephine Munro in respect of Kings Road Yard, 183a Kings Road, Cardiff, CF11 9DF.

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 regulated entertainment in the form of films (indoors) and live music (indoors and outdoors).
- (iii) The provision of late night refreshment (indoors and outdoors).

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

Caroline Munro currently holds a premises licence referenced CCCP02050 for Kings Road Yard Courtyard for a limited number of occasions per annum for the retail sale of alcohol at farmers markets, but the applicants are looking to develop the business and expand the offering by increasing the footprint of the licensed area to include the small 1st floor terrace (maximum capacity - 10 seated or 15 standing) and units on the ground floor, as well as the existing courtyard to be able to host events throughout the year, including the addition of The Wardrobe coffee shop (A&B), Alex Gooch Pizzeria (1A) and Nomad Kitchen (7A), Red Doors Studio (5A), Dance Hall (3A) and ground floor kitchen (2A1) all of which will be included in this new premises licence.

The courtyard will still host farmers markets and other markets and generally the site will be used throughout the year for events such as cocktail or wine evenings, for example.

This application does not include any area currently licensed under the premises licence operated by Pipes Brewery.

(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 Sunday: 09:30 to 22:30 hours
New Years Eve: 10:00 to 01:30 hours

- (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: 10:00 to 22:00 hours
New Years Eve: 10:00 to 01:00 hours
 - (ii) The provision of regulated entertainment in the form of films (indoors):
Monday to Sunday: 10:00 to 22:00 hours
New Years Eve: 10:00 to 01:00 hours
 - (iii) The provision of regulated entertainment in the form of live music (indoors):
New Years Eve: 23:00 to 01:00 hours
 - (iv) The provision of late night refreshment (indoors and outdoors):
New Years Eve: 23:00 to 01:00 hours

1.3 A site map showing the premises and the plan of the premises submitted with the application can be found in **Appendix A**.

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**.

Supporting Documents

A copy of a petition supporting the application has been submitted by the applicant. This can be found attached as **Appendix C**.

Relevant Representations

4.1 A representation has been received from South Wales Police. A copy of the representation can be found in **Appendix D**.

4.2 A representation has been received from the Senior Licensing Enforcement Officer. A copy of the representation can be found in **Appendix E**.

4.3 A number of representations have been received from other persons. These can be found in **Appendix F**.

Legal Considerations

5.1 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

5.2 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.

5.3 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.

6. Issues for Discussion

6.1 The application should be determined and the appropriateness of any conditions on the licence need to be discussed.

**Helen Picton
Regulatory Services**

22 August 2023

APPENDIX A

Site Map & Plan




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

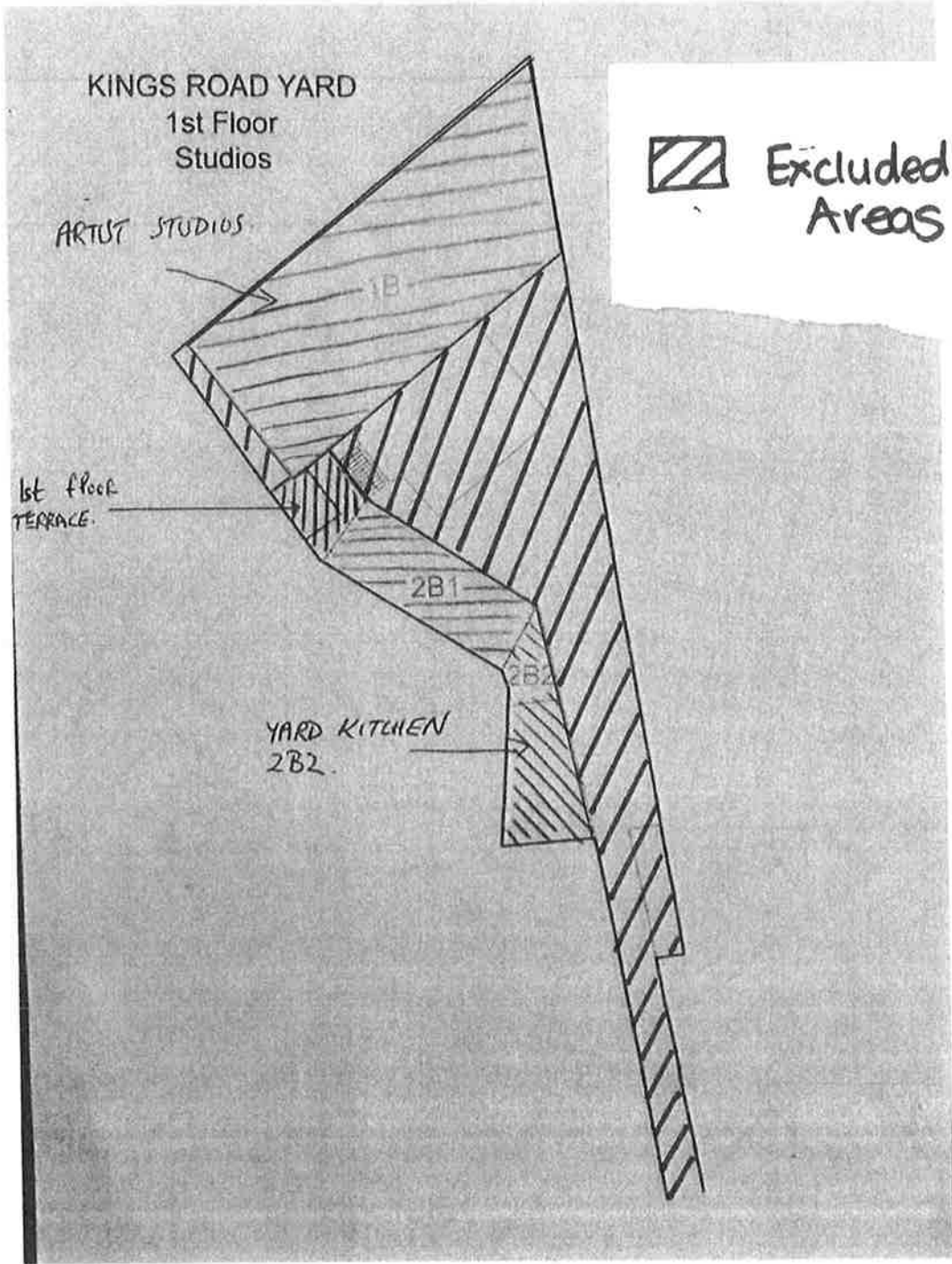
Cardiff Council

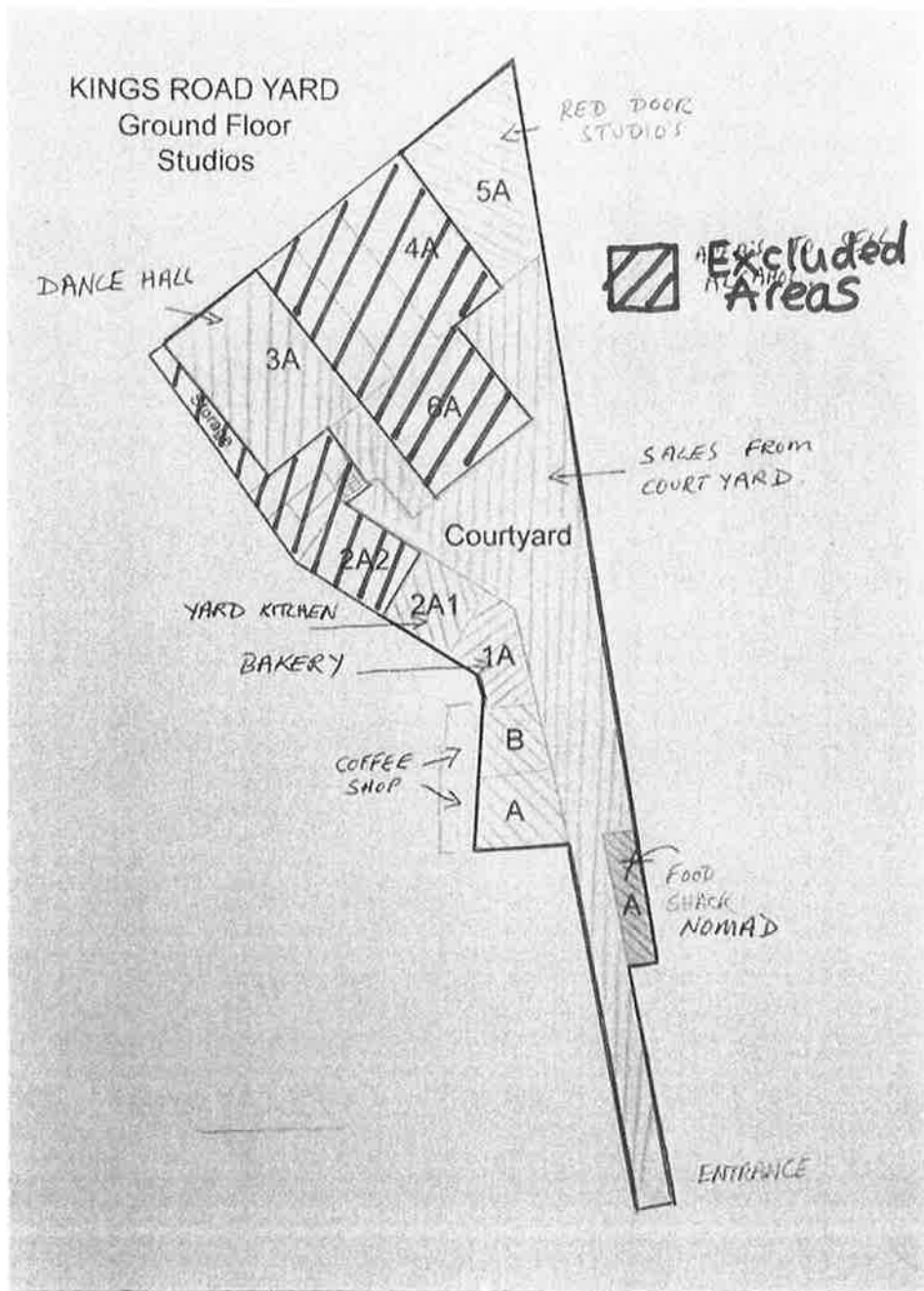



Title

Scale: 1:1417
 Date: 7/8/2023 at 15:13 PM
 Coordinates:
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Ordnance Survey AC0000816513 (2023).





APPENDIX B

Operating Schedule

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The DPS or a personal licence holder will be on the premises at all times licensable activity takes place.

Staff authorised to carry out licensable activity shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 6 months. The DPS shall keep records of such training for a period of at least 18 months and will be made available to the Police or other responsible representative on request.

The premises will operate a Challenge 25 policy. This policy will be brought to the attention of customers by the use of appropriate signage, displayed in prominent positions around the premises including at any points of sale. The only form of identification recognised will be photographic identification cards such as driving licence, passport, armed forces identification cards or proof of age scheme cards carrying the holographic PASS logo. All permanent staff will receive the appropriate Challenge 25 training, having completed a minimum of six continuous weeks of employment. No sale of alcohol will be made to those persons who, if challenged, are unable to produce suitable identification.

The Designated Premises Supervisor shall be a member of the Cardiff Licensees Forum and will attend meetings in person or by sending a suitable proxy.

On those days designated by South Wales Police as major event days in Cardiff all drinks for consumption on the premises will be dispensed in non-glass vessels.

b) The prevention of crime and disorder

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

- i) All crimes reported to the venue
- ii) Any complaints received (of a criminal or licensing nature)
- iii) Any incidents of disorder
- iv) Any refusal of the sale of alcohol
- v) Any visit by a representative of a relevant authority or a member of the emergency services
- vi) Any failures of the CCTV system

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

There shall be a minimum of 2 Security Industry Authority (SIA) registered door supervisors on duty at the premises whenever the number of patrons attending exceeds 180 and where licensable activity take place. On such occasions the SIA Door Supervisors will be employed from 18:00hrs until close. They shall remain on duty for up to 30 minutes after

the premises close to the public, to assist in the safe dispersal of patrons from the immediate vicinity.

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

Alcohol served or sold within any units shall be stored and displayed in a secure area behind the service counter away from public access.

No self-service of alcohol will be permitted at the premises.

c) Public safety

Public liability insurance is in place.

Business appropriate fire-fighting equipment is placed throughout the premises.

All emergency routes are marked.

d) The prevention of public nuisance

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

Signage will be displayed requesting that customers leave the premises and locality quietly.

e) The protection of children from harm

Children under the age of 18 are to be accompanied by an adult at all times and appropriate signage reminding parents to supervise their children.

Checklist:

Please tick to indicate agreement

<input checked="" type="checkbox"/>	I have made or enclosed payment of the fee.	X
<input checked="" type="checkbox"/>	I have enclosed the plan of the premises.	X
<input checked="" type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X

APPENDIX C

Supporting Documents

KINGS ROAD YARD PETITION

Petition: Support for Kings Road Yard to Obtain a New Alcohol Licence

We, the undersigned, express our strong support for Kings Road Yard's application for a new alcohol licence, allowing them to serve a variety of beverages, including wines, Prosecco, cocktails, etc., during the **same hours** as the existing licence on the premises.

By granting this licence, we believe Kings Road Yard will be able to enhance its offerings and create a more enjoyable and vibrant space for the community. This will not only benefit the businesses but also contribute positively to the local economy and social atmosphere.

We kindly urge the relevant authorities to consider this petition and grant Kings Road Yard the opportunity to expand their services responsibly and with due consideration for any necessary regulations.

Thank you for your attention to this matter.

Sincerely,

Keith Munro, Caroline Munro

21/07/23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
9	Bob Gasper	R Gasper		Yes expand	21/7/23
9	Anneke Davis	A Davis		Yes give licence.	21/7/23
10	RICHARD CURRAN	R Curran			21/7/23
10	Hugh Johnston	H Johnston		More needs to be done variety for recognition to have choice!	21/7/23
10	Bob Andrews	B Andrews			21/7/23
10	Rhys Swindburn	R Swil			21/07/23
10	Morgan Balmforth	M Balmforth		YAY! dha!	21/07/23
8	DAVID THOMAS	D Thomas		YES PLEASE!	22/7/23
7	Osca Alge	O Alge		MORE, MORE, MORE	22/07/23
10	Amy Harrn	Amy Harrn		yes!	22/7/23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
11	Lily James		[Redacted]		22/7
12	Matt Tommski		[Redacted]		22/7
13	India Williams		[Redacted]		22/7
14	Matthew Barry		[Redacted]		22/7
15	Donna		[Redacted]	lark	21/7
16	Mike Abbott		[Redacted]	Yes please!	22/7
17	Liv Horn		[Redacted]		22/7
18	BETH GODKIN	EC Godkin	[Redacted]		22/7
19	JANE DAVIS		[Redacted]	Very hot?	22/7/23
20	CAT REYNOLDS		[Redacted]	Great idea	22/7/23
21	Gordon Reynolds		[Redacted]	See we done!	21/07/23
22	John Jackson		[Redacted]		22/7/23
23	Ally Neave		[Redacted]		22/7/23
24	KIMM NEAVE		[Redacted]		22/7/23
25	I. MORGAN		[Redacted]		22/07/23
26	B. ISHOP		[Redacted]	Good idea!	22/07/23
27	A. ISHOP		[Redacted]	"	22/7/23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
28	Thomas Creswell			X	22.07.23
29	Polly Taylor			X	22.07.23
30	Tom Coles			—	22/07/23
31	Fiona Bell			—	22/07/23
32	JAMES TAYLOR			X	22/07/23
33	Cathie Kovner			X	22/07/23
34	Timothy Kendall			I can't think of a reason to not grant one	22/07/23
35	Paul Werner			X	22/07/23
36	Paul Jone			X	22-07/23
37	Pete Morgan			libby not! !	22-07-23
38	Holly Foster			What they said + ^ ^ ^	22/7/23
39	Peneope Jones			go on then I'm not an alcohol	27/7/23
40	WILL BARKER			putative mine	22/7/23
41	Huw MORGAN				22-7-2023
42	Z. Adams			Busy place needs F	22/7/23
43	SARA MCCABE			☺	22/7/23
44	Nadia Singh			—	22.07.23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
45	Anelma L-1-5			Support plink -	
46	Capuane Albert			I'll travel across countries to come drink wine here!	23/07/23
47	mmove	h		Great	23/07/23
48	Jason			Great	23/07/23
49	Jamie Sargent			For U	23/07/23
50	Tom Jones	OT Jones		big smile!	23/07/23
51	Utah App			yes please	23/07/23
52	Jenny Kearns			This should happen without Doubt!	23/7/23
53	Marcus Jory-phelps			About time!	23/7/23
54	Rhys Norton			100% good idea well nice to have play	23/7/23
55	Richard Norton			please I would like to have them	23/7/23
57	William Jones			yes please	23/7/23
58	Mike Hill			yes!	24/7/23
59	Simon Jones			lool!	26/7/23
60	Paul Evans			Yes - Absolutely!	26/7/23
61	PAUL O'LEARY			Yes, Plus!	26/7/2023
62	M. Scull			" "	26/7/23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
63	Brian	Bismarck		Yes please!	27/07/23
64	LILY LAWSON	L. Lawson		YES!	27/07/23
65	MARIANNE BARRETT	M. Barrett		aries@men.com BETTER IDEA!	27/07/23
66	PAUL BARRETT	Paul Barrett		.	27/07/23
67	Wana Gracia	[Signature]		It needs to happen please	27/07/23
68	Sophie Pearce	[Signature]		YDW	27/07/23
69	Francisco Zamora	[Signature]		yes!	27/7/23
70	Bea Vivero - Vile	[Signature]		YES!	28/7/23
71	Stefan Long	[Signature]		Yes!	28/7/23
72	Peke Long	[Signature]		Yeahhh!	28/7/23
73	LUKE OLIVER	[Signature]		YES!	29/7/23
74	RHYS THOMAS	[Signature]		Yes	"
75	Fiona Saines	[Signature]		yes	29/07/23
76	Jacob Saines	[Signature]		Yes	29/07/23
77	Jeanne Le Rendu	[Signature]			29/07/23
78	Thomas Parkinson	[Signature]		TeS!	30/7/23
79	Jasmine Vile	[Signature]		yes please !!	30/7/23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
80	K Mauro	K Mauro		wonderful idea	2/
81	Matthew	Sweet		good idea	2/
82	Phil Gou	Phil Gou		✓	2/8/23
83	CHRISTIE HALL	Christie Hall		tech needed	2-8-23
84	MOORE HALL	MOORE		take photo first	2/8/23
85	LARON PATTERSON	Laron Patterson		love the video	2/8/23
86	LAURA BARUSSI	LB		Wholesome Vibes	2/8/23
87	KARA WILLIAMS	Kara Williams			2/8/23
88	KERRY LAWRENCE	Kerry Lawrence			2/11/23
89	Pete Roberts	Pete Roberts		Do it!	2/8/23
90	Francois Albert	Francois Albert		Allez-y fancez	2/8/23
91	Jylene Taha	Jylene Taha		"	2/8/23
92	CARA MURRAY	Cara Murray		give these lovely guys a chance.	2/8/23
93	TETER SHULTE	Teter Shulte		ok	2/8/23
94	SERENA ALBERT	Serena Albert		yes!	2/8/23
95	TOM ALBERT	Tom Albert		"	2/8/23
96	CALLY ADAMSON	Cally Adamson		Yes please!	2/8/23
97	Kris h Pankey	Kris h Pankey		YES!	2/8/23

KINGS ROAD YARD PETITION

Petition: Support for Kings Road Yard to Obtain a New Alcohol Licence

We, the undersigned, express our strong support for Kings Road Yard's application for a new alcohol licence, allowing them to serve a variety of beverages, including wines, Prosecco, cocktails, etc., during the **same hours** as the existing licence on the premises.

By granting this licence, we believe Kings Road Yard will be able to enhance its offerings and create a more enjoyable and vibrant space for the community. This will not only benefit the businesses but also contribute positively to the local economy and social atmosphere.

We kindly urge the relevant authorities to consider this petition and grant Kings Road Yard the opportunity to expand their services responsibly and with due consideration for any necessary regulations.

Thank you for your attention to this matter.

Sincerely,

Keith Munro, Caroline Munro

21/07/23

	NAME	SIGNATURE	EMAIL	COMMENT	DATE
8	CARLY JONES			Will be good	2/8/23
99	SAM McELEMENTS			civilised idea • benefit local area	2/8/23
100	Ross LOUEGROVE	<i>Rhonyon</i>		great	2/8/23
101	Elin Prydzloch	<i>Elin Prydzloch</i>		Will be great!	2/8/23
103	John Rogers	<i>JR</i>		A OK	2/8/23
104	Rob Schneider	<i>RS</i>		YEAH MAN	2/8/23
105	CAROLINE MUNRO	<i>Caroline</i>		Yes please	2/8/23

APPENDIX D

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: 03 August 2023 12:25
To:
Cc:
Subject: Objection KINGS ROAD YARD
Attachments: Objection KINGS ROAD YARD.docx

*** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear

Further to our last telephone conversation, please find attached the Police objection to the variation of the premises licence.

Upon your return please telephone me at your convenience so we may discuss.

Regards

Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.south-wales.police.uk>, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.south-wales.police.uk>, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

Cymorth Iaith Gymraeg\Welsh Language Support

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.

Ymwadiad Heddlu De Cymru\South Wales Police Disclaimer

URhS Caerdydd a'r Fro

Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Teliffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

Gwefan: www.heddlu-de-cymru.police.uk

Cardiff & Vale BCU

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

Telephone: 01656 869211

In an emergency always dial **999**
for non-emergencies dial **101**

Website: www.south-wales.police.uk

SWYDDOGOL – OFFICIAL

3rd August 2023

**APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
UNDER THE LICENSING ACT 2003.
“KINGS ROAD YARD,” 183A KINGS ROAD, PONTCANNA, CARDIFF
CF11 9DF**

South Wales Police object to the grant of this application under the Licensing Objectives of:

- The prevention of crime and disorder,
- Public safety,
- The prevention of public nuisance.

POLICE REPRESENTATION

The premises presently consist of a few enclosed rooms with a central courtyard. There is only one entrance/exit to the courtyard.

The premises are situated in a heavily populated residential area.

The current premises licence CCCP02050 allows licensable activity on a limited basis and only on a Saturday and Sunday. This application seeks to extend the footprint to incorporate more rooms and greatly extend the days on which licensable activity can take place.

Such an extension of the licensable area and increase in operating days will attract a greater number of customers and increase the possibility of unruly customers.

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.



The SIA condition offered by the applicants is not sufficient to address the greater number of customers that may visit the premises and could lead to issues of public safety.

There is already a premises licence CCCP/01495 that covers the Kings Road Yard. That licence is held by _____ who owns and operates the “PIPES BREWERY” situated in a building adjoining the yard. That licence is allowed to operate every day of the year. The overlapping of two premises licences for the yard allowing both to operate each and every day will cause more customers to be in the yard at any given time and give concerns of public nuisance.

The potential for overcrowding and conflict between the two distinct sets of customers causes the Police concern of crime and disorder.

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

If you wish any further information then please contact Police Licensing Officer at the Cardiff Bay Police Station

Yours faithfully,

Chief Inspector

SWYDDOGOL – OFFICIAL

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.



Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police



APPENDIX E

Licensing Enforcement Representation

From:
Sent: 03 August 2023 15:49
To:
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

Good Afternoon

The licensing authority have reviewed the application detailed below, the authority has reviewed the operating schedule for which a number of the points raised are formulated to be implemented as a condition of the licence should it be granted.

The licensing authority would consider that the new application does seek to expand upon the licensable area from the current premises licence along with increasing the trading hours from a limited number of event days on a Saturday and Sunday as such intensifying the use, with that the current operating schedule does reflect some conditions that seek to overcome the concerns brought about by intensification. The licensing authority upon review would seek to object to the application on the grounds of prevention of crime and disorder and Public Nuisance. The operating schedule covers areas seeking to mitigate the concerns however the condition regarding the implementation of SIA door staff appears to be at odds with the current licence and unsupported by information regarding the numbers of customers chosen. Currently the requirement is for 2 SIA to be deployed from 18.00hrs where the numbers exceed 90 with the new operating schedule proposing an increase to 180 persons when licensable activity takes place. With this in mind the licensing authority are of the view this condition in its current proposed form proposed challenges for enforceability and suitability for compliance. The Licensing authority would also seek to add the following condition to the licence.

1. Upon successful grant of this application the licence shall only become operational upon surrender of current licence cccp02050.

Kind regards

APPENDIX F

Other Persons Representations

SUPPORT

From:

Sent:

08 July 2023 15:24

To:

Barker, Kirstie; Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject:

Application for the grant of a premises license - Kings Road Yard

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Hi [redacted], I'm writing in regard to the application of a premises licence for Kings Road Yard. I live at [redacted] and our house backs directly on to the Kings Road Yard and I would like you to know I am in full support of the application and the increasing of the footprint. Kings Road Yard is a cultural asset and should be supported with the utmost enthusiasm. It's a space that encourages and embodies community and is run in a way that the area would be at a loss without it. I don't really know the Munros personally, but I feel what they are doing for the community of the area and Kings Road residents in particular is being vastly underappreciated. They are creating community and culture and we feel they should be supported in continuing the amazing work they are doing at Kings Road Yard. We moved to Cardiff last year and found it really hard to find unique places like Kings Road Yard and want to reiterate how supportive we are of the owners continuing to develop what is a lovely, friendly welcoming community space - we would be lost without it.

I'm more than happy to have a follow up conversation if useful?

Kind regards

[redacted signature]

OBJECTIONS

From:
Sent: 10 July 2023 16:52
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Team,

Regarding the following application:

"Caroline Munro currently holds a premises licence referenced CCCP02050 for Kings Road Courtyard for a limited number of occasions per annum for the retail sale of alcohol at farmers markets, but the applicants are looking to develop the business and expand the offering by increasing the footprint of the licensed area to include the small 1st floor terrace (maximum capacity - 10 seated or 15 standing) and units on the ground floor, as well as the existing courtyard to be able to host events throughout the year, including the addition of The Wardrobe coffee shop (A&B), Alex Gooch Pizzeria (1A) and Nomad Kitchen (7A), Red Doors Studio (5A), Dance Hall (3A) and ground floor kitchen (2A1) all of which will be included in this new premises licence. The courtyard will still host farmers markets and other markets and generally the site will be used throughout the year for events such as cocktail or wine evenings, for example. This application does not include any area currently licensed under the premises licence operated by Pipes Brewery".

I am not quite sure what I expect will happen following this further objection to the extension of licence of the Yard. I am getting upset just thinking about it. I have objected to every extension application so far and none of the neighbours' concerns have been taken into account at all. Attached, you will see a petition of the residents of collected in 2019. Another in was also going to sign but was away before the deadline. Four of these houses were homes to children under 8. Since then, due mainly to the noise and disruption, 4 of those households have decided to sell and have/ are moving away. They were fantastic neighbours and all will be a huge loss to the community - but I fully understand their decision. We, as a family, decided that we love the area and decided that we would "work with" the noises and renovated our home to include increased sound proofing and a large outbuilding at the end of the garden to prevent customers from The Yard from looking in and to limit noise transmission and litter from ending up in our garden (plastic pint glasses, paper from take away food etc. It was absolutely heartbreaking to see, towards the end of the lockdown periods work being carried out on the first floor level to build a wooden structure housing sofas etc with French doors opening to allow people to sit at that level drinking. At that level the customers were looking directly into our bedroom. This is bad enough at night but during the daytime licence hours is a huge intrusion. We objected to the wooden structure and were told it had always been there - this is not true as I have photos which include that area - taken of and from our garden during our renovations. Then the owners said it was for private use only but we also know that this is not true as I can see people during those licensing hours citing by the open French doors whilst I am running a bath for my son. We cannot leave any of the back windows open when it is his bedtime in summer as the noise is too loud for him to sleep. We cannot leave our bedroom window uncovered. We are told that there is no planning permission granted for this area on the first floor. What I cannot understand is how anyone without planning permission for a structure can apply for an alcohol licence for that area, although it has clearly been used for drinking alcohol for at least a year - if not 18 months.

Please can you help?

What can we do to stop other neighbours from moving on?

It is clearly no longer an appropriate area for children to be brought up, which is incredibly sad.

When applying for a licence, during the consultation period any person or Responsible Authority may submit relevant representations in respect of the application. A relevant representation is one that demonstrates that the applicant's proposals undermine one or more of the licensing objectives, namely;

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm


Clearly what I am trying to do is express my frustration that children are being affected by the development and thus I am trying to protect children from harm.

We are desperate.

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. Male				
A. Jorwerth				
N. Davies				
H. Hopkins				

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: 28 July 2023 10:02
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Kings Road Yard, Pontcanna

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Re. Changes to Kings yard activities.

We live very close to Kings yard (in Severn Grove, opposite the Co-op) and I am strongly opposed to any changes proposed by the Munroes. This is about the increase of noise, obviously, but also a kind of cultural change. They have given the artists notice to leave, increased rents etc, so what was a community space is now to become a kind of outdoor nightclub for who? Not the local community. It's about profit.

From:
Sent: 23 July 2023 17:49
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Good afternoon,

Please find my clear objection to the licensing application that has been made for the Kings Road Yard Premises.

Background:

The application, as presented, is for the entire premises of 183A Kings Road, a funnel-shared site of some 800sq meters bounded on 2 sides by residential properties and the third by a churchyard, with the exit on a residential street through the undercroft of a residential premises. The site consists primarily of two story light industrial buildings surrounding a courtyard. There are, from my calculations, twenty one properties which share a direct boundary with the application site.

The premises already has, to some extent, a premises license held by the sub-section leased by Pipes Brewery ('Artisan Brewing Company') which utilises the courtyard space.

The application:

The application seeks use of the property throughout (by applying for the entire extent of 183A Kings Road) for the sale and consumption of alcohol every day of the week for 14 hours until 22:00, plus the showing of films both indoors and outdoors within the same timeframe. There is an additional application for use on New Years Eve extending until 01:00 New Years Day for live music.

My Objection:

My objection forms two parts:

Firstly, the application will unreasonably reduce the amenity and right to peaceful enjoyment of the adjacent properties, which includes my own. The site already generates considerable noise for both the immediately adjacent properties, but also the tens-to-hundred other properties which are 2nd or 3rd order neighbours within audible range. The noise generated by the existing establishment of Pipes is clearly audible within our property and those of our neighbours. In its current state, applying to the **entire premises** of 183a Kings Road, it has the capability to increase the capacity of the site by several hundred patrons. This will inevitably bring a significant negative effect on the surrounding area through increased noise both from the site (both from alcohol consumption and from the cinematic display), and from patrons arriving and leaving through the residential neighbourhood, and compound the issues of antisocial behavior (primarily littering and noise) this generates. It will also inevitably increase the traffic levels within the surrounding areas which are already nearing capacity on weekend evenings.

For this reason I believe it to be totally incompatible with the residential makeup of the area and should be refused.

Secondly, I do not believe the necessary planning permission is in place for this change of use. Whilst planning permission is **not** a licensing issue, however I do not believe a license can be issued for a premises with incompatible use classes. Currently the site has multiple uses however the massed two story building at the southeast end of the site is composed of various artists studios, and independent light industry (joinery). However, the application for the sale of alcohol and the display of films would require an A3 or D2 use class. Specifically, these are the units with windows facing my property and those of my immediate

neighbours and offer a view directly into our living room, bathroom and bedroom. This increase in footfall from this change of use would significantly impact our property.

For this reason I believe the application should be refused and instead the application should be seeking a change of use planning permission.

Finally, outside of these two points I would raise the objection I do not believe the site can safely accommodate such increased activity due to its extremely constrained single entry. There are **no** additional escape routes and approving use of the site by a considerable number of extra patrons raises serious concern.

Regards

From:
Sent: 23 July 2023 14:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing Application: Kings Road Yard 183A Kings Road

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

To whom it may concern,

I am writing to you regarding the license application for the Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF, to register my serious concerns about the proposed licensing of serving alcoholic drinks and film screenings outdoors potentially until 10 pm (also on week nights). As a local resident, I am seriously concerned that the addition of yet another venue serving alcohol in Pontcanna will have a serious impact on the neighbourhood. Above all, the area is already saturated with bars, pubs and restaurants serving alcohol. So there is no need for another such venue. Plus, the Chapter Arts Centre already offers a range of film screenings.

In particular, I am concerned about the additional noise pollution created by such a venue that will also screen films outdoors. I live on Conway Road, and we are regularly exposed to high levels of noise around 11pm when the Conway Pub shuts. So, I am very worried that a new venue will considerably add to this noise pollution. In addition, I have serious concerns over the implications of such a venue for public safety and crime. Since Pontcanna is a prime residential area, I fear that yet another venue serving alcohol might attract criminals etc. to the area.

Yours' sincerely,

From: Wild, Caro (Cllr)
Sent: 02 August 2023 15:18
To:)
Subject: Objection: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

I sent the following email on 17/7 (I thought I'd also seen an objection from Cllr Thomson – but perhaps I was mistaken). Here is a full objection:

Objection from Councillors Thomson. Singh and Wild

You will see below a very good summary from residents – of which we strongly concur. We ask that these issues and objections are taken up by the planning committee.

In summary we feel this application goes against our licensing objectives, the venue is right in the heart of a residential area (with residential properties directly joining the site) – and the wrong place for a heavy drinking and party establishment.

In particular the application goes against the following licensing objective: **Prevention of Public Nuisance**. Clearly allowing late night drinking, vertical drinking, music and events in a residential area does not comply. For the sake of clarity the following would cause a public nuisance:

- Large numbers of people coming and going late at night
- People leaving the venue after drinking alcohol are invariably noisy and rowdy – this is likely to keep people awake and cause other knock-on anti-social behaviour.
- Music being played outdoors (as happens on several occasions) will impact on residents right to a reasonable level of quiet enjoyment, as well as keep children from sleeping.

I would again draw your attention to the following paragraph from our licensing objectives:

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

As such we would ask that 21.00 should be complied with.

We have no objections to the new year's eve application.

It is worth noting that the site have previously flouted their license, with excessive noise and late night parties. I should also point out that I have offered to meet with the applicant (via the licensing team) – but they haven't tried to contact us directly, which is disappointing.

Here are the issues raised from residents for which we would ask be considered:

Why am I writing to you? I am writing to you for two reasons:

1. To share with you (as the local Councillor) my objection submission to the new Licensing arrangement (for convenience, see extract immediately below from the Public Notice) proposed by the Munros for

'The Yard'. Scroll down to see my email of Monday, July 10, 2023, 6:43 PM objecting to what is proposed which should be read with the three attachments (attachments 1,2 & 3). I know that I speak on behalf of my household and the adjoining residents who would **welcome your support to vehemently oppose the proposal.**

Statement of Relevant Licensable Activities which it is proposed will be carried on or from the premises together with the relevant times:

1. The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 10:00 to 22:00 hours

New Years Eve: 10:00 to 01:00 hours

2. The provision of regulated entertainment in the form of films (indoors and outdoors):

Monday to Sunday: 10:00 to 22:00 hours

New Years Eve: 10:00 to 01:00 hours

3. The provision of regulated entertainment in the form of live music (indoors and outdoors):

New Years Eve: 23:00 to 01:00 hours

4. The provision of late night refreshment (indoors and outdoors):

New Years Eve: 23:00 to 01:00 hours

Effectively, with the exception of the proposed extended hours on New Years Eve (which speaks for itself), this means that (a) alcohol could be consumed **on and off the premises** (i.e. within the enclosed 'Yard' area) for 12 hours per day for 7 days a week; (b) regulated entertainment in the form of films (indoors **and outdoors**) could occur for 12 hours per day for 7 days a week (i.e. within the enclosed 'Yard' area); (c) the provision of regulated music in the form of **'live music' outdoors** (i.e. within the enclosed 'Yard' area).

My research understanding is that the applicant has given the following information:

"Caroline Munro currently holds a premises licence referenced CCCP02050 for Kings Road Yard Courtyard for a limited number of occasions per annum for the retail sale of alcohol at farmers markets, but the applicants are looking to develop the business and expand the offering by increasing the footprint of the licensed area to include the small 1st floor terrace (maximum capacity - 10 seated or 15 standing) and units on the ground floor, as well as the existing courtyard to be able to host events throughout the year, including the addition of The Wardrobe coffee shop (A&B), Alex Gooch Pizzeria (1A) and Nomad Kitchen (7A), Red Doors Studio (5A), Dance Hall (3A) and ground floor kitchen (2A1) all of which will be included in this new premises licence. The courtyard will still host farmers markets and other markets and generally the site will be used throughout the year for events such as cocktail or wine evenings, for example. This application does not include any area currently licensed under the premises licence operated by Pipes Brewery".

2. **To offer some salient commentary** on the proposed licensing regime based on my experience, engagements with residents, and the engagements I have had with various officers.

- The proposal represents a significant scaling up / intensification of activity in the narrow, enclosed area known locally as 'The Yard' (Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF) which will undoubtedly lead to an intensification of noise pollution / noise nuisance. Take for example this morning (a rainy Sunday morning as it happens with people gathering in the area to

attend the Sunday market and quietly browsing – I have no objection to it in principle – but the market manager had turned on a radio (in The Yard area) which was blasting music. I could hear it in my kitchen. This one single radio caused a nuisance until I asked the manager politely to turn it down (or off). Imagine then (if you will) what it would be like with dozens upon dozens upon dozens of people (dare I say hundreds of people) in a confined area drinking, talking, drinking, talking etc having a great time (7 days a week) listening to / watching films whilst drinking / talking (including all the associated sounds) etc., resulting in a ‘compounding’ / amplification / augmentation and exacerbation of the sound to the detriment of local residents who simply want to have ‘quiet enjoyment’. Having made objections over the years, one thing is clear to me. **There is a lack of understanding of how the ‘acoustics’ of ‘The Yard’ area works.** Essentially, more people, more events in a confined area leads to **reflected sounds** which are amplified / compounded and, notably, refracted downwards as night approaches (basic physics). In other words, they become louder. So, does this mean (at the very least) that residents cannot have quiet enjoyment in their gardens, quiet enjoyment in their houses with the windows open etc. Is anyone thinking about the impact on the ‘wellbeing’ of residents? Will the statutory bodies / local bodies take cognisance of the wellbeing of local people whose enjoyment of their homes and their families is ‘despoiled’?

A local resident described the situation very appositely. The proposed Licensing application has the (and I quote) “*capability to increase the capacity of the site by **several hundred patrons**. This will inevitably bring a significant negative effect on the surrounding area through increased noise both from the site (both from alcohol consumption and from the cinematic display), and from patrons arriving and leaving through the residential neighbourhood, and compound the issues of antisocial behaviour (primarily littering and noise) this generates. It will also inevitably increase the traffic levels within the surrounding areas which are already nearing capacity on weekend evenings.*”

Just to be clear, this current application by the Munros is in addition to an already existing licence in favour of Pipes Brewery. What about the compounding impact of activity in ‘The Yard’ should consent be given? You might want to look at the plans / areas associated with the Munro application on top of the existing Licence plans.

- I had an engagement with one officer by referring to the ‘Wellbeing Act’. He replied: “*I am afraid I do not know what relevance the Wellbeing of Future Generations (Wales) Act 2015 has ...*”! My research reveals that a number of local residents with families have moved out because of the activities in, and noise from The Yard. In other words, the impact on the wellbeing of their lives was detrimental. All public bodies have a mandatory duty to take account of this Act which is enshrined in legislation. On this point, I did receive this response (set out below). My response is that I am thinking about the wellbeing of residents in the immediate local defined area.

With regards to the Wellbeing of Future Generations (Wales) Act 2015; this is to be considered in various council policies, rather than when determining individual applications. Please see the latest Cardiff Local Well-being Plan with new Well-being objectives: [Cardiff Local Well-being Plan 2023 to 2028](#). When responding to licensing applications made under the Licensing Act 2003, the Neighbourhood Services Team consider applications in relation to the ‘prevention of public nuisance’ licensing objective.

- It was made clear to me that Licensing is completely separate from Planning. In other words, the Licensing Authority is unable to take into consideration planning matters – see quote below. For information, this means (potentially) that a Licence could be granted for areas / buildings / uses which do not have planning consent. For example, CFeleven which had a licence but didn’t have planning consent (and is now for sale)! It would be good to have an audit of extant planning uses in The Yard to verify whether they are compliant. It seems to me that there is an inextricable linkage.

“Licensing legislation is very clear in that whether someone has planning permission or not cannot be taken into account when determining licences”.

- It seems to me that there is a lack of transparency about how one can / how residents can make a complaint. During the process of my communications, I have discovered this – see below. I thank [Anthony Pritchard](#) for his helpful reply.

“To be clear, complaints in relation to noise issues are to be made to the [Pollution Team](#) and complaints in relation to Licensing matters which includes a potential breach of licence are to be made to the [Licensing Team](#).”

Licensing Team

Email: licensing@cardiff.gov.uk

Tel: (029) 20871751 (10am-3pm)

Contact details also available here: [Premises Licences \(cardiff.gov.uk\)](#)

Pollution Team

Email: pollution-cardiff-srswales@valeofglamorgan.gov.uk

Tel: 0300 123 66 96

Contact details also available here: [Noise Pollution \(srs.wales\)](#)

There is also an online contact form on the SRS webpage which allows members of the public to select what department within SRS they would like to contact. This can be found here: [SRS Contact Form \(valeofglamorgan.gov.uk\)](#)”.

By the way, I did ask about the number of complaints both in respect of Licensing and Noise Pollution respectively between 2001 and 2023. I was informed that in order to access this information, one needs to submit a Freedom of Information (FOI) request by contacting the FOI department by email at foiunit@valeofglamorgan.gov.uk. By copy of this email, I am asking that department for information relating to complaints about ‘The Yard’ (Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF) in **respect of both Licensing and Noise Pollution**. **Your support in seeking this information would be appreciated**. My additional comment here is that there would be more complaints if people knew (transparently) how they could complain.

Furthermore, my research engagement has revealed two further snippets of information: (i) with regard to Licensing App consultations, **each application** is considered in terms of **‘the prevention of public nuisance’** on its own merits and *considers factors such as the licensable activities and hours, the suitability of the building and area and the proximity to residential properties, as well as previous complaint history and compliance* (Has anyone really thought about proximity to residential properties?); (ii) as I understand it, ‘Licensing’ works closely with the ‘Pollution team’ but candidly I am not able to adduce any evidence of that based on experiences since 2001! However, I understand that *‘joint visits may be necessary to address both noise and licensing issues simultaneously’* notwithstanding the fact (apparently) that the Pollution team *‘remain the experts in noise nuisance’*. As a resident (representing other residents in the area) what analysis and due diligence has been carried out to assess the acoustics of the narrow area (known locally as ‘The Yard’)? Indeed, in an era of technology, what action will be taken to assess the acoustics of the narrow area on a ‘before’ and ‘after’ basis vis-à-vis the Munros application?

- Health & Safety: here, I am going to borrow the words of a resident (and I quote): *“How can the application area safely accommodate such increased activity due to its extremely constrained single entry. There are **no** additional escape routes and approving use of the site by a considerable number of extra patrons raises serious concern.”*

- Externalities out-with the site area: associated with an intensification of use of the area (over and above the current scenario): parking; rubbish / litter; noise in the surrounding streets etc. A far cry from Sherbourne Avenue, Cyncoed, Cardiff CF23 6SJ!

I hope this communication gives you a sense of the feeling and frustration of local residents who disapprove the Licence application.

Many thanks

Leo Thomson
Kanaya Singh
Caro Wild
(local councillors)

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 28 July 2023 10:25
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection to Premises Licence - Kings Road Yard

Subject: Objection to Public Notice of Application for a Premises Licence

Name of Applicant: Caroline and Camille Munro

Address of Premises: Kings Road Yard, 183a Kings Road, CF11 9DF

Dear Licensing Authority,

I am writing to formally object to the application for a Premises Licence, as advertised in the Public Notice of Application dated 6th July 2023. I have carefully reviewed the details of the application and have significant concerns regarding the potential negative impact it may have on the surrounding community.

I would like to raise two specific objections related to the proposed premises:

Increased Noise: The premises in question are located in a predominantly residential area, and granting a licence without appropriate noise control measures would likely lead to an increase in noise levels. This could greatly disrupt the peace and tranquility of the neighbourhood, causing significant distress and inconvenience to the residents. It is crucial to consider the potential adverse effects on the community's well-being and quality of life.

Parking Issues: The proposed premises appear to lack adequate parking facilities to accommodate the anticipated influx of visitors. Insufficient parking availability would undoubtedly result in increased on-street parking, leading to congestion, inconvenience, and potential safety hazards for both pedestrians and motorists. Such parking issues would not only affect the immediate vicinity of the premises but could also have a wider impact on the surrounding streets and residential areas where we already struggle to park near our own homes.

Considering the potential negative consequences outlined above, I kindly request that you thoroughly assess the applicant's proposal and take into account the concerns of the local community. It is essential to prioritise the well-being and interests of the residents who have invested in this area as their homes. I also urge you to organise a public consultation or meeting to provide an opportunity for concerned residents to voice their objections and express their apprehensions regarding the proposed premises. This would allow for a fair and inclusive decision-making process that considers the needs and opinions of the community.

I trust that you will carefully evaluate my objections and take them into serious consideration when reviewing the application for the Premises Licence. Should you require any additional information or wish to discuss this matter further, please do not hesitate to contact me.

Thank you for your attention to this important matter. I look forward to a fair and thorough assessment of the application, keeping in mind the well-being and harmony of the local community.

Yours sincerely,

From:
Sent: 13 July 2023 15:42
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Kings Road Yard, 183A Kings Road - Licensing application
Attachments: Making Representations Form July 2010 FW 11.07.23.docx

***** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

I attach my representations in respect of the Application for Licensing at the Kings Road Yard.

Regards

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



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

Details of premises representation is about	
Name of Premises:	Kings Road Yard
Address of premises:	183A Kings Road Pontcanna Cardiff CF11 9DF
Application No. (if known)	

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

Please summarise your concerns about this application:
<p>I feel that a licenced premises open for so long: between 10.00 and 22.00 seven days a week, could quickly become known as a drinking spot, attracting people from a wider area who may have little or no concern for the many residents whose homes and gardens would be adversely affected by increased noise, activity and possible anti-social behaviour, both on the premises and in the immediate vicinity.</p> <p>There is already a micro-brewery operating from Kings Road Yard, with the more civilised opening hours of 16.30 – 21.30 four days a week.</p> <p>I think another outlet in the same yard selling alcohol for more than twice that amount of time would be unacceptable.</p> <p>I think that the hours when alcohol is sold should be kept between 16.30 and 22.00 and should be restricted to no more than five days a week.</p>

I am concerned that showing films outdoors would necessarily create an unacceptable amount of noise – as the sound must presumably be intended to be audible above the general level of street noise.

1

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

Prevention of Crime and Disorder:

More availability of alcohol, and somewhere to sit and drink it, increases the potential for disorder. Anyone who lives near a pub knows this to be the case.

Prevention of Public Nuisance:

Large groups of people, and a constant coming and going of strangers, especially if they have been consuming alcohol, can make some people feel intimidated, besieged or just uncomfortable. Though Pontcanna has definitely become a 'Go-to' place in recent years, it remains primarily a residential area, and home to a great many people, who have neither the desire, nor the means, to take advantage of the many food and drink outlets. Their right to peaceful enjoyment of their premises should be respected.

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 August 2023 09:47
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Concerns with premises license at Kings Road Yard, Pontcanna

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Licensing Authority, Cardiff County Council,

We are residents of Severn Grove and are emailing to express my concerns with the proposed license extension to the King's Road Yard. We understand that the current application is to extend sale of alcohol from 10:00 to 22:00 Monday to Sunday.

As my partner and I are both NHS doctors, we regularly work night shifts and need to rest in the day. We both have concerns that the sale of alcohol from 10:00 could lead to increased noise pollution during these times. As our property backs onto King's Yard this would directly affect us resting and recovering from busy night shifts.

Whilst we are very supportive of local businesses and regularly enjoy visiting the King's Yard we remain concerned that the extension of sale of alcohol 7 days a week from 10:00 – 22:00 would lead to a significant increase in noise levels.

Kind regards,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 28 July 2023 21:21
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection to Application of Premises Licence for Kings Road Yard, CF11 9DF

Dear Sir/ Madam of Licensing Authority,

I feel that I must voice my concerns for the above application to develop a venue for a full premises licence and to include entertainment events throughout the year at the Kings Road Yard.

Pontcanna is one of the most sought-after locations to live in Cardiff. Consequently there has been a surge in further development in the locality.

This has had a big impact in terms of parking and generally moving around the location in question. It is frequently gridlocked by cars. Any plans to entice further attractions and therefore footfall and traffic congestion could have a very negative impact on the amenities visitors and locals currently enjoy.

Pontcanna is a residential area. The Kings Road Yard is very much in the centre of the square and the thoughts of live outdoor entertainment throughout the year is appalling both in terms of potential noise and light pollution, and its potential to pull groups of noisy attendees and further traffic in to the area.

As owner of _____, I would oppose the further development of entertainment amenities in a heavily-congested residential area.

Yours sincerely,

Sent from my iPad

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 14 July 2023 17:03
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Rejection of Kings Road Yard License Application

To Whom it May Concern,

I wholeheartedly reject the application for a premises licence for Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF made by Caroline Christine Jeanne Marie Munro and Camille Marie Josephine Munro.

This is a residential area. I live with my young family on Severn Grove and our property backs onto Kings Road yard. Pipes Brewery currently serves alcohol from 16:30 until 21:30 from Thursday-Saturday which we accept. Often, noise continues until well after 21:30 but we put up with this as we know alcohol service stops at 21:30 and it is only for three days of the week.

The licensing application in question will completely change this. Not only do they wish to extend serving alcohol for a further half an hour which will inevitably result in excessive noise well after this time but the proposal is for EVERY WEEK DAY and FROM 10AM. This will be hugely disruptive to our day to day to life. I have a young family that needs quiet in the evening for the majority of the week but I also work night shifts so hugely appreciate Pipes Brewery policy of not serving alcohol until 16:30, allowing me to sleep during the day without major disturbance.

Outdoor films which they propose playing potentially every week night until 10pm will further create massive noise disturbance to the surrounding homes.

Their New Years Eve proposals I accept but everything else I wholeheartedly reject.

Kind regards,

From:
Sent: 24 July 2023 09:54
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing application k8ngs Yard Road

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear sirs

I am writing to object to the licensing application for the above premises on all counts of outdoor entertainment for films, live music and late night refreshments.

Since the inception of pipes brewery the yard has sought to extend the services it provides with no consideration for residents who live in the area.

This business is surrounded by residential properties who are substantially affected by the noise and mess generated by the yard.

Residents have a right to relax and enjoy their surroundings this is not possible when their is barrage of noise generated by outdoor live music and film.

I am objecting on the grounds of increased noise. The noise on weekends is already excessive and continues until the early hours with all the other businesses in the area. Any extension or change of licensing would further add to this noise at all times.

I am objecting in the grounds of their being an impact on the parking in the area. As residents it is already impossible to park in the street. Any extension of the entertainment on offer would bring further vehicles into a already over congested area. Once again at detriment to residents.

To clarify I am objecting to all outdoor entertainment provision.

From:
Sent: 26 July 2023 23:46
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing Act 2003 - Public Notice of Application Application for a Premises Licence (under section 17) Name of Applicant: Caroline Christiane Jeanne Marie Munro and Camille Marie Josephine Munro

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Name and Postal address of Premises:
Kings Road Yard 183A Kings Road Pontcanna Cardiff CF11 9DF

To whom it may concern

I wish to submit a representation in objection to the above licensing application on behalf of concerned studio artists at

We believe that any application for the 1B Unit at 183A Kings Road Yard undermines one or more licensing objectives.

The building is in a state of disrepair and we are concerned for:

1. Public Safety

Stairs to the first floor premises are rickety, slippery when wet, and there are gaps between the metal stairs. One metal stair is not connected to the wall.

The floors inside are uneven.

The common areas in the outside courtyard are uneven and a number of children have fallen

We are prevented from leaving the premises safely when customers are drinking outside and blocking the main exit.

2. Public Nuisance

Increases in noise for the studios and for surrounding properties is a huge concern. There is no sound proofing in the property.

Metal casement windows provide no sound proofing and overlook the gardens in Severn grove.

Neighbours formally complained in the past when an artist accidentally left a light on in the kitchen overnight, and we now have strict rules as a group to limit these issues and respect neighbours privacy and right to quiet enjoyment of their property.

3. Fire Risk and concerns.

Concern for the use of flammable liquids in the property, Blocking of exits by customers

Thank you for considering our objections

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 02 August 2023 22:11
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: licensing application kings road yard

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Sir/Madam

My name is . I live at with my wife, , and our son.

I refer to the following licensing activities proposed by Caroline Munro & Camille Munro at Kings Road Yard, Pontcanna, CF11 9DF:

Statement of Relevant Licensable Activities which it is proposed will be carried on or from the premises together with the relevant times:

1. The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 10:00 to 22:00 hours

New Years Eve: 10:00 to 01:00 hours

2. The provision of regulated entertainment in the form of films (indoors and outdoors):

Monday to Sunday: 10:00 to 22:00 hours

New Years Eve: 10:00 to 01:00 hours

3. The provision of regulated entertainment in the form of live music (indoors and outdoors):

New Years Eve: 23:00 to 01:00 hours

4. The provision of late night refreshment (indoors and outdoors):

New Years Eve: 23:00 to 01:00 hours

I object very strongly to the above licensing proposals by Caroline & Camille Munro. They clearly have no respect for the residents of Kings Road and Severn Grove that surround the "Yard".

The above statement means alcohol to be served for 12 hours every day. What is more the sale of alcohol is to be available from 10 o'clock every morning. Even the Robin Hood down on Severn Grove waits until lunchtime before opening their doors.

There is already a brewery & bar, "Pipes", situated directly the other side of our wall. We've had problems with the noise coming from the "Yard" over the years. We have complained on numerous occasions. The noise we complain about is nearly always loud music. Allowing more by way of the Munros' proposals would contravene 'Prevention of Public Nuisance'.

It can get extremely busy in the "Yard", particularly on warm summer days. The Munros' proposals would encourage an even busier "Yard", and I must agree with our neighbour, , that this is would increase concern with Health and Safety, particularly as the space is a confined space, therefor conflicting with 'Public Safety'.

So films and live music. In this confined space between Kings Road and Severn Grove. This would be an intolerable addition to the current noise that is produced. Again a public nuisance. And "late night refreshment", when our son and other children in surrounding close proximity are sleeping. Again, public nuisance.

Yours Faithfully

Sent from Mail for Windows

From:

Sent: 02 August 2023 19:36

To:

Re: Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Sir/Madam,

I am writing to express my concerns about the proposed development in King's Road Yard. As my neighbour, has already highlighted, there are safety issues to consider. However, my primary concern is the potential for loud noises emanating from the area and the detrimental effect on children's well-being.

The expected high noise levels could render one bedroom in my house unsuitable for sleeping as long as development activities are ongoing. While we don't mind occasional noises during special occasions like New Year's Eve, we are firmly opposed to expanded activities and opening times that could interfere with children's sleep until 10 pm. This could have disastrous consequences for their health and wellbeing, and we are determined to maintain our home as a safe and family-friendly environment where all bedrooms remain suitable for their intended use.

I hope you will give serious consideration to my concerns.

Sincerely,

From:
Sent: 10 July 2023 14:22
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Premesis licence,183a kings road,cardiff

Dear Sir/Madame,

I am writing in regard to The Yard,183A Kings road Pontcanna and their application to extend and expand there current premises licence (CCCP02050). I have lived in Kings road all my life along with my mother and my recently deceased father

In recent years most days out our backgarden feel like your sitting in a pub garden due to how close we are to the coffee shop/bar down the Yard and the noise from all the customers.

Most days we can't sit outside in any kind of peace and quiet and enjoy the backgarden anymore.

We feel that expanding on the current licence would make matters worse and bring more people and noise to the area.

We are very much against expanding or extending the current licence and would like to sit outside in our own garden and enjoy the peace and quiet.

Yours sincerely

From:
Sent: 25 July 2023 11:17
To: Barker, Kirstie; Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: The Yard - Munro

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Sir/Madam,

I would like to raise my concerns and objections to the premises license application for Kings Road Yard.

I believe the area is becoming too over developed and is impacting the enjoyment of my home. The Yard is becoming a public nuisance with visitors over spilling the site, sitting on my boundary wall smoking and drinking, causing congestion, parking issues, pollution and a noise nuisance when drunk people leave the site to taxi onwards.

I hope some consideration will be given to the residents of this neighbourhood which doesn't require any additional outside drinking areas which has a negative impact on the enjoyment of our homes.

From:
Sent: 01 August 2023 13:07
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection to Premises Licence - Kings Road Yard

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Subject: Objection to Public Notice of Application for a Premises Licence

Name of Applicant: Caroline and Camille Munro

Address of Premises: Kings Road Yard, 183a Kings Road, CF11 9DF

Dear Licensing Authority,

We are objecting to the application of the above Premises Licence.

1. Noise and the right to the quiet enjoyment of our home

The premises in question are located in the very heart of Pontcanna and directly behind our home. Excessive noise issues from the premises in question are already plaguing us with noise issues, resulting in our right to the quiet enjoyment of our premises being compromised and our ten month old daughter's sleep being disturbed. She currently can't sleep in her cot until 10:30pm on Thursday, Friday and Saturday due to her room being located at the back of the house. What are we meant to do if this becomes seven days a week? The majority of drinking on the premises is done in the open air, resulting in the sound problem being even worse. There is also no soundproofing inside or outside the building.

Increasing the licensed days at all and/or additional licensed hours would be completely unacceptable to the residents of Pontcanna and we ask you to refuse the premise application requested forthwith.

2. Environmental and Parking

Pontcanna is already plagued with problematic traffic issues with insufficient parking facilities for its ratepayers. The premises in question have no parking facilities and any extension to the licence will only make this worse, leading to a vast increase in on-street parking requirements.

3. Fit for purpose ?

Are the premises fit for purpose with just one narrow tunnel for the entrance and no alternative means of evacuation in the case of emergencies ? Increasing footfall would not help in such a situation.

4. Post Licence Activity

There is a regular occurrence of drinking after normal licensing hours and too many occasions where I have had to ask to keep the noise down, the response is "maybe you should move" or why are you complaining this time 'We do this all the time"

We look forward to the refusal of the above Premises Licence in order to keep the well-being of your ratepayers as a priority.

Yours Sincerely,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:

Sent: 26 July 2023 17:09
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Objection by Rhys ab Owen MS
Attachments: RaO-GWE-0189 licensing department.pdf

*** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Please find an objection by Rhys ab Owen MS under the Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF.

Many thanks,





licensing@cardiff.gov.uk

26 July 2023

Our ref: RaO-GWE-0189 Your ref: CM49505

Subject: Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

Dear Licensing Department,

I have been contacted by residents concerned about the following application:

"Caroline Munro currently holds a premises licence referenced CCCP02050 for Kings Road Yard Courtyard for a limited number of occasions per annum for the retail sale of alcohol at farmers markets, but the applicants are looking to develop the business and expand the offering by increasing the footprint of the licensed area to include the small 1st floor terrace (maximum capacity - 10 seated or 15 standing) and units on the ground floor, as well as the existing courtyard to be able to host events throughout the year, including the addition of The Wardrobe coffee shop (A&B), Alex Gooch Pizzeria (1A) and Nomad Kitchen (7A), Red Doors Studio (5A), Dance Hall (3A) and ground floor kitchen (2A1) all of which will be included in this new premises licence. The courtyard will still host farmers markets and other markets and generally the site will be used throughout the year for events such as cocktail or wine evenings, for example. This application does not include any area currently licensed under the premises licence operated by Pipes Brewery".

They have objected to the extensions of the licence of the Yard, but to no avail.

They have objected to every extension application so far but none of the concerns raised by my constituents have been taken into account.

I have been informed that a petition of the residents of _____ was collected in 2019. Four of these houses were homes to children under eight. Since then, due mainly to the noise and disruption, four of those households have decided to sell and have/ are moving away.

Towards the end of the lockdown periods work was carried out on the first floor level to build a wooden structure housing sofas etc with French doors opening to allow people to sit at that level drinking. At that level the customers were looking directly into one of my constituent's bedroom. This is bad enough at night but during the daytime licence hours is a huge intrusion.

My constituents objected to the wooden structure and were told it had always been there - this is incorrect as they have photos which include that area - taken of and from their garden.

Then the owners said it was for private use only but this is incorrect as they can see people during those licensing hours citing by the open French doors whilst running a bath for their young son.

They cannot leave any of the back windows open when it is his bedtime in summer as the noise is too loud for him to sleep. They cannot leave their bedroom window uncovered.

My constituents were told that there is no planning permission granted for this area on the first floor.

It does seem an anomaly when someone without planning permission for a structure can apply for an alcohol licence for that area.

My constituents believe it has been used for drinking alcohol for at least a year - if not 18 months.

When applying for a licence, during the consultation period any person or Responsible Authority may submit relevant representations in respect of the application. A relevant representation is one that demonstrates that the applicant's proposals undermine one or more of the licensing objectives, namely;

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

Clearly my constituents believe their children are being affected by the development and therefore I would object in the strongest terms for the licence to be approved.



Rhys ab Owen AS/MS

Aelod o'r Senedd dros Ganol De Cymru

Member of the Senedd for South Wales Central

Barker, Kirstie

From:
Sent: 10 July 2023 18:43
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF
Attachments: Response to Licensing etc 10 July 2023 at 16-43-15 BST.pdf; Fwd: 565585 - Yard at 183 Kings Road.; Response re Licence.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.

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. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Thank you for your prompt reply.

In return, let me offer these comments in response which represent a **'loud and clear' objection** to the proposed licensing regime.

- By proxy, the communication sent earlier today by Awen, and her family (attachment 1) speaks eloquently for many of the adjoining residents / families who (whilst recognising that they live in an urban environment) are entitled to reasonable 'quiet enjoyment'.
- Quiet enjoyment is important for residents' 'wellbeing'. As an authority (i.e., a Public Body) you are obliged to take cognizance of the 'Wellbeing Act'. As Awen's note makes clear (attachment 1), a number of people / families have left because of the noise nuisance and general intensity of activity in The Yard.
- Thus far – and I visited 24 properties yesterday afternoon which adjoin 'The Yard' to apprise them of the application – there is no evidence of a *"blue notice at the premises (where it can be seen from the highway) for the 28-day consultation period"*. When does your 'enforcement team' intend to visit? Also, does the applicant have to inform you which local newspaper is being used to publish the notice and provide evidence?
- In serving the application on all of the Responsible Authorities (including: the Pollution team, Police, Fire, Planning, Trading Standards and Health and Safety) is the 'applicant' obliged to issue you with a copy (as evidence) of each serving on each authority?

Returning to the application, I have engaged substantively with Planning and expect to receive a substantive reply. That response will take into account an enforcement notice that was served on the 'applicant' by the Planning Authority concerning a 'non-consented development' in 'The Yard'. That is why I have asked (notwithstanding your response that Planning associated with any Licensing applications is not the responsibility of the Licensing Authority) whether the extant planning uses have legitimate planning consents. If not, then the Planning Authority could consider further enforcement action.

In terms of a relevant representation, you state that this must be one that demonstrates that the applicant's proposals undermine one or more of the licensing objectives, namely;

- Prevention of Crime and Disorder: In the late 2000s, my (our) house was broken into (crime). Yes, the front door was smashed in. To boot, In the latter hours of evenings in The Yard, adjoining residents have to put up with 'disorder' in the guise of loud talking / chatter influenced by drink (drunken behaviour if you will) which is amplified by the confines of the 'The Yard' and its acoustics. Furthermore, many of those people then walk through the surrounding streets (e.g., Severn Grove et al) depositing rubbish and litter in residents' properties.
- Prevention of Public Nuisance: in the next attachment (attachment 2), you will find a thread of correspondence which represents an example (one example) of the hassle and nuisance we are having to deal with. Note the comment from former Councillor Iona Gordon: "the noise from the Yard was shocking". On this point, and the others, let me ask you / Licensing again to confirm the number of complaints received since 2001 via your existing data systems (whether hardcopy correspondence, email correspondence, Flare or Tascomi). If this matter was referred to a 'third party', I believe the legal term that would be used is 'discovery'.
- Public Safety: One day there is going to be an incident at 'The Yard' concerning lots of people in a confined space, and questions will be asked about why?vis-a-vis the narrowness of the site and why no attention was paid to the Health & Safety of people / attendees who might be attending an event but who get trampled over because of a stampede to get out because people have to exist as they enter.
- Protection of Children from Harm: the point has already been eloquently articulated by Awen who references the fact that families with children have had to endure the noise nuisance / stress / harm which has affected their wellbeing. As a consequence, a number of families have left because of the noise and the activities in The Yard.

My final point in relation to how the applicant's proposals undermine one or more of the licensing objectives is by proxy addressed in attachment 3. This a document that was submitted by me several years ago in relation to 'The Yard' in which a Licensing Sub-Committee was meant to hear from the very same 'applicant' Mrs Munro. Mrs Munro did not turn up at that meeting which echoes the sentiments expressed in Awen's note (attachment 1) that Mrs Munro (and Mr Munro) has no regard for the residents.

Kind Regards,

From:
Subject: Licence application for Kings Rd Yard - objection
Date: 10 July 2023 at 16:43:15 BST
To:

Dear Team,
Regarding the following application:

"Caroline Munro currently holds a premises licence referenced CCCP02050 for Kings Road Yard Courtyard for a limited number of occasions per annum for the retail sale of alcohol at farmers markets, but the applicants are looking to develop the business and expand the offering by increasing the footprint of the licensed area to include the small 1st floor terrace (maximum capacity - 10 seated or 15 standing) and units on the ground floor, as well as the existing courtyard to be able to host events throughout the year, including the addition of The Wardrobe coffee shop (A&B), Alex Gooch Pizzeria (1A) and Nomad Kitchen (7A), Red Doors Studio (5A), Dance Hall (3A) and ground floor kitchen (2A1) all of which will be included in this new premises licence. The courtyard will still host farmers markets and other markets and generally the site will be used throughout the year for events such as cocktail or wine evenings, for example. This application does not include any area currently licensed under the premises licence operated by Pipes Brewery".

I am not quite sure what I expect will happen following this further objection to the extension of licence of the Yard. I am getting upset just thinking about it. I have objected to every extension application so far and none of the neighbours' concerns have been taken into account at all. Attached, you will see a petition of the residents of 34-42 Severn Grove collected in 2019. Another in 44 was also going to sign but was away before the deadline. Four of these houses were homes to children under 8. Since then, due mainly to the noise and disruption, 4 of those households have decided to sell and have/ are moving away. They were fantastic neighbours and all will be a huge loss to the community - but I fully understand their decision. We, as a family, decided that we love the area and decided that we would "work with" the noises and renovated our home to include increased sound proofing and a large outbuilding at the end of the garden to prevent customers from The Yard from looking in and to limit noise transmission and litter from ending up in our garden (plastic pint glasses, paper from take away food etc.

It was absolutely heartbreaking to see, towards the end of the lockdown periods work being carried out on the first floor level to build a wooden structure housing sofas etc with French doors opening to allow people to sit at that level drinking. At that level the customers were looking directly into our bedroom. This is bad enough at night but during the daytime licence hours is a huge intrusion. We objected to the wooden structure and were told it had always been there - this is not true as I have photos which include that area - taken of and from our garden during our renovations. Then the owners said it was for private use only but we also know that this is not true as I can see people during those licensing hours citing by the open French doors whilst I am running a bath for my son. We cannot leave any of the back windows open when it is his bedtime in summer as the noise is too loud for him to sleep.

We cannot leave our bedroom window uncovered.

We are told that there is no planning permission granted for this area on the first floor. What I cannot understand is how anyone without planning permission for a structure can apply for an alcohol licence for that area, although it has clearly been used for drinking alcohol for at least a year - if not 18 months.

Please can you help?

What can we do to stop other neighbours from moving on? Caroline Munro does not live in the area and has NO regard for the residents and continues to develop the Yard regardless of planning permission or the granting of particular licences.


We are desperate.

Diolch,

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. Jorvelin				
N. Davies				
M. Hopkins				

From:
Sent: 10 July 2023 18:00
To:
Subject: Fwd: 565585 - Yard at 183 Kings Road.
Attachments: image001.png; image002.jpg

May be helpful

----- Forwarded message -----

Dear Councillor Gordon,
Following the correspondence below, did you get a reply concerning the outcome? Bearing in mind that I raised this issue for the first time in 2010, I would like to know.

Furthermore, I note only this morning that a notice has been posted to extend the licensed drinking hours which is likely to lead to more noise. What drinking participants don't realise is that outside chatter amplifies because of the built-up nature of the immediate environment which bounces into the adjoining residential properties. In your Councillor role, could you take up this matter on our behalf please to prohibit any further intensification?

Regards,
Robert

On 17 Oct 2017, at 10:52, Gordon, Iona (Cllr) <iona.Gordon@cardiff.gov.uk> wrote:

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 wonder if you could let me know the outcome of the visit of the Licensing officer to the organiser on Thursday,

Thank you

Iona

Councillor Iona Gordon **Cynghorydd Iona Gordon**

Riverside Ward **Ward Glan yr Afon**

Cardiff **Caerdydd**

From:

Sent: 17 October 2017 07:54

Cc: Gordon, Iona (Cllr) <iona.gordon@cardiff.gov.uk>

Subject: RE: 565585 - Yard at [183 Kings Road](#).

Good Morning Mr Chapman,

The paperwork is required for providing access to the service known as 'Emergency Line' which provides access to the out of hours duty officer. The paper work forms the risk assessment for a lone officer to carry out a visit, it covers the purpose of the visit, ie; the relevant legislation, the stage of the case, what evidence is required and the period of witnessing. It also covers health and safety which includes, maps, parking information and information regarding access to the property. This paperwork is presented to my manager who will assess the case and if satisfied will grant access to the emergency line service.

I am sorry that we have been unable to witness the noise via the night time noise service, it is a very busy service and officers respond to calls in the order they come in. However, the Emergency Line will address this issue as it will provide you priority access to the Night time Noise Officers and will also provide you access to the out of hours duty officer, if outside the hours of the night time noise service or if the officers are unavailable.

With regards to your questions regarding the notice, I am saying that it is not relevant to this complaint as it is not served on the person responsible for holding the events causing you disturbance.

I have spoken this morning to the licensing officer who is dealing with this matter, he has advised he has an appointment with the event organiser on Thursday.

Kind Regards

Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan

Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg

The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

From:

Sent: 16 October 2017 16:45

To:

>

Cc: Gordon, Iona (Cllr) <Iona.Gordon@cardiff.gov.uk>

Subject: RE: 565585 - Yard at 183 Kings Road.

Please explain the purpose of the paperwork? Is this paperwork for administrative purposes (for your file), or for a more meaningful purpose? In which case, please explain.

What you appear to be saying is that an officer needs to witness the noise but when I have attempted to get someone to site on the last two occasions the response was:

1. No-one is on duty;
2. We can't get to you right now because of other matters.

Finally, are you saying that the previous prohibition has been superseded?

Regards,

From:
Sent: 16 October 2017 16:29
To:
Cc: Gordon, Iona (Cllr) <iona.Gordon@cardiff.gov.uk>
Subject: RE: 565585 - Yard at 183 Kings Road.

Good Afternoon

I am sorry that the Officers did not arrive in time to witness the music. I would once again like to offer you access to our Emergency Duty Officer, could you advise if you would like me to arrange a visit to your home to complete the necessary paper work?

The Notice you refer to was served in 2010 on the Brewery premises. At this stage we understand that the Brewery is not responsible for the events which are causing you disturbance. As a result the Notice does not apply to this event.

In order to progress this matter it is necessary for Officers of this division to witness the noise amounting to a Statutory Nuisance within your home. Once the nuisance is witnessed a new notice will be served on the event organisers.

Please do not hesitate to contact me, should you have any further questions.

Kind Regards

Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan

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From:
Sent: 16 October 2017 13:39
To:
Cc: Gordon, Iona (Cllr) <Iona.Gordon@cardiff.gov.uk>
Subject: RE: 565585 - Yard at 183 Kings Road.
Importance: High

I refer to your latest e-mail.

The fact that your 'night officers' cannot arrive on time, at the given time, is problematic. Notwithstanding that point, I am attaching correspondence (7 attachments in chronological order) dating back to the year 2010. This correspondence speaks for itself.

Specifically, I draw your attention to the last two e-mail communications:

- The one dated 09 November 2010 14:49 in which I states – informed me that an Abatement Notice will be served as the music was played too loud". This was because of a 'night officer' visit to my house to hear the music in person;

- The one dated 12 November 2010 10:47 in which states:

"The Notice prohibits:

1. the playing of live music
2. the playing of recorded music outdoors

and requires that:

3. the volume of recorded music played indoors be adequately controlled".

Unless I am mistaken, this communication makes clear that the playing of music is prohibited.

Therefore, I look forward to receiving your reply. I have copied this communication to Iona Gordon who is the local councillor.

Regards,

PS: Forgive for offering this observation but in my 'book' it is good practice to address the person you are writing to.

From:
Sent: 16 October 2017 12:28
To:
Subject: RE: 565585 - Yard at 183 Kings Road.

Good Morning,

I have heard from the Noise Officers from the weekend, who confirm that they arrived at 21:45hrs and the music had abated prior to their arrival. Unfortunately the service was very busy this weekend, which caused a delay in the response, for which I apologise.

I wish to reiterate my offer that I made on the telephone to you, regarding providing you 24/7 access to the out of hours duty officer, which provides you a priority response in the event of further issues.

I am unable to speak to the licensing officer as he is not in today, however he is due to be in tomorrow.

As discussed previously, this division is unable to take any further action until the noise is witnessed in person by an officer of this division amounting to a statutory noise nuisance under The Environmental Protection Act 1990.

Kind Regards

From:
Sent: 16 October 2017 10:27
To:
Subject: RE: 565585 - Yard at 183 Kings Road.
Importance: High

I spoke to one of your 'night noise officers'. By the time he came around to the site to listen – I know this because he left a message on my mobile – they were too late!

That is why I took the video (the sound is of course the relevant bit, not the blackness of the night), as evidence. By the way, for the record (because CCC should have this in your records), when I was studying (part-time) for my Masters at Cardiff University between 2009 – 2011, music was being played at an event at that time in exactly the same location. Officers came out, listened to the sound from my study and concluded that the music loudness was out of order. Nothing has changed.

Please advise me of your next actions and when I can expect to hear from you on the specifics of: (i) the loudness and inappropriateness of the music; (ii) whether it was licensed, notwithstanding previous complaints.

Regards,

From:
Sent: 16 October 2017 08:46
To:
Subject: 565585 - Yard at 183 Kings Road.

Good Morning,

I can confirm that ICT have been able to save the video onto my drive for me to listen to your recording.

I can see from the complaint that you contacted us on Saturday at 20:35hrs regarding loud music.

I am waiting for an update from the Night Noise Officers to see if they were able to attend.

I have also contacted the licensing officer responsible for the complaint to establish what action they have taken.

Regards

Kind Regards

Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan

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From:
Sent: 16 October 2017 07:33
To:
Subject: RE: Robert Chapman has shared a video with you using Dropbox

Good Morning

Here is another video (from Saturday night), taken in exactly the same position as last time.

I hope that your colleagues in ICT can help you to listen to the sound.

Please advise on your plan of action.

Regards,

From:
Sent: 03 October 2017 13:08
To:
Subject: RE: Robert Chapman has shared a video with you using Dropbox

Good Afternoon,

I can confirm that I forwarded your email to the ICT department who agreed to download the video and save it onto a shared drive for me to view.

I can confirm that I have viewed the video and agree that the volume on the recording is excessive.

As discussed yesterday I am waiting to hear from the organisers of the event. I will be in touch.

Regards

Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan

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From:
Sent: 28 September 2017 21:04
To:
Subject: Robert Chapman has shared a video with you using Dropbox

I hope you can play this video in order to **hear the sound**. See below and click on the dropbox link. The video clip was timed at 14.37hrs on Sunday 24th September 2017.

I' d be interested in your views on the 'loudness', or otherwise, of the sound?

Regards,

From:
Sent: 28 September 2017 20:59
To:
Subject: Robert Chapman has shared a video with you using Dropbox

Hi,

Here's a link to "2017-09-24 14.37.24.mov" in my Dropbox:

The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions and other information in this message that do not relate to the official business of the Council of the City and County of Cardiff shall be understood as neither given nor endorsed by it. All e-mail sent to or from this

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 (as representative {Agent} for several residents)
(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	
<ul style="list-style-type: none"> • Kings Road Yard Courtyard, 183A Kings Road, Pontcanna • Unit 6A, 183a Kings Road, Pontcanna 	
Post town Cardiff	Post code (if known) CF11 9DF

Names of premises licence holder or club holding club premises certificate (if known)
<ul style="list-style-type: none"> • Caroline Munro, <u>7 Sherbourne Avenue, Cyncoed, Cardiff CF23 6SJ</u> – CCCP/02050 • Artisan Brewing Co. Limited, <u>44b Clive Street, Cardiff, CF11 7JB</u> – CCCP/01495

Number of premises licence or club premises certificate (if known) As above – 2: Caroline Munro and Simon Doherty
--

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 - AGENT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address N/A
Telephone number (if any) N/A
E-mail address (optional) N/A

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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

The guidance notes (no.2) state that the ground(s) for review must be based on one of the licensing objectives. The prevention of public nuisance is chosen because of the impact of noise on residential residents near the enclosed area known as The Yard. This arises because of the availability of alcohol on those premises.

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

My client can point to notifications (both telephone and email correspondence) on the Neighbourhood Services file(s) in the guise, for example, of reference EL420 and, subsequently, reference number 610879. **IMPORTANTLY**, your attention is also drawn to the 23 page 'compendium' document collated by Claire Hartrey's office in respect of the Kings Road Courtyard Committee Report, Licensing Sub-Committee dated 17th August 2018 (see accompanying document). That document represents a PROXY for the frustration of residential neighbours whose properties back onto The Yard. It is referenced as a material consideration, and reflection of the views of residents whose views should be considered in the review of both licences. Whilst that document 'speaks for itself' and supports this application for a review, I highlight below brief extracts:

- Police concern about the prospect of alcohol related crime and disorder;
- Contextual background from before Pipes;
- Objections from adjoining neighbours who are most affected ... including one resident who produced a video taken at 22.45 on a Friday evening demonstrating noise level(s);
- Intrusive overlooking;
- Disturbance to children etc.

What is clear is that since the 2000s, there has been an intensification of uses and events in The Yard area, giving rise to aggravation to nearby residents because of the imbibing of alcohol, resulting in significant noise from attendees within a 'restricted' area. The volume of noise from this area is refracted to the nearby residential properties, where residents are attempting to experience 'quiet enjoyment', especially from early evening onwards.

The Licensing of alcohol is an integral, component part of noise attribution. Noise from The Yard has been ongoing since the late 2000s, relating to the licences to sell alcohol, and the gathering of a significant number of people (<500) in a relatively small, confined space. It is factually correct to state that most of the noise emanates from people attending the brewery outlet to imbibe drinks. In the context of alcohol, the use has gone from:

- nil
- 10.00 - 21.00hrs
- 10.00 - 22.00hrs
- 10.00 - 22.30hrs (proposed extension application by Caroline Munro - who did not bother to attend the hearing in respect of her application on 17th August 2018).

There is an interesting parallel with the application for pizza use in one of the King's Yard units. This application was made by Caroline Munro, reflecting the intensification of use in The Yard area. Ultimately, consent was given to application no 18/00401/MNR. There were 8+ specific conditions. One must wonder why more stringent conditions are not applied to Alcohol licences!?! Note some of the conditions below.

- Members of the public shall only be admitted to, or allowed to remain on the premises between the hours of 08.00 and 18.00 Monday to Friday, and 08:00 to 20:00 Saturday **REASON:** to ensure the amenity of occupiers of other premises in the vicinity are protected
- No activities shall be carried out which creates noise audible at the boundary of any residential accommodation outside of the hours of 08:00 to 18:00 Monday to

Friday and 08:00 to 20:00 Saturday. **REASON:** To ensure the amenity of occupiers of other premises in the vicinity of the site are protected.

- There shall be no arrival, departure, loading or unloading of delivery vehicles outside the following times: 18:00 and 08:00 Monday to Saturday. **REASON:** to ensure the amenities of occupiers of other premises in the vicinity are protected in accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.
- Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted on the site achieves a rating noise level of background -(minus) 10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142:2014. **REASON:** to ensure that the amenities of occupiers of other premises in the vicinity are protected.

The above-mentioned conditions pay attention to respecting the amenity of occupiers in the vicinity of The Yard. The laxity (or looseness) of the alcohol licence conditions (where they exist) contrasts with the planning conditions!!! Why?? At the moment, as drafted, several hundred people can gather in the confined Yard area and still be in compliance with the alcohol licence, notwithstanding nuisance to neighbours (and health & safety issues – a matter for others). The “polite notice” on the boundary fence says it all. No, nothing about respecting the neighbours, but instead “NO PARKING Please keep Clear”.



During the process of raising awareness about the noise emanating from The Yard, several communications have occurred involving: (Neighbourhood Services Officer); Ms Iona Gordon (Councillor); Caroline Munro (Landlord / Joint Owner of The Yard); and (Operations Manager, Licensing & Strategic Services, Cardiff County Council) in respect of an interaction with (Neighbourhood Services Officer).

QUOTES

- - email of 3rd October 2017 (13:08)

"I can confirm that a I have viewed the video and agree that the volume on the recording is excessive"

- Iona Gordon email to - 17th October 2017 (10:53)

"Thank you for your action on this. 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".

- Email to Caroline Munro from : 5th July 2018 (16:59). "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 (respectively) conversational chatter after several drinks is a problem". A neighbouring family had people looking over the boundary fence into their property.
- Email to from in respect of interaction with . Email dated 2nd August 2018 (13:17) - see extract below.

Thank you for your earlier e-mail, timed at 11:18.

I will be attending the hearing on 17th August 2018 and apart from making representations, **I will state that I will be requesting a review of both licences.**

Turning for a moment to the licencing objectives (as below)

- *the prevention of crime and disorder*
- *public safety*
- *the prevention of public nuisance*
- *the protection of children from harm*

..... a recent instance underscores the problem. On the 7th July 2018, a call was logged at 18:09 hrs to complain about noise from The Yard. A return call (from the nuisance section) arrived circa 3 hours later. The message was inaudible. I suggested that it was probably because Mr William's colleague (public nuisance section) rang from The Yard (where the noise was emanating from). Subsequently, circa a week later (will have this evidence on his file), I rang on behalf of my client. The call was made at circa 21hrs. attended site with his colleague. What I mean by this is that he visited 34 Severn Grove and spent time: (i) in the back garden (adjacent to 'The Yard'); and (ii) in the first-floor study / office of 34 Severn Grove. **stated that whilst the noise nuisance might be loud, it was not 'extraordinary'. It would have to be 'extraordinary' for him to act.** In other words, the level of noise was such that residents would just have to put up with it. Indeed, in the first-floor study / office, the window was open. Why wouldn't one have the window open in the Summer evenings, if nothing else but for fresh air.

stated that shutting the window would exclude the noise. My interpretation of this is that residents who want quiet enjoyment in a residential area must close their windows / doors to exclude noise - to their detriment vis-à-vis wellbeing - for the benefit of the beneficiaries of the licence (direct {licence holders} and indirect {drinkers}). In other words, and it is not a facetious argument, it represents an

infringement of a human right.

In the light of the hearing of 17th August 2018, I will delay putting off the request for a review until after the hearing.

Regards,

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

Please tick Yes
 No

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

N/A

Please tick ✓

yes

- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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 **17th December 2018**

.....

Capacity **Agent**

.....

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

As before:

Post town
Cardiff

Post Code

Telephone number (if any)

From:
Sent: 26 July 2023 12:25
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: King's Road Yard -Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

To whom it may concern,

I am writing on behalf of 198 King's Road to submit objections regarding the license application from King's Yard. This is extremely concerning given the ongoing expansion of both King's Yard and Pontcanna Mews as outdoor drinking areas, particularly given the focus on alcohol by Canna Deli on social media. This is a residential area and as such, we have a right to quiet enjoyment of our homes. The application states desire to hold cocktail nights and other events and I can only object in the strongest terms, based on my experience of the alcohol license application in Pontcanna Mews.

People drinking get noisier. King's Yard is an enclosed space and the noise echoes, increasing the volume as all conversations gradually increase to a crescendo. The main (and frequent) disturbances in 198 King's Road come from Pontcanna Mews, compounded by intoxicated customers entering and leaving King's Yard. Customers leaving King's Yard cause disturbances at the front of the house. Parking is practically impossible in the street due to King's Yard and Pontcanna Mews customers. It is also concerning that both are small, wooden enclosed spaces that can become crowded and each has a single, narrow exit. These factors apply equally to both King's Yard and Pontcanna Mews.

Having read the license application for King's Yard, I am strongly objecting to any further expansion, as requested in the application. I am also strongly objecting on the basis of future expansion that any license may permit. I have recently been shocked to learn that capacities and operations detailed in license applications are irrelevant in practice as, 'the applicant can give a description of the premises to assist with the consultation process but premises can adapt and change over time' without any variation needed. This is relevant to this application as the same could happen again here. Canna Deli applied for, '*a premises license to sell locally sourced wines and beers at the shop to support small scale producers such as ourselves. Alcohol consumption: Most customers will buy alcohol to be consumed away from the premises but there will be 4 tables and chairs available inside the shop and two tables out side (sic) the shop front (within 2 meters) for alcohol to be consumed.*'

Licensing advised Canna Deli's license (granted so a business could serve locally sourced wines and beers and most 'to be consumed away from the premises' but also inside or on two tables within 2 m of the shop front) allows them all of the activities listed below, as long as cocktail bars are not set up outside. Drinks can be served at tables, but the bars must be within the premises. There is seating outside for well over 60 people and a fraction of this number drinking easily get very loud. Therefore the numbers detailed in the King's Yard application may also be irrelevant and lead to crowds of people drinking and causing a disturbance. This also greatly increases health and safety risks given the physical structure of the venue. There is only one narrow exit if people need to escape.

Please do not hesitate to contact me if you need any further information or details.

Many thanks,

Examples of events and operations allowed by the license granted above:

1. **Gin nights** click [here](#) for post
2. **Red wine venue** promoted [here](#)
3. **Tapas nights,**

Canna Deli posted there was one table remaining for the Friday night tapas served with a cocktail. These events are not run every week, nor always on both Friday and Saturday. **But they are promoted usually with a focus on the alcohol offered, and running 5-10pm with no differentiation between Friday and Saturday nights.** These nights can be extremely loud.

'Margarita time'

4. Venue for group events

Canna Deli promotes the venue for '#partytime' events. The capacity has significantly increased since the early Christmas promotions seen here with a capacity of 12-18. It is also promoted as a venue for Hen Parties, the first of which shows the hen party photographed by the rear fence of 196 and 198 King's Road.

5. Music venue

Including this outdoor live music event with BBQ and bar until 9pm on a Wednesday evening promoted here and here. The fence to the right of the shot is the back fence of the small back garden of King's Road, a few feet away from 198 King's Road.



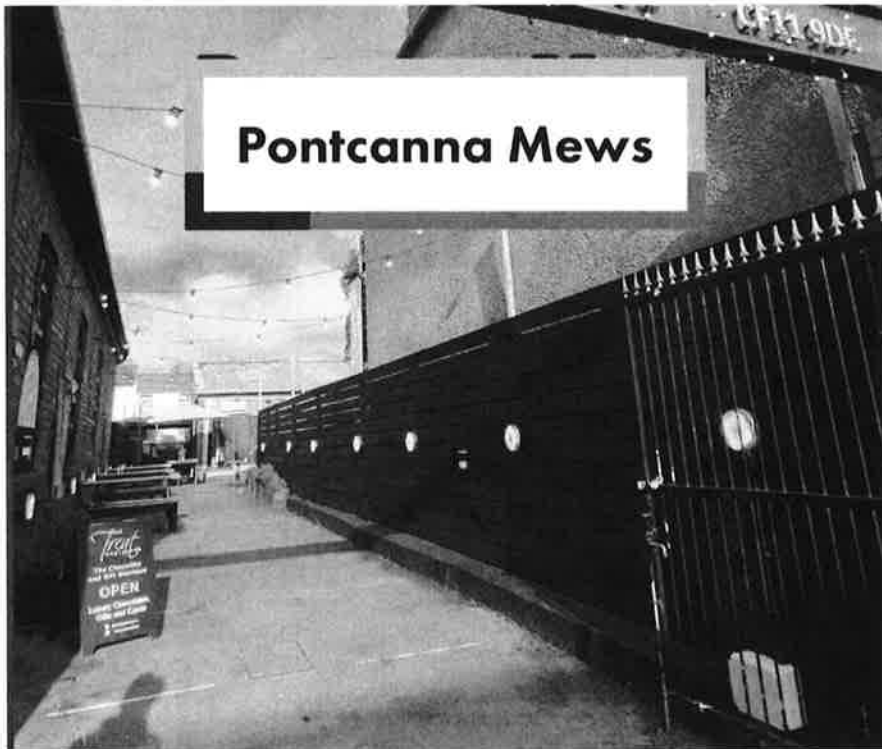
6. Cocktail bar

Original post (with sound) can be found [here](#). (The location of the bar was the only issue identified by Rhys, who has advised Canna Deli that it needs to be located inside their premises. Drinks are however served to tables surrounding 198 King's Road within

7. Outside drinks/dining tables

The video found [here](#) on Tiktok gives a tour (last November) of the lane and some of the outside seating. It shows seating for at least 28 people outside of the covered area, which has since been enclosed. (If you're unable to view it on Tiktok, you can find a recording [here](#).)

📌 <https://www.tiktok.com/@dreami0graphy/video/7167429846035975430?q=pontcanna%20mews&t=1689792538>



8. Cocktail bar

Canna Deli

Deli newydd ym Mhortcanna. New Deli in Portcanna, next door to Co-op on Kings rd. Welsh produce incl.

Page: Deli
 2 Pontcanna Mews, 308 Kings Road, Cardiff, United Kingdom
 07767 726902
 @cannadelicardiff
 Closed today
 In-store collection
 Price range: ££
 Rating: 4.6 (89 reviews)

Photos See All Photos

This Saturday the @rooroo.bar team are back at the deli serving up amazing cocktails and drinks.
 The sun will be back out so why not come and join the guys from 5pm
 No booking required. Just walk up and enjoy

<https://www.facebook.com/photos?fbid=991467832460959&set=pcb...>

Canna Deli
 19 August 2022 · Cardiff
 — at Canna Deli
 Like Comment

Canna Deli
 19 August 2022 · Cardiff
 — at Canna Deli
 Like Comment
 Write a comment

From:
Sent: 14 July 2023 10:39
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Thomson, Leonora (Cllr); Wild, Caro (Cllr)
Subject: 183A Kings Road , Pontcanna
Attachments: Representation Form Simon White 140723.pdf

*** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fgythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear licensing

I attach my objection to licensing multiple venues at the above address.

Kind regards

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in
respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	
Your Address:	rove
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	Kings Road Yard
Address of premises:	183A Kings Road Pontcanna Cardiff CF11 9DF
Application No. (if known)	

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

Please summarise your concerns about this application:
<p>I object to this application. These premises which are, in the main, an open courtyard have developed over the years from a quiet, small scale commercial and artists premises to a limited retail, brewery, food and café offer. This has been just about proportionate to the location with several rear gardens and dwellings backing onto yard and within a predominantly residential area with narrow streets.</p> <p>The substantial proposed 84 hours for selling alcohol between 10.00 and 22.00 seven days a week is quadruple the Pipes Brewery licence of around 20 hours over four days and is highly excessive. The application of this licence to multiple premises in and around the yard, in addition to Pipes, with potentially stronger alcohol being sold will compound the adverse effect. These factors together will markedly change the nature and intensity of the venue's use with associated noise nuisance and potential for anti-social behaviour within the venue and on surrounding streets. Effectively this could become the equivalent of a multiple bar and entertainments</p>

venue, open when other locations are not, and predominantly in the open air where its impact will be greater. The single narrow entrance, confined linear courtyard abutting gardens and small indoor spaces are just not suitable for this level of use.

Whilst it is appreciated that the objective initially may be to give flexibility and the option to serve alcohol from various venues on an occasional basis there is nothing to stop it increasing over time, possibly with different owners.

The well-managed micro-brewery operating from Kings Road Yard, with more limited opening hours, at latest to 21.30, four days a week is within the realms of acceptability. For example, early closing on Sundays to allow residents some peace and quiet enjoyment of their property is essential. This balance would be upset by multiple additional entertainment and drinking venues open for longer hours, changing the venue's character completely. Overall, I therefore consider that this application should be rejected as a whole.

I am also concerned that showing films outdoors any day of the week would necessarily create an unacceptable amount of noise. If allowed at all this should be limited to Friday or Saturday nights until 21.30.

1

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

Prevention of Crime and Disorder:

The increased availability of alcohol over longer periods, and somewhere to sit and drink it, increases the potential for disorder. Anyone who lives near a pub knows this to be the case.

Prevention of Public Nuisance:

I have seen groups of people already intoxicated arrive at the venue and leave even worse for wear at 9.30pm to move onto another venue with associated noise and lack of consideration for others on pavements and roads (our front windows overlook the entrance on Kings Road). This can make some people feel intimidated. This is the current situation. The proposals will significantly adversely intensify use, numbers of people and noise, the period of time over which this occurs and does not respect the right of residents to peaceful enjoyment of their property and its amenity.

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

Return your completed form to:

By Post:

Licensing Section Cardiff Council
Room 161
City Hall, Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk

2

From:

21 July 2023 07:50

To:

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject:

Making Representations Form- Licensing Act 2003: Application for the grant of a Premises Licence - Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF

Attachments:

Making Representations Form July 2010 Beyer 21.07.23.docx

*** EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni. ***

*** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fgythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

Dear Licensing Section, Cardiff Council,

Please find attached an Objection to the above "Application for the grant of a Premises Licence" for Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF.

Best wishes

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



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

Details of premises representation is about	
Name of Premises:	Kings Road Yard
Address of premises:	183A Kings Road Pontcanna Cardiff CF11 9DF
Application No. (if known)	

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

Please summarise your concerns about this application:
<p>Prevention of public nuisance</p> <p>The license request will shift the Kings Road Yard from a market with drinks to being primarily a significant venue for events and drinking. This will significantly shift the balance for local neighbours, increasing noise nuisance and behavioural nuisance, impacting severely in the quiet enjoyment of their homes and gardens and reducing their quality of life.</p> <p>The additional people, extension to the whole site, and drinking hours will extend the noise endured by neighbours substantially and impact on their quiet enjoyment on every day of the week, all day and long into the evening. This is incompatible with the location of the Kings Road Yard imbedded among residential properties, and with</p>

unsuitable infrastructure to contain noise nuisance. The application will change the site from a market with beer into primarily a drinking and events site, with substantial detrimental impact on noise, nuisance, to the very close neighbours, and increase traffic in an already crowded residential area with multiple drinking and eating establishment already in place.

The addition of a terrace with direct views over surrounding homes and gardens is a terribly insensitive proposal. What is the purpose except to increase capacity for drinker numbers? It is not there for people to see the spectacular scenery. Drinkers peering over our garden walls and into our houses all evening from a roof terrace is a further significant insult to local neighbours and extends the nuisance significantly. It gives us great cause for concern about how any additional license would be managed. Certainly, not with any attention to the needs of neighbours.

The current license for the micro-brewery onsite has limited opening hours and is well run. The managers are aware of the impact on their surrounding neighbours and try to manage their customers in a sensible way. Early closing on Sunday is built-in and is appreciated as it gives neighbours some quiet time on a weekend. There is little sensitivity to these needs in the new application and it will change the atmosphere and impact of the venue completely. Management of drinkers will be spread between to different licenses and people and responsibility for ensuring sensible customer behaviour, reducing rowdy and inconsiderate behaviour will be unclear.

Prevention of crime and disorder

There are already many licence premises running events in the immediate area, with outdoor seating. Another long-hours drinking venue will further undermine the residential nature of the area. With the longer hours proposed in this application there will be greater potential for public disorder. There are already problems with people leaving the venue when open in a drunken state, with noise being made late in the evening. This can make local residence anxious. The proposals will extend this poor behavior and noise on leaving as well as during the evening on site, to more days and later at night. South Wales Police have objected to an extension of the license in time previously on the basis of negative impact as it *"may lead to an increase in crime and disorder."* Again, the management of drinkers will be spread between to different licenses and people and responsibility for preventing crime and disorder onsite will be unclear.

Public safety

We do not believe the Yard is safe for increased numbers of drinkers. Something terrible will happen there one day and people will not be able to evacuate effectively. The access space is too small for the numbers likely to be attracted. South Wales Police have objected to an extension of the license in time previously on public safety grounds in that *"the premises is a courtyard with only one entrance/exit. If this exit is blocked in an emergency there is no satisfactory escape route."*

Conclusion

The applicants have shown no active consideration to residents in the past and this new application would confirm this. They have built a shed on site without planning permission, representing a history of bending the rules regardless of the impacts. There is a perception of the King's Yard management constantly pushing the boundaries of their licensing arrangements in search of ever bigger and ever more intrusive activities. This has a great destabilising effect on local residents impacted by

their actions, making people feel anxious and under siege, rather than having a valuable interesting site in their community, which everyone would want.

We believe on all these grounds the application should be refused in its entirety.

1

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

Caroline Munro already has a limited license (CCCP02050) for Kings Road Yard Courtyard. The license is for a limited number of occasions per annum for the retail sale of alcohol at farmer's markets. It is unnecessary to extend the license beyond this. The owners are now looking to extend this by increasing the footprint of the licensed area, including a new roof terrace (already built without planning permission with retrospective permission denied), and to the units on the ground floor, as well as the courtyard, including coffee shop, pizzeria, Nomad Kitchen and Red Door Studio, dance floor and ground floor kitchen, all of which will be included in the new license, to offer events through the year. The extension from the current ad hoc license and the existing Pipes Brewery License for 4 days a week will be much greater, increasing drinking by 84 hours. The Yard will continue to hold farmers markets, which we have no issue with, but the proposal is to host other events through the year such as cocktail or wine evenings for example and open air film nights, as well as live music. **This is changing the nature of the business in the courtyard completely, to a bar and entertainment venue more suited to a city centre location than a space fully enclosed within a residential area.**

The current level of noise in this restricted courtyard area is significant, effecting all neighbouring houses. The proposal will add to the current noise volume, which already increases significantly during the course of drinking hours as people drink more, with no noise abatement measures being proposed. Much of the drinking happens in the open air and the acoustics are such that the noise reverberates around the enclosed area and into the neighbouring houses.

The Munros already have a quota for a number of occasions per annum for the retail sale of alcohol and extended opening hours. The further extension of licencing to 7 days per week, 10am to 10pm, is excessive, and will cause significant negative impact on the lives of those living around the yard. **The extended drinking hours will increase the likelihood of nuisance and anti-social behaviour in the immediate residential area.**

The inclusion of a license for a roof terrace, which will completely overlook adjoining gardens and houses, constitutes an addition invasion of resident's privacy and, with no garden walls or screens at this level, leading to **a further escalation of noise over and above the current unsatisfactory situation.** Local residents have a right to quiet enjoyment of their homes and gardens and this proposal will severely

negatively impact on this. The right to peaceful enjoyment in their own premises, should be respected.

Consuming of alcohol in the local area leads to poor behaviour, excessive noise and spill-over into the local area, leading to local people feeling intimidated, besieged and uncomfortable.. We know that the availability of drinking alcohol can lead to unacceptable behaviour and for the extended hours proposed there is in our opinion a high probability of this as we have already experienced noisy behaviour of people leaving the venue in the past. This includes loud, foul-mouthed language in the later evening. There is also the possibility of noise continuing after the 10pm proposed closure, with post closure carry over parties, is a fear. We have personally seen this happening on the current ad hoc license for cocktails in the past, and where a retail venue onsite held a leaving party for a colleague after licensing hours.

We are against the showing of outdoor films as a part of the license extension. We are already able to hear conversations from the Yard in our kitchen, due to the poor acoustics, leading to some distress when there is swearing as more drink is taken, leading to hesitation in our being able to bring our grand-children to the house. This is inevitably worse in the garden and in summer when doors and windows are necessarily open for ventilation. Closing windows in summer to keep the noise is not a satisfactory solution to a noise problem. Film showings will necessarily require sound levels to be above general drinking noise in the Yard to be audible and will therefore add to the noise nuisance problem, further intrude on neighbours in their homes.

The application is likely to bring larger numbers of people coming into the area to attend the yard for a wider area. We already have people parking across driveways and Resident Only parking areas to attend all the existing venues, pubs and restaurants in the area. The extension of licensed hours will accentuate the already difficult parking arrangements in the area and cause further nuisance.

On the issue of **Public Safety**, the scope of this application would lead to far more people using the area, with the ability to evacuate the yard in good time being in doubt. Although there is no concrete proposal to use these buildings for events with alcohol, the Dance Studio and other buildings could be used as venues with drinking allowed under these proposals (if not, why include them?). South Wales Police made objections to a variation of the license by Mrs Munro because increased hours *"may lead to an increase in crime and disorder"* and on public safety grounds in that *"the premises is a courtyard with only one entrance/exit. If this exit is blocked in an emergency there is no satisfactory escape route."* We do not believe that anything has changed that would allay these objections, only an increased concerns because of additional numbers and longer hours of use by drinkers.

We believe on all these grounds the application should be refused in its entirety.

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

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 31 July 2023 21:57
To: Barker, Kirstie; Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Thomson, Leonora (Cllr); Wild, Caro (Cllr); Singh, Kanaya (Cllr);
The Yard Licensing Act 2003: Application for the grant of a Premises License- Kings Road Yard, 183A Kings Road, Pontcanna, Cardiff, CF11 9DF
Attachments: Making Representations Form July 2010 24.07.23 copy.docx

***** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

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EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Please find attached my objection to the above application.

Yours sincerely

Sent from my iPad

CARDIFF COUNCIL



Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications

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

Details of premises representation is about	
Name of Premises:	Kings Road Yard
Address of premises:	183A Kings Road Pontcanna Cardiff CF11 9DF
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
X Protection of children from harm	X No

Please summarise your concerns about this application:

1&2 : Prevention of public nuisance and Prevention of crime and disorder

The application, if allowed, would more than quadruple the hours of alcohol sales at The Yard and encourage the presence of much increased number of consumers by the applicant over a 7 day period in almost every area of the site. Every day of the week. This is in addition to the license held by Pipes Micro Brewery on the same site and in a residential setting.

This increase completely changes the nature of the premises from being a pleasant and low key area of activity with some alcohol on sale on limited occasions to an area which is first and foremost an opportunity to sell alcohol every day of the week, all year round. It will change from a market and café with drinks to a drinking venue with some events.

This would be acceptable in the city centre but not in a residential neighbourhood. Already The Yard is seen as a destination point for drinking and brings in people who then move on to continue drinking elsewhere once Pipes brewery (sensible and considerate opening hours) closes.

With drinking comes noise. Voices are raised and language deteriorates. I know because I can clearly hear conversations in detail often from my back door. Loud and lewd behaviour ensues and spills into the surrounding streets and I often have to take beer glasses etc out of my front garden dumped there from the previous evening.

Swilling other people's vomit off the pavement outside one's home is really unpleasant.

Increased noise from cars driving away up the street late in the evening.

Acoustics of the site are awful. Voices and music are clearly heard in my home. Not just the hubbub of background noise but the music is AMPLIFIED and I have been left standing in my kitchen with my chest thudding because of it. This is occasional. Make this a 7 day a week occurrence and it will make living in the area untenable (as it already has for several residents who have had to move because of the noise and intrusion of it).

How will numbers be managed?

What happens to spill over numbers?

Where will people sit?

Who manages additional street cleaning?

Where are the available parking spaces for visitors? The area is already heavily oversubscribed with cars.

What about residents rights? There are a lot of households negatively affected by the two applicant's demands.

The applicants wish to show films indoors and outdoors. There is an indoor space on site with doors that close so noise from those showings would need to interfere with residents around. The applicants already have a series of discretionary single use licenses they could use for these.

Outdoor film events would be awful. The acoustics amplify the noise and if listening to a film in the Yard, I and any nearby residents, would be unable to avoid the soundtrack. Whose pleasure? Who's enjoyment? Who's mental health? Where is my right to peaceful enjoyment of my home?

A noise pollution officer suggested closing windows in our homes. 12 hours a day 7 days a week? This is not enjoying amenity of our homes this is barricading. At "turning out" time do we have to close all the windows then because of uncouth and alcohol induced lewdness and shouting in the street at the front as well as the back? The applicants have made no effort to consider, monitor or ameliorate the noise they create in their "business". It has been left to the residents nearby to put up fences and buildings between their homes and the Yard to try to dampen some of the sound and limit its intrusion and clientele from looking over walls etc. Drunk or tipsy people do not watch their language or loudness. We know from experience.

With 2 overlapping licenses on site, who is responsible for rowdy clientele?

Options are being requested for cheese and wine outdoor events etc by the applicants. Again arguments as above are relevant about noise and intrusion.

One of the areas, the balcony, that the applicants wish to be licensed, is not even afforded planning permission but they built it anyway. The nuisance is that this completely overlooks resident's homes, stripping them of privacy. The applicants are sufficiently insensitive to the local community and sure that the licensing committee will grant what they wish that they have included the unsanctioned part of their premises into their application. Do Local Government departments not talk to or take heed of each other? Where is joint the Duty of Care?

3. Public safety

We do not believe the Yard is safe for increased numbers of drinkers. Something terrible will happen there one day and people will not be able to evacuate effectively. The access space is too small for the numbers likely to be attracted. Health and Safety of patrons must be addressed. This is a very narrow area with a single access point. In 2018 the police advised that the area was not safe to expand for reasons of public safety and detrimental effect on the immediate neighbourhood and residents. Extending hours of alcohol availability would be unsuitable to everyone bar the applicant. What has changed? Nothing. Ambulances and fire crews would have difficulty working in the area.

Conclusion

I concur with everything _____ has noted in his submission to the Licensing Committee. His cogent submission is clearer than I can make it.

I want to submit an impassioned plea about what it feels like to be at the mercy of the applicant's wishes and the deleterious effect on my life. I put up with them as they now as they are part of the community and living cheek by jowl with a lot of other people there has to be compromise. In this new situation the compromise is entirely one sided and all borne by the people whose homes adjoin The Yard.

The Yard is NOT a suitable venue for what is planned by the applicants. It's too small in too residential an area.

I want to enjoy my home and garden and not feel besieged. The applicants have no interest if I do. I cannot sit out in my garden or invite friends over, even under current licensing with Pipes. My grandchildren can't stay at weekends because of the noise and if the language deteriorates I don't wish to inflict this on them.

We enjoy having people having fun over our back wall, having a trip around the farmers market or stalls and being part of it. However, we do not want to be part of a boundary wall for an expanding centre for alcohol consumption. A different animal altogether.

As a licensing committee surely it is necessary to use due diligence and common sense when granting a license application. If the applicant doesn't even have planning permission for some of the areas it cites surely the committee must look further into the suitability of the applicants and their plans?

The applicants have made no effort to engage with the local community and those it will effect. What hope is there that they will have any consideration for the consequences of imposing their wishes on that community in the future if allowed to run such a business in such a patently inappropriate premises for such an extensive request?

The applicants do not live in the area or intend to live with the consequences of this application.

The Human Rights Act 1993 gives the right to Privacy. In 2016 guidance it states that "human rights are standards of behaviour exclusively addressed by governments and other official agents". I look to the Licensing Committee as an official agent to act properly and refuse all of the elements of this application.

1

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

See all of the above.

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 18 October 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 088971

Name of Premises: The Pontcanna Inn, 36 Cathedral Road, Pontcanna, Cardiff, CF11 9LL

Ward: Riverside

1. **Application**

1.1 An application to vary a Premises Licence has been received from The City Pub Group Plc in respect of The Pontcanna Inn, 36 Cathedral Road, Pontcanna, Cardiff, CF11 9LL.

1.2 The applicant has applied for the following:

(1) To vary the layout of the premises in accordance with the plan submitted.

(2) To amend/remove conditions from Annex 2 as follows:

- a) Remove Condition 4 which currently states 'The area hatched green on the premises licence plan shall only be used for the consumption of alcohol and other licensable activities on days when major sporting events are taking place or for private functions'.
- b) Amend Condition 5 to now read "Door supervisors shall be employed on a risk-assessed basis. The most recent risk assessment shall be available for inspection by any of the statutory authorities. On days classed as Major Event Days by South Wales Police and when the SSE Stadium have a stadium event on there shall be a minimum of 2 SIA registered door supervisors, with additional door supervisors at a ratio of 1:100 thereafter will be employed.'
- c) Amend Condition 6 to now read "Any SIA registered Door Supervisors, employed in the rear garden will each be in possession of a two-way radio which affords communication with each other as well as management".
- d) Amend Condition 7 to now read "Any SIA registered Door Supervisors, employed in the rear garden will have access to a minimum of one Body Worn Video devices. The devices used shall be capable of recording video images and sound. Images from the body worn cameras shall be stored for a minimum of 31 days and shall be produced to a police employee, in a readily playable format, upon request when the premise is open to the public and at all other times as soon as reasonable practicable, subject to data protection legislation. There will be sufficient trained staff to facilitate the above".
- e) Amend Condition 8 to now read "Any SIA registered Door Supervisors, employed in the rear garden area will have access to a metal detecting wand or similar, to assist in the safe searching of patrons for metallic objects".
- f) Remove Condition 10 which currently states 'The rear car park area shall only be used for the consumption of alcohol on a Friday, Saturday or Sunday'.
- g) Remove Condition 12 which currently states 'The rear car park area shall not be used on more than 3 consecutive days for the consumption of alcohol'.

- h) Amend Condition 13 to now read “The use of non-glass vessels and bottles shall be risk assessed and when requested by South Wales Police provided that 5 clear days’ notice is provided’.
- i) Remove Condition 14 which currently states ‘There shall be no sales of alcohol for consumption off premises whenever the rear car park area is in operation for the consumption of alcohol’.
- j) Remove Condition 17 which currently states ‘The rear car park area will only be used for licensable activity when a marquee has been erected.
- k) Remove Condition 18 which currently states ‘The rear car park area will only be used for 20 occasions each year’.

1.3 A site map showing the premises and the plan submitted with the application can be found in **Appendix A**.

Promotion of Licensing Objectives

2.1 The conditions proposed by the applicant are referred to above and a copy of the current licence conditions can be found in **Appendix B**.

Relevant Representations

3.1 A representation has been received from South Wales Police. The applicant has agreed conditions with South Wales Police and as a result the representation has been withdrawn. Copies of the representation and the subsequent agreement can be found attached as **Appendix C**.

3.2 A representation has been received from local ward Councillors. A copy of the representation can be found attached as **Appendix D**.

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

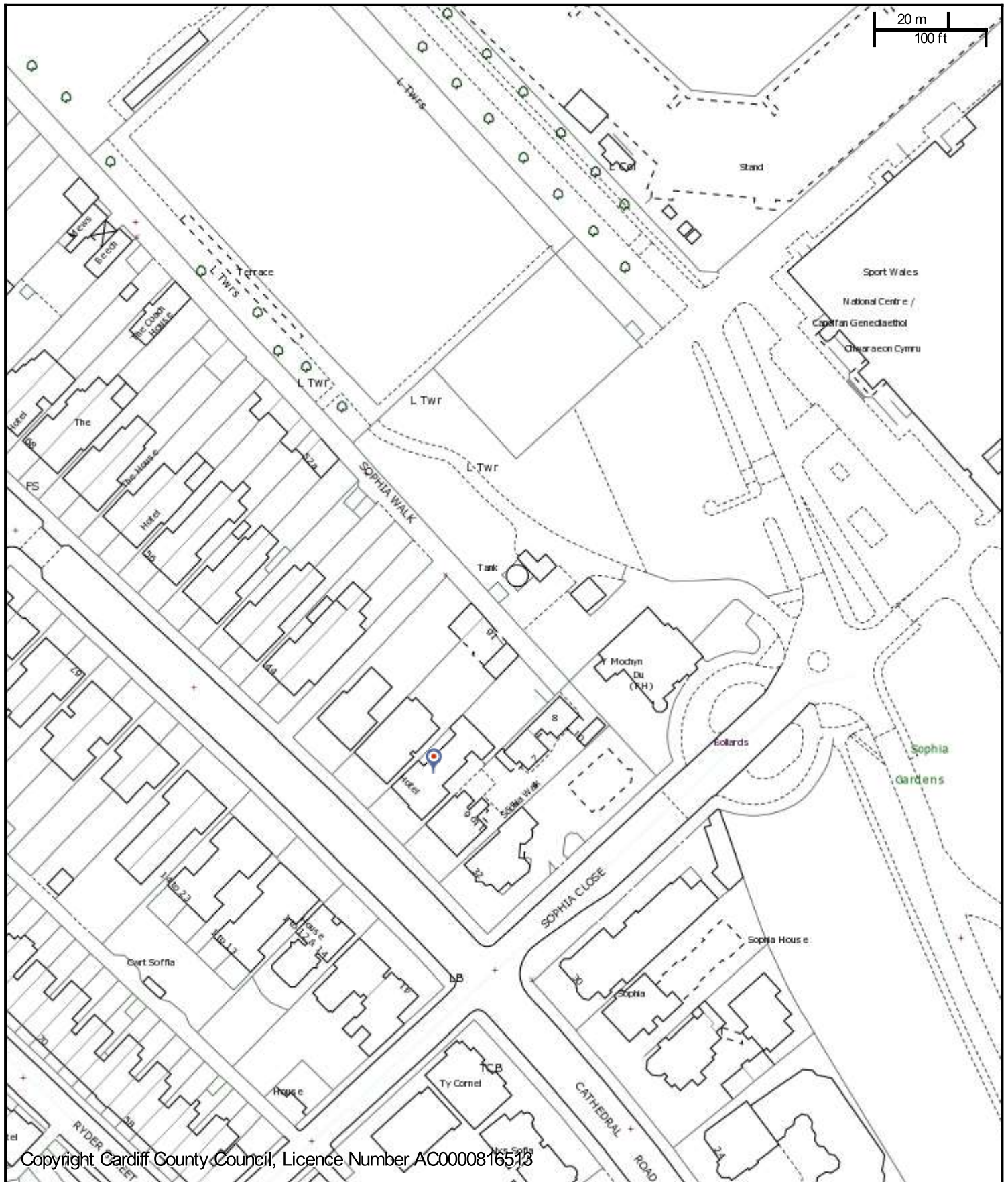
- 6.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

**Helen Picton
Regulatory Services**

29th September 2023

APPENDIX A

Site Map and Plan



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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



Title

Scale: 1:1417

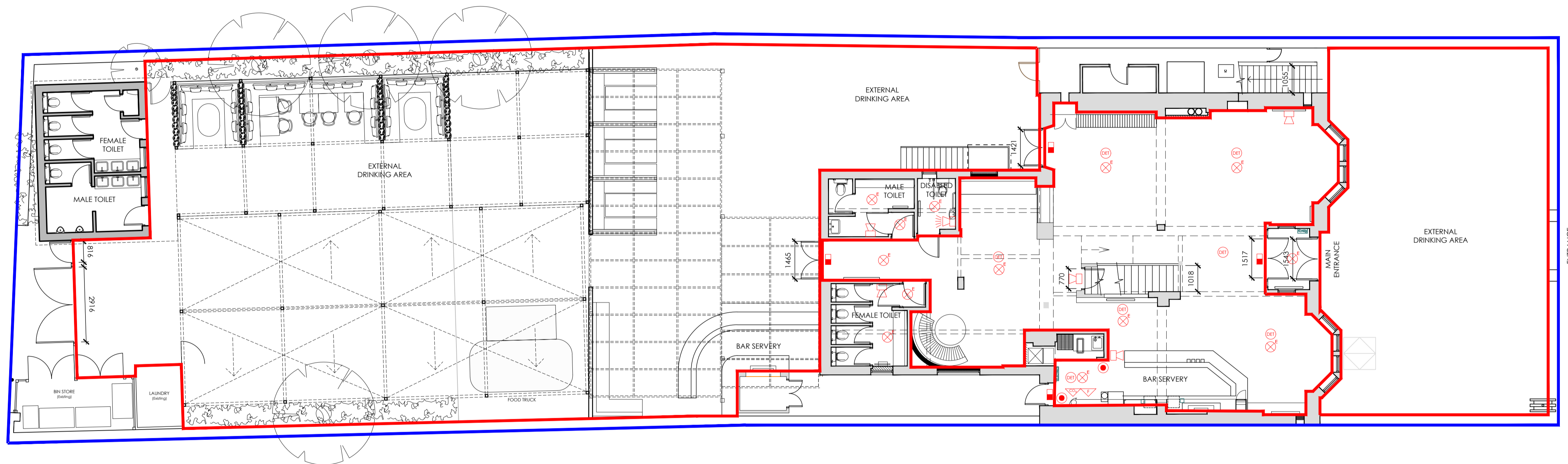
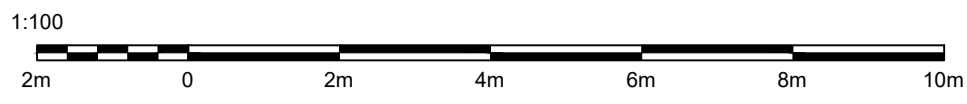
Date: 12/9/2023 at 8:35 AM

Coordinates:

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Ordnance Survey AC0000816513 (2023).



LICENSING PLAN
Scale 1:100

- Blue line denotes area to be used for the sale of alcohol, including regulated entertainment and late night refreshments.
- The position of fire safety equipment as shown on the plan or such position as agreed from time to time in consultation with the fire authority.
- Blue line denotes site boundary

Revisions:

PRELIMINARY

Do not scale from this drawing. All dimensions are to be checked on site prior to manufacture & construction. Any discrepancies are to be relayed to KIRK+NOLAN immediately. © KIRK+NOLAN 2019

KIRK+NOLAN

www.kirknolan.com
info@kirknolan.com
London | Cornwall | Galway

Client
CITY PUB COMPANY

Project
THE PONTCANNA INN
36 Cathedral Road, Cardiff CF11 9LL

Drawing
Licensing Plan

First Issue	Scale	Sheet Size	Drawn
13.09.21	1:100	A1	JT

Drawing No.	Rev
2322-300	-

APPENDIX B

Operating Schedule and Current Conditions

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

All existing conditions and restrictions (save for the ones we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

b) The prevention of crime and disorder

All existing conditions and restrictions (save for the ones we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

c) Public safety

All existing conditions and restrictions (save for the ones we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

d) The prevention of public nuisance

All existing conditions and restrictions (save for the ones we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

e) The protection of children from harm

All existing conditions and restrictions (save for the ones we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

ANNEXES: CONDITIONS

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

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

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

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

Premises Licence

ANNEXES: CONDITIONS continued ...

permitted price.

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

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

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

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

where-

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annex 2 - Conditions consistent with the Operating Schedule

1. Whenever Security Industries Agency (SIA) registered Door Supervisors are employed at the premises, random searches of patrons and public areas will be undertaken to avoid illicit drug use on the premises. Any person found possession of illegal drugs will be asked to leave the premises immediately and the drugs will be confiscated if it is safe for security staff to do so. Should a person be suspected of possession with intent to supply illegal drugs, they shall be detained and handed to police if it is safe for security staff to do so. A notice stating the drugs policy shall be displayed in the licensed area of the premises.

2. 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, subject to data protection legislation. There will be sufficient trained

ANNEXES: CONDITIONS continued ...

staff to facilitate the above. Signs will alert patrons to the use of CCTV at the premises.

3. An incident book (or electronic log) 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 book/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/log shall have sequentially numbered pages/date and time information. 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.

4. The area hatched green on the premises licence plan shall only be used for the consumption of alcohol and other licensable activities on days when major sporting events are taking place or for private functions.

5. A minimum of six (6) Security Industries Agency (SIA) registered Door Supervisors will be employed at the premises whenever the rear car park area (denoted with green hatch markings on drawing 3171.80 B) is in use for the consumption of alcohol. They shall be deployed throughout the whole premises at the discretion of the Designated Premises Supervisor/Head doorman.

6. SIA registered Door Supervisors, employed whenever the rear car park area is in use for the consumption of alcohol, will each be in possession of a two-way radio which affords communication with each other as well as management.

7. SIA registered Door Supervisors, employed whenever the rear car park area is in use for the consumption of alcohol, will have access to a minimum of two Body Worn Video devices. The devices used shall be capable of recording video images and sound. Images from the body worn cameras shall be stored for a minimum of 31 days and shall be produced to a police employee, in a readily playable format, upon request when the premise is open to the public and at all other times as soon as reasonably practicable, subject to data protection legislation. There will be sufficient trained staff to facilitate the above.

8. SIA registered Door Supervisors, employed whenever the rear car park area is in use for the consumption of alcohol, will have access to a metal detecting wand or similar, to assist in the safe searching of patrons for metallic objects.

9. 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 18 months and will be made available to a police employee on request.

10. The rear car park area shall only be used for the consumption of alcohol on a Friday, Saturday or Sunday.

11. The use of the rear car park area for the consumption of alcohol will cease no later than 22:30 hours on any day.

12. The rear car park area shall not be used on more than 3 consecutive days for the consumption of alcohol.

13. Non-glass vessels and bottles will be in use throughout the premises whenever the rear car park area is in operation for the consumption of alcohol.

14. There shall be no sales of alcohol for consumption off premises whenever the rear car park area is in operation for the consumption of alcohol.

15. Only sporting events with a scheduled kick-off time between 08:00 hours and 20:00 hours will be shown outside.

16. All televised matches shown outside will be in a marquee and speakers will be directed away from local residents.

17. The rear car park area will only be used for licensable activity when a marquee has been erected.

18. The rear car park area will only be used for 20 occasions each year.

19. The external drinking areas will not be open to the public for the consumption of food and drink after 23:00 hours.

20. All inclusive nights or other irresponsible drinks promotions will not be permitted.

21. The DPS and/or the premises licence holder will ensure that all staff will be given induction training which will include restricted sales to young persons, drug awareness and anti-social behaviour. Training records will be kept.

22. The DPS or Premises Licence holder shall display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

ANNEXES: CONDITIONS continued ...

23. No customers will be permitted to take open or sealed containers of alcoholic drink from the premises. All alcoholic and soft drinks will be served in plastic or toughened glasses (outdoor events)

24. A proof of age policy will be enforced. Only photographic identification will be acceptable.

25. Any restrictions on the admission of children to the premises will be displayed outside the premises.

26. Children under the age of 18 must be accompanied by a responsible adult.

27. Children shall not be allowed in the public bar area.

28. No children will be allowed into the premises or remain on the premises after 22:00 hours, except if they are a resident at the premises.

29. Notices stating the policy on children shall be clearly displayed.

30. A CCTV system to a standard agreed, covering all areas to which the public have access, excluding toilets and to include all entrances, exits and beer gardens to the front and rear of the premises. Images shall be produced on the request of the Police as soon as practicable.

Additional Non-standard timings for the sale of alcohol:

For World cup sporting events i.e. Lions rugby, World cup rugby, football and cricket, to permit the sale of alcohol for 30 minutes before the commencement of the game until 30 minutes following the end of the game.

Helen Picton

Helen Picton
Shared Regulatory Services

7 March, 2022

APPENDIX C

South Wales Police Representation and Agreement

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 07 September 2023 14:38
To:
Subject: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Pontcanna Inn
Attachments: Pontcanna Inn VARIATION.docx

***** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Good Afternoon

As per our previous conversation please find attached South Wales Police recommendations regarding the recent application to vary the premise licence CCCP00335.

Please can you confirm that you are still in agreement with the amendments and additional conditions as listed.

Kind regards,



 /SWPolice  @SWPolice  @SWPolice  /SWPTV

Ymateb nad yw'n Argyfwng\ Non- Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.south-wales.police.uk>, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio

101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.south-wales.police.uk>, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

The City Pub Group Plc
The Pontcanna Inn
36, Cathedral Road
Pontcanna
Cardiff
CF11 9LL

Pencadlys Heddlu | Police Headquarters

**URhS Caerdydd a'r Fro
Adran Drwyddedu**
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Telffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

**Cardiff & Vale BCU
Licensing Department**
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**

7th September 2023

**Application for the variation of a premises licence
under the Licensing act 2003.**

The City Pub Group Plc, The Pontcanna Inn, 36 Cathedral Road, Pontcanna, Cardiff, CF11 9LL

Dear ,

I have caused enquires to be made into this application for the variation of the Premises licence CCCP00335 - To vary the layout of the premises in accordance with the plan submitted and to amend /remove conditions from Annex 2.

South Wales Police object to the grant of this application under the Licensing Objectives;

Prevention of Crime and Disorder
Prevention of Public Nuisance

But if the applicant agrees to the below amendments and additional recommendations made by South Wales Police then any objection will be withdrawn.

South Wales Police Representation

Annex 2

Agree to remove condition 4.

Agree Condition 5. to now read "Door supervisors shall be employed on a risk-assessed basis. The most recent risk assessment shall be available for inspection by any of the statutory authorities. On days classed as Major Event Days by South Wales Police and when the SSE Stadium have a stadium event on there shall be a minimum of 2 SIA registered door supervisors, with additional door supervisors at a ratio of 1:100 thereafter will be employed.'

Agree to amend condition 6 to now read "Any SIA registered Door Supervisors, employed in the rear garden will each be in possession of a two-way radio which affords communication with each other as well as management".

Disagree Condition 7. Amend and replace with "Any SIA registered Door Supervisors, employed in the rear garden will have access to a minimum of TWO Body Worn Video devices. The devices used shall be capable of recording video images and sound. Images from the body worn cameras shall be stored for a minimum of 31 days and shall be produced to a police employee, in a readily playable format, upon request when the premise is open to the public and at all other times as soon as



reasonably practicable, subject to data protection legislation. There will be sufficient trained staff to facilitate the above”.

Agree to condition 8. to now read “Any SIA registered Door Supervisors, employed in the rear garden area will have access to a metal detecting wand or similar, to assist in the safe searching of patrons for metallic objects”.

Agree to remove condition 10.

Remove condition 11.

Amend and replace with ; The consumption of alcohol in the outside area at the front and rear of premise will cease no later than 22:30 hours on any given day.

Agree to remove condition 12.

Disagree to amend condition 13.

Replace with “The use of non-glass vessels and bottles shall be risk assessed and when requested by South Wales Police provided that 48 hours’ notice is provided.

Agree to remove condition 14.

Amend and Replace condition 16 with “All televised matches shown outside will ensure that any visual display screens and speakers will be directed away from local residents”.

Agree to remove condition 17.

Agree to remove condition 18.

Remove condition 19 as this is replaced with condition 11.

To include an additional condition that states.

The DPS will be an active member of the Cardiff Licensees Forum and will attend in person or by sending a suitable proxy. For events at Sophia Gardens that are not included in the forum then the DPS should liaise with Glamorgan Cricket directly.

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

Yours sincerely

Chief Inspector



From:
Sent: 21 September 2023 14:56
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: RE: Pontcanna Inn

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.
ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Yes, this is agreed.

Many thanks.

From:
Sent: Thursday, September 21, 2023 7:01 AM
To:

Subject: RE: Pontcanna Inn

Good Morning Niall,

Just to confirm that you are in agreement with the above amendments and additional recommendations made by South Wales Police then any objection will be withdrawn.

Regards,

|



From:

Sent: Thursday, September 14, 2023 11:54 AM

To:

Subject: RE: Pontcanna Inn

Thanks – can I just check that this is on the basis that your rep. will then be withdrawn?

Best,

From:
Sent: Wednesday, September 13, 2023 12:28 PM
To:
Subject: RE: Pontcanna Inn

Good Afternoon

I do not believe that there were any conditions that addressed this – so please can you inform Cardiff council of your agreement with South Wales Police conditions and amendments.

Many Thanks C



From:
Sent: Wednesday,
September 13, 2023 12:09
PM
To:

Subject: RE: Pontcanna Inn

Morning

My client's position is as per the attached. Subject to this one change all is agreed.

Best,

From:
Sent: Tuesday, September 12, 2023 9:08 AM
To:
Subject: FW: Pontcanna Inn

Morning Both,

I'm just chasing up paperwork and realise that I haven't had an acknowledgement from you?

Kind



From:
Sent: Thursday, September 7, 2023 2:38 PM
To:

Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>
Subject: Pontcanna Inn

Good Afternoon

As per our previous conversation please find attached South Wales Police recommendations regarding the recent application to vary the premise licence CCCP00335.

Please can you confirm that you are still in agreement with the amendments and additional conditions as listed.

Kind regards,

APPENDIX D

Other Persons Representation

From: Thomson, Leonora (Cllr)
Sent: 06 September 2023 17:11
To:
Cc:
Subject: Objection: Application to vary a Premises Licence - The Pontcanna Inn, 36 Cathedral Road, Pontcanna, Cardiff, CF11 9LL

Hello

Thank you for notifying us of this application to vary the premises licence of the Pontcanna In. Cllr Wild and I would like to object as we feel that this application clearly goes against the following licensing objective: **Prevention of Public Nuisance.**

We appreciate that residents are used to the Pontcanna Inn as a local in their area, but removing Condition 4 would potentially mean a huge jump in the use of its back external area which would contravene the above licensing objective.

For the sake of clarity the following would cause a public nuisance:

- Large numbers of people coming and going late at night
- People leaving the venue after drinking alcohol are invariably noisy and rowdy – this is likely to keep people awake and cause other knock-on anti-social behaviour.
- Music being played outdoors (as happens on several occasions) will impact on residents right to a reasonable level of quiet enjoyment, as well as keep children from sleeping.

Whilst there are some businesses in the area, most of the properties are flats or house in the neighbourhood, and in our licensing objectives (as I appreciate you'll know!) it states.

It is suggested that the terminal hour for external areas that are in close proximity to residential properties does not exceed 21:00hrs.

So if Condition 4 IS eventually lifted, please could we ensure that the opening hours are limited to 2100 hours.

Please could you add this objection to the file.
Many thanks indeed

All best wishes

Y Cyng/Cllr Leonora Thomson

Cynghorydd Caerdydd i Glan yr Afon/Cardiff Councillor for Riverside

See my **Privacy Notice** with a link to a consent form [here](#)

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 18 October 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 088938

Name of Premises: Mo Market, 326 Cowbridge Road East, Canton, Cardiff, CF5 1HD

Ward: Canton

1. Application

1.1 An application to vary a Premises Licence has been received from Mo Market Cardiff Ltd in respect of Mo Market, 326 Cowbridge Road East, Canton, Cardiff, CF5 1HD.

1.2 The applicant has applied for the following:

(1) Description of the nature of the variation (as stated by applicant):

"I want to remove condition 17 of annex 2 conditions consistent with the operating schedule which states that 'there will be no sale of individual cans of beer, cider or lager'. The variation will not have a negative effect on the licensable activities as I will still take care to follow the challenge 25 policy, I will ask for ID when in doubt and I will refuse the sale where I believe the customer is already drunk or displaying anti-social behaviour. I will continue with CCTV in operation.

The area is a residential area, it is a good area and the shop is a grocery shop and therefore family friendly. We do not have any issues with customers being rude or drunk and it is a quiet residential area and it is a very good area so I believe removing this condition will not cause any nuisance or public safety issue. We do not have people drinking on the streets in this area. People who purchase alcohol are adults who are taking their drinks home. They come to my shop because they live walking distance from it so it is convenient.

(2) The application requests the following:

To remove the following condition:

17. There will be no sale of individual cans of beer, cider or lager.

1.3 A site map showing the premises can be found in **Appendix A**.

2. Promotion of Licensing Objectives

2.1 The conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in **Appendix B** along with a copy of the current licence conditions.

3. Relevant Representations

3.1 A representation has been received from South Wales Police.. A copy of the representation can be found attached as **Appendix C**.

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

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

Helen Picton
Regulatory Services

29th September 2023

APPENDIX A

Site Map



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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



Title

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Ordnance Survey AC0000816513 (2023).

APPENDIX B

Operating Schedule and Current Conditions

Continued from previous page...

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 not sell alcohol to those under 18
- will ask people to leave the premise quietly
- will have a record of all refusals

b) The prevention of crime and disorder

Will not sell alcohol to customers who are being anti-social or drunk

c) Public safety

CCTV installed

d) The prevention of public nuisance

Outside lights will be turned off when premise is closed

e) The protection of children from harm

Challenge 25 in place

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

ANNEXES: CONDITIONS

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

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Annex 2 - Conditions consistent with the operating schedule

1. Alcohol shall be kept in a secure area, away from the public.
2. Alcohol sales will only be made in vessels that have been sealed by the manufacturer.
3. All refusals of alcohol sales will be recorded. The record will include the time and date of the refusal, reason for the refusal, as well as details of the person making the refusal. The refusals book shall be audited by the DPS on a regular basis.
4. A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated, at all times the premises are open to the public. The system will cover all internal areas of the premises {excluding toilets} where the public have access including all entrances and exits and any external areas associated with the premises. The images shall be kept for a minimum of 31 days and shall be produced to a Police employee in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.
5. A notice will be displayed at the entrance to the premises advising customers that CCTV is in operation.
6. A notice will be displayed at the premises warning customers of the premises' zero tolerance policy with anti-social, drunken, and quarrelsome behaviour and that they could be banned from all licensed premises within the vicinity under the Behave or be Banned Scheme.
7. An incident record shall be kept at the premises, each entry shall carry the day, date, and time that each report was made. It will record the following:
 - a) All crimes reported to the venue.
 - b) All ejections of patrons, with details of the individual(s) if known.
 - c) All complaints received directly by the premise of a criminal or licensing nature.
 - d) All incidents of disorder of which the premise is aware.
 - e) All visits by a responsible authority, or emergency service.

The DPS shall use best endeavours to ensure that all incidents are logged on the day of the incident. The log shall be made available to the police or other responsible authority on request. The log shall be retained for a minimum of 18 months.
8. Staff shall be trained in relation to their responsibility to complete an incident report.
9. Signage will be displayed requesting customers to leave the premises quietly.
10. All outside lighting will be turned off at the close of business.
11. Signage will be displayed confirming that it is illegal to sell alcohol to anyone under the age of 18.
12. No person under the age of 18 shall be employed on the premises whether paid or unpaid for the purpose of serving alcohol.
13. No children under the age of 14 years will remain on the premises after 22.00, unless they are accompanied by a responsible adult.

ANNEXES: CONDITIONS continued ...

14. Staff authorised to carry out Licensable Activities shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 6 months. The DPS shall keep records of such training for a period of at least 18 months.
15. Identification will be requested by staff from any customer who appears to be under the age of 25, and the only acceptable forms of identification are a passport, photo driving licence or a photo card bearing a holographic PASS logo.
16. The venue will operate a "Challenge 25" policy.
17. There will be no sale of individual cans of beer, cider or lager.

Helen Picton

Helen Picton
Shared Regulatory Services

2 August, 2023

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: 13 August 2023 14:41
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: Objection MO MARKET
Attachments: Objection MO MARKET.docx

***** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.south-wales.police.uk>, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.south-wales.police.uk>, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

Cymorth Iaith Gymraeg\Welsh Language Support

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.

Ymwadiad Heddlu De Cymru\South Wales Police Disclaimer

URhS Caerdydd a'r Fro

Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Teliffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

Gwefan: www.heddlu-de-cymru.police.uk

Cardiff & Vale BCU

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

Telephone: 01656 869211

In an emergency always dial **999**
for non-emergencies dial **101**

Website: www.south-wales.police.uk

SWYDDOGOL – OFFICIAL

13th August 2023

**APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
UNDER THE LICENSING ACT 2003.
“MO MARKET” 326 COWBRIDGE ROAD EAST, CARDIFF CF5 1HD**

South Wales Police object to the grant of this application under the Licensing Objectives of:

The prevention of crime and disorder,

The prevention of public nuisance.

POLICE REPRESENTATION

Within the area that the premises are situated there are issues of street begging, vagrants and drunkenness on the street. Alcohol purchased from off licences along Cowbridge Road East exacerbate these issues. Problem drinkers such as beggars and homeless people are included in the groups causing disorder and nuisance. Beggars often ask the passing public for small change. Once the beggars have sufficient money to purchase a single can of alcohol they often go into these off licences and purchase a single can for immediate consumption out on the street. It has been shown that where the condition stipulating that no single cans of alcohol are sold, the problem caused by begging is greatly diminished.

The condition that there will not be any sale of single cans of alcohol was agreed earlier this year when the premises licence was first issued. It is

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believed that the condition has had a good effect by not drawing problem drinkers and beggars to the immediate vicinity of the premises.
The premises are situated in a heavily populated residential area.
The removal of this condition will put the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance at risk.

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

If you wish any further information then please contact Police Licensing Officer

Yours faithfully,

Chief Inspector

SWYDDOGOL – OFFICIAL

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