

LICENSING SUB-COMMITTEE: 31 March 2017

Report of the Head of Regulatory Services

Application for Review of a Premises Licence

Application No: CCCP/00376

Name of Premises: New Inn, Caerphilly Road, Cardiff

1. Application

1.1 An application for the Review of the above Premises Licence held by Punch Taverns Plc has been received.

1.2 The Premises Licence permits the following licensable activity:

Exhibition of films (Indoors)

Monday to Saturday	9:00am	11:00pm
Sunday	Noon	10:30pm

Indoor sporting event

Monday to Saturday	9:00am	11:00pm
Sunday	Noon	10:30pm

Performance of live music (Indoors)

Monday to Saturday	9:00am	11:00pm
Sunday	Noon	10:30pm

Playing of recorded music (Indoors)

Monday to Saturday	9:00am	11:00pm
Sunday	Noon	10:30pm

Entertainment of a similar description to that falling within E, F, or G (Indoors)

Monday to Saturday	9:00am	11:00pm
Sunday	Noon	10:30pm

Supply of alcohol for consumption ON and OFF the premises

Monday to Saturday	10:00am	11:00pm
Sunday	Noon	10:30pm
Christmas Day	Noon	3:00pm
Christmas Day	7:00pm	10:30pm
Good Friday	Noon	10:30pm
New Years Eve	until start of permitted hours on 1st Jan	

2. Details of the Application for Review.

- 2.1 An application for Review has been received. A copy of the application and supporting documentation is enclosed with the report.

The application relates to the following licensing objectives:

1. The prevention of crime and disorder
2. The prevention of public nuisance
3. Public safety
4. The protection of children from harm

3. Relevant Representations

The application for review has been advertised on the premises as required by the legislation. Representations received are enclosed with the report.

4. Legal Considerations.

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

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

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

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

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

5. Recommendation.

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

Dave Holland
Regulatory & Supporting Services

15 March 2017



CARDIFF
CAERDYDD

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

Reference number:

**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 Dr Ruth McKee
(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 <u>New Inn Pub - Caerphilly Road</u>	
Post town <u>Cardiff</u>	Post code (if known)
Name of premises licence holder or club holding club premises certificate (if known) <u>Licence holder - unknown Owned by Punch Taverns</u>	
Number of premises licence or club premises certificate (if known) <u>unknown</u>	

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) *Dr*

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

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

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

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

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

particularly the
latter two
objectives.

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

These are typed separately - please
see attached letter.

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

Typed information - please see separate attached letter and documentation / accounts forwarded by consecutive emails.

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

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

We have not made an application previously but have appeared and given evidence at previous licensing hearings eg 2007 + 2009. Various records of correspondence with licensing and other authorities are being forwarded as evidence.

yes

Please tick ✓

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

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

Part 3 – Signatures (please read guidance note 4)

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

Signature

R McKee

Date

4/1/17

Capacity

local resident / neighbour

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

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

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

1st January 2017

Submitted by email along with application form and documentation on 10th January 2017 to

licensing@cardiff.gov.uk

gareth.thomas@punchtaverns.com

gwion.iwan@punchtaverns.com

fbowden@cardiff.gov.uk,

We write to apply to the Licensing Committee to amend the License of the New Inn Pub Caerphilly Road Cardiff to not allow use of outdoor areas as outdoor pubs or beer gardens, most especially the area that extends into the residential cul-de-sac of Hampton Road leading into Norton Avenue.

If the premises owners were submitting a new application to construct an outdoor pub/beer garden in such a residential area especially in a residential cul-de-sac such as this so close to family homes where the residents object, then clearly such new permission would not be given. Unfortunately, because the original licence applied by default to the whole property, a number of years ago an outdoor pub area appeared outside the New Inn in what was once a car park, and this has been such a source of nuisance, noise, disturbance and stress for local residents, families and children since the pub recently closed. As this was allowed essentially due to a historical legal loop hole is it only right that this is reviewed in the light of experience of its detrimental effects. The difference to us as residents and to our quality of life since the pub recently closed has been enormous. Therefore, we have to as local residents petition the Licencing committee to act to prevent a continuation of nuisance and the effects on our families.

According to the Licensing Act 2003, a premises licence must "be tailored to the individual type, location and characteristics of the premises and events concerned". A residential cul-de-sac in a quiet suburb is not an appropriate location or type of place for an outdoor pub/beer garden!

The main licencing objectives that are breached by having such an outdoor pub area in a residential cul-de-sac are predominantly prevention of public nuisance and protection of local residential children from harm. But, as you will see given the long history of this pub, whoever the licensee has been, there are also major implications in terms of the other licensing objectives of public safety and prevention of crime and disorder.

The outdoor pub area as demarcated at present is some 14-15 metres from our own home, some 7-8 metres from the nearest family home which is awaiting the arrival of new owners, and only metres from a large children's day care nursery for children under the age of 5. All these and other properties overlook the outdoor pub area. Regardless of who is or isn't responsible for managing the pub this is clearly a completely inappropriate location for outdoor consumption of alcohol, smoking and whatever other activities and conduct are associated with an outdoor pub.

So it is hardly difficult to understand that an outdoor pub metres away from residential family homes, metres away from children's bedrooms is a considerable source of public nuisance. Even punch taverns at their most recent public meeting openly admitted that we would inevitably hear swearing and noise from the beer garden from within our homes and from our gardens – their reply several times with shrugs of the shoulder being “yes it's a pub”.

Indeed, punch plan to increase the number of people using the pub, thus worsening the problems.

We as local residents have had public meetings with the owners of the pub, punch taverns and made our concerns and objections very clear to them on a number of occasions. When punch initially submitted plans for renovation of pub including the outdoor area to the planning committee within less than 2 days, 92 local residents signed a petition to object against such refurbishment and reopening, many wrote to the planning and licensing committees at that time only a few months ago. The strength of public feeling against the pub reopening but particularly against having an outdoor pub so close to their homes was overwhelming.

Punch will no doubt claim that they will be more responsible – but they show no record of this in how they have managed and run this pub for many years. They will no doubt claim that they are instituting a different style of management where they will be more involved – but this bears no weight given their track record of involvement – for example on the Licensing hearing of 2007 punch and the legal representatives were made very aware even if they somehow hadn't been before of the problems this pub caused for the local community but what was their response? Only to resubmit the same application in 2009 without any steps

before or after taken to liaise with the community or act to reduce the very significant problems. And then to claim in 2016 that they did not know of any history of problems with the pub (see submitted letters) – even though their solicitor at the first public meeting in August 2016 was the same person at the previous licensing hearings where all the problems were clearly aired and evidenced by local residents!

Punch may be unhappy with this application including the timing of it, but that certainly is not the purpose of the application, quite the opposite. We have been left with no alternative. We have tried so many times to communicate with Punch. At the last public meeting were left with Punch saying they would reconsider the use of the beer garden, and so we trusted them and took no further action, waiting to hear further, only then to find a planning application had been submitted without informing residents that they still intended to go ahead with the outdoor part of the pub, and then before Christmas unannounced for builders to arrive at the pub to start work. We have put together this application once the Christmas break was over. The application is supported by another petition of local residents. We have drawn a line at collecting 40 signatures, representing 27 local households, as such a petition is an exhausting and time-consuming thing to again be forced to do and we would like out of courtesy to Punch to ensure that this application is in place before they invest money in the outdoor area. A petition of some 92 signatures of local residents along with various letters against the renovation of the pub including the outdoor space has already been submitted to Licensing only a few months ago, so the council and indeed punch can be in no doubt that so many local households do not want this space on their doorsteps.

Punch taverns claim they want to attract a different clientele – but the only method for doing this that they have been able to give us is that they are “introducing” a food menu and soft furnishings! – the last licensees already had done this! They have given us no methods or policies for how they are going to eliminate the “problematic clientele” whether on the premises or when they extrude into the local area outside our homes. However, they have also told us that the plan to significantly increase the number of people using the pub which is something of a contradiction, especially as they know the vast majority of locals do not want to use such a pub, having also clearly made their feelings plain to them and to the council in objecting to the pub being refurbished and reopened. Punch have claimed to have received a couple of letters of support – but even if this is so it is interesting to know if these are by people who live where they would be significantly adversely affected by the problems, and also even if this is the case this is a tiny minority compared to the vast majority who have plainly made their feelings known – please note various petitions and letters that licensing will already have seen. When asked repeatedly by residents about where these new customers from out of the area are going to park, with residents repeatedly having explained the already significant problems faced of lack of parking in this residents only parking zone, punch have simply said that this is not their problem or responsibility, to quote from last public meeting “that’s the councils problem not ours”. When asked about the problem of people not just parking illegally in the cul-de-sac but then driving through it after leaving the

pub under the influence of alcohol again the response was that of course people would drink alcohol in the pub and that this wasn't their problem. So in addition, any claims Punch may try to offer of providing a service for the local community are clearly not the case.

Indeed, Punch on their website as part of trying to attract a new licensee are promoting the pub as "part of a localised drinking circuit that buzzes with activity on Fridays and Saturdays!". This is the Heath/Birchgrove area! There is no such "drinking circuit" here with the pub closed, there is no "buzzing with activity" with the pub closed. Punch are openly trying to promote such a public nuisance. We have put this to them on several occasions including at the last public meeting; at that meeting they said that that was how they originally were going to promote the pub before they claim they were aware of the history of nuisance and problems from the pub and the strength of local public feeling against it reopening. They promised that that would be removed from the website and the promotion of the pub changed, but again this promise was not kept.

However whether problematic clientele can be eliminated from the area or not does not affect the key underlying problem - that an outdoor pub metres from family homes and bedrooms, especially when in a residential cul-de-sac is an inevitable source of public nuisance and inevitably exposes children to inappropriate disturbance and obscenities even though they are in their own homes and gardens - even by Punch's own admission. There is hardly going to be a whisper only rule in the "beer garden".

Please note that due to the design of the building, much of the beer garden, especially the part of the beer garden that involves Hampton Road, cannot be seen from the bar area, only the part of the area at the Caerphilly Road end of the outdoor space outside the glass doors can be seen by staff at the bar area. CCTV wouldn't make any difference to the intrinsic noise and disturbance that is associated with having a pub area outdoors.

Punch taverns, without informing or involving local residents, recently put in an application to the planning department to further develop the outdoor pub area. As the planning department have explained they are powerless to object to development as there is a licence in place. This application includes putting a high fence and hedge around the beer garden which may seem an improvement, but on past experience this does not improve the situation and nuisance (there used to be a higher fence there some years ago). Such a fence/hedge does not prevent noise nuisance, especially when it comes to being able to hear the beer garden from bedrooms! Such a fence/hedge from past experience only serves to make the people drinking alcohol and smoking even more disinhibited and oblivious to the fact that they are surrounded by family homes would in the context of the disinhibitory effects of alcohol use tend if anything to increase the amount of noise from the area - not just in volume but in "bawdiness" and content of foul language and conversation that no child

should have to overhear – as punch themselves said of the area, it is a pub after all and people act as they do in pubs – it's just here its outside and within metres of family and children's homes and bedrooms.

So how bad has it been for us as residents when the pub was open? Terrible. To avoid repetition here, please read all the enclosed evidence of the many types of problems we have experienced over so many years, and in particular please note the impact of the "beer garden" as previous licensees optimistically called the outdoor drinking and smoking area. There is still a noise abatement notice on the premises, but that only reflects the tip of the iceberg, as these records will show.

What difference had it made to us with the pub and beer garden closed? Transforms the environment and community. It is so peaceful now. At last we feel safe walking from our home to shops or takeaways around the corner whatever the time of day or night – often we had to avoid this when the "beer garden" was open as the records will show, even more so having had threats made against us and obscenities thrown at us (records as evidence). The raucous types of noise associated with the outdoor pub area was regularly a source of distress for our children as to their young ears such loud behaviour and conduct sounded regularly like a fight or disturbance breaking out simply because of how people act in pubs be they indoor or outdoor – this was regularly a significant source of anxiety and stress for our children and other children in the area. This source of anxiety and distress has obviously abated with the pub closed, although my elder son still is very worried about what will happen when the noise returns. Since the pub has been closed, my elder son no longer has nightmares about the behaviour that he has witnessed by people from the pub – instead of having to avoid his bedroom window he is now free to sit at it and enjoy seeing the world pass by; he has even started keeping a little exercise book to write stories about the birds and animals and vehicles he sees passing from his window. We can have our windows open! (Surely we should be able to have our bedroom windows open in summer time without hearing all the noise and obscenities associated with an outdoor pub metres away!). The children can play on their scooters in the front garden and chat to passing neighbours without fear of exposing them to the lewd noise and obscenities of the beer garden. We can curl up on our bed in the front bedroom and read bedtime stories together without the background lewdness and noise of the "beer garden"! Surely this should be every child's right?

It certainly is the legal responsibility for the body issuing or allowing a licence to ensure that children are protected from exposure to improper conduct and strong/foul language. How much more should local children be protected from exposure to such language and disturbance when in their own bedrooms and gardens!

So it is clear that an outdoor pub so close to residential properties clearly breaches licensing objectives in terms of source of public nuisance and protection of children from harm regardless of whoever is or isn't taking responsibility for running the pub. But also over many years there have been considerable problems of antisocial and illegal behaviour by pub users, much of this occurring outside our home by people who spill over from the beer garden, especially into the lane alongside our home. Not having an outdoor part of the pub in the cul-de-sac of Hampton Road itself would be a step towards discouraging pub users from coming into the cul-de-sac for whatever purpose, be it drugs, sexual or lewd behaviour, illegal parking, fighting and arguing, smashing glasses and bottles and leaving broken glass and litter around or just having loud conversations outside homes and below bedroom windows. All of these we have witnessed over and over again, regardless of licensees or whatever promises Punch's legal team or others have made at licencing hearings – you have documentation as evidence of just some of the problems experienced for so long.

Why are we making this application? We have considered it for years – you will see that we have previously written to Licensing several times asking how permission had been allowed for such an outdoor pub area and asking what can be done about it, but have not wanted the stress and repercussions from pub users or the impact that this has on our own health, which is significant. We have no pleasure at all in this, quite the opposite. It was a truly horrible experience to have to act or speak regarding previous licencing hearings – there were even lies written about me personally in a letter to licensing by a pub user without redress, and the hostility and abuse from pub users only increased. We are not alone in fear of repercussions from users of speaking out about the problems when the pub was open. On hearing the pub was to be reopened we have waited this long in the hope that Punch would see sense and act with appropriate care concern and compassion for local residents. At the last public meeting with Punch Taverns, residents specifically asked punch if they had to have an outdoor pub area, in particular one that extends into a residential cul-de-sac; we were told they would consider this but the next thing we knew was that an application had been put in to further develop the outdoor pub area anyway despite local residents' objections. So, we have to ask Licensing to overrule. We are not trying to antagonise Punch and are not playing any games – quite the opposite. We are simply appealing for common sense and help by Licensing. We have tried to work with punch and still fully intend to wherever they will hear our concerns. This is just local residents petitioning the council against such a large organisation with all their legal representatives. But surely common sense must prevail – **an outdoor pub extending into a residential cul-de-sac metres from family homes and bedrooms cannot be acceptable or appropriate regardless of who is or isn't taking responsibility for running of the pub or the conduct of its patrons.**

Yours truly

Dr Ruth McKee B.Sc.Hons., M.B.B.Ch. Hons., M.R.C.S., M.D.

Mr Paul James McKee B.A.

Included as evidence –

- Copies of previous records, diaries, letters, petitions and evidence submitted to licensing and planning over the years showing the record of problems and public feeling. Licensing should have in it records the letters from other residents submitted particularly in association with previous licensing applications by various licensees.
- Copies of recent correspondences with punch taverns
- Letter prepared by another family for local circulation on hearing of plans for refurbishment.
- Petition signed by local residents in support of this application

We, the undersigned, as residents living near the New Inn Pub Caerphilly Road Cardiff, object to the use of the outdoor area around the pub as an outdoor pub/beer garden and ask the Licensing Committee of Cardiff Council and the appropriate authorities to review the licence of this outdoor area. We would like Fenella Bowden our local councillor to speak and make representations on our behalf.

Signature	Address	Date
B. Bell	27 Norton Ave	7/1/2017
[Signature]	35, NORTON AVE	7/1/2017
[Signature]	35 Norton Ave	7/1/2017
[Signature]	41 Norton Ave	7/1/2017
[Signature]	46 Norton Ave.	7/1/2017
[Signature]	41 Norton Ave	7/1/2017
[Signature]	44 Norton Ave	7/1/17
H.S. Jen	44 NORTON AVE	7/1/17
[Signature]	42 Norton Ave	7/1/17
[Signature]	42 Norton Ave	7/1/17
[Signature]	38, Norton Ave.	7/1/17
H. Williams	6 Hampton Road	7/1/17
R. McKee	4 Hampton Road	7/1/17
[Signature]	38 NORTON AVENUE	7.1.17

We, the undersigned, as residents living near the New Inn Pub Caerphilly Road Cardiff, object to the use of the outdoor area around the pub as an outdoor pub/beer garden and ask the Licensing Committee of Cardiff Council and the appropriate authorities to review the licence of this outdoor area. We would like Fenella Bowden our local councillor to speak and make representations on our behalf.

Signature	Address	Date
D. O'Leary	26 NORTON AVE	8-1-17
T.M. O'Leary	26, NORTON AVE	08-01-17
C.D. Norris	4, NORTON AVE	8-1-17
J. Rees	15 Norton Avenue.	8-1-17
D. AMALLET	25 NORTON AVE	8-1-17.
DD MALLET	25 Norton AVE	8-1-17
A. Hendon	55 Caerphilly Rd	8-1-17.
R. M. C. ...	62 Caerphilly Road	8/1/17
R. Bradley	29 NORTON AVE.	8/1/17
Wenjing Yang	1. Rhydheilig AVE.	8/1/17
Chen Cy	3. Rhydheilig Ave	8/1/17
M. Gibbs	7 Rhydheilig Ave.	8/1/17.
N. GIBBS	"	8/1/17
...	80 CAERPHILLY RD	8/1/17

We, the undersigned, as residents living near the New Inn Pub Caerphilly Road Cardiff, object to the use of the outdoor area around the pub as an outdoor pub/beer garden and ask the Licensing Committee of Cardiff Council and the appropriate authorities to review the licence of this outdoor area. We would like Fenella Bowden our local councillor to speak and make representations on our behalf.

Signature	Address	Date
	24 NORTON AVE	8/1/17
	14 NORTON AVENUE	9.1.2017.
	9 " "	9.1.17
	21 NORTON AVENUE	9/1/2017
	8 Hampton Road	9/1/2017
	65 Mohammed Hussain	9-1-2017
	65 Hammed Al-Salt	9/1/17
	61 Caerphilly Rd.	09-01-17.
	58 Caerphilly Rd	9/1/17
	58 CAERPHILLY	9/1/17
	21 Norton Avenue	9/1/17
	4 Hampton	9/1/17
	24, NORTON AVE	10/01/2017

376

Barker, Kirstie

From:
Sent: 19 January 2017 20:40
To: Licensing (Licensing, Regulatory)
Subject: New Inn Caerphilly Road Cardiff

Dear Sir

We would like you to take into consideration our remarks regarding the New Inn's application for permission for "out door" sitting and drinking area to the side of the New Inn in Hampton Road. There is sufficient room for outdoor seating to the front of the New Inn allowing the side area on Hampton Road to be used for parking. This arrangement would have a double advantage to the New Inn i.e.

1. Allow the parking of patrons car - assisting in the calming of additional parking problems in a Residents parking area of Hampton Road and Norton Avenue and saving on Police and Traffic Wardens resources. The area is prone to parking problems without the additional New Inn patrons parking.
2. The New Inn is at present being refurbished and the area that is proposed for the outdoor seating area in Hampton Road is being used by the builders vehicles thus alleviating a certain amount of parking problems. Can this point please be taken into account when considering the licensing application.
3. The other relevant points are set out in Mr McKee's letter already in your possession so please give some consideration to these points.

Yours faithfully

Barker, Kirstie

From: [REDACTED]
Sent: 21 January 2017 23:40
To: Licensing (Licensing, Regulatory)
Subject: Out Beer Garden New Inn Pub.

As a resident of Norton avenue i would like the council TO review the outdoor / beer garden at the New Inn pub on Caerphilly Road,In asking the council to review the licence for a outdoor beer garden i i hope they won,t allow them to have the part of the garden that extends into Hampton Road this is the part we see and hear most! completely inappropriate to allow an outdoor pub in a residential cul-de-sac also this part is impossible for a licensee to fully supervise as unlike the front part is not visible from inside the main bar area.

i understand they have applied for permission to put up a fence/hedge around part of beer garden this won,t help as it still won,t block noise, and it makes people more dis inhibited and less aware of family homes around it. also they had a higher fence previously which did,not help.so please as a resident of Norton avenue for over 20 years don,t allow a outside beer garden at the New Inn Pub on Caerphilly road or if this is not possible restrict it to Caerphilly Road.

Yours Truly

Barker, Kirstie

From:
Sent: 07 February 2017 18:47
To: Licensing (Licensing, Regulatory); fenella.bowden@gmail.com; Bowden, Fenella (Cllr)
Subject: New Inn license review

to the licensing department and Licensing committee, Cardiff council,

re New Inn Pub,

I write regarding the application to review the license of the outdoor pub space, to support the review of the license and restrict the use of the outdoor pub space, especially as it affects my home in Hampton Road.

After the many appeals to have the New Inn pub re-opened as something else, it pained me greatly to see it being reopened as a public house. As previous landlords time and time again failed to police the noise levels, and anti social language and behaviour spilling out from the pub and its outdoor space, I am now left very disappointed with the ongoing plans of the new outdoor pub area.

The tall fence of trees have now been removed that previously separated the front outdoor drinking area from the area that impinges on my street, leaving that area much more open. The large corner entrance to the outdoor pub space is still very much in use. People not only loiter in the outdoor pub space here but the direction of this area encourages people to then mill out into our street, whether this be on arriving, leaving or coming into our street or side-lanes to use drugs or other such activities.

Also, attempts in emails to address the side entrance door as a major nuisance to the inevitable noise of coming and going from the pub, by having it converted to a fire door only, have been ignored and incredibly punch instead of communicating back with us have rather not responded and referred us to Punch's solicitor - so much for neighbourhood relations!

the addition of a food menu and soft furnishings are nothing new, all have been tried before. However it is of significant concern that there are now regular promotions through the week offering free or discounted alcohol. Even more reason not to allow outdoor space to be licensed where it impinges on family homes and living spaces.

The noise of the beer garden along with the noise of drinkers simply coming and going from the pub, just simply cannot be policed! This has been proven time and time again by the failures of many a previous land lord and tenant to police the noise levels, in spite of their promises to do otherwise. Indeed, to be fair to them, sometimes they have tried. But it has proved a futile exercise. And then we as residence have been left time and time and time again to do the policing of the noise levels foul language and anti social behaviour ourselves by constantly having to report the levels of noise to the appropriate authorities. Perhaps Punch would like to have us on their payroll!- I mean that ironically. This, as stated far too many times before, IS NOT OUR JOB!

Please take on board these factors, so that users of the outdoor parts of this establishment use the Caerphilly road part of the outdoor space in both outdoor pub area use and coming and going activity.

yours truly,

Barker, Kirstie

From: Bowden, Fenella (Cllr)
Sent: 04 February 2017 19:56
To: Barker, Kirstie
Subject: RE: Licensing Act 2003: Application for Review - New Inn, Caerphilly Road, Cardiff.

Dear Kirstie

Thank you for notifying me of this application. I fully support the Application for Review & endorse the comments made by the applicant, Mrs McKee.

I have had a long experience of dealing with the issues that have arisen from the New Inn over many years & I remain concerned that Punch Taverns have not addressed the issues of noise; how they are going to prevent the public nuisance that has been the hallmark of this pub in the past; how they will assure public safety & protect children from harm.

The residents of Hampton Road, Norton Ave, Caerphilly Road, & Rhydheilig Ave have suffered from noise pollution from the New Inn. The seating area creates a problem in terms of noise arising from the gathering of people drinking, smoking or simply talking. The proposals from Punch Taverns to remove the seating to the side of the pub will not remove the issue of noise; and I would support the prevention of use of the outside area to ensure the amenity of local residents.

Public nuisance in the form of ASB within the Hampton Road & the lane to the rear of the next door garage, arising from the New Inn, has dominated the lives of residents in the area; and it is not acceptable. There are numerous reports to the police detailing these incidents, and residents have no confidence that this will not return. Given that there are children living within these local streets, they deserve to be protected from harm; allowed to sleep; and not be witnesses to the type of incidents that have occurred in the past. Since the pub has been closed, residents have finally had some respite from all the associated problems.

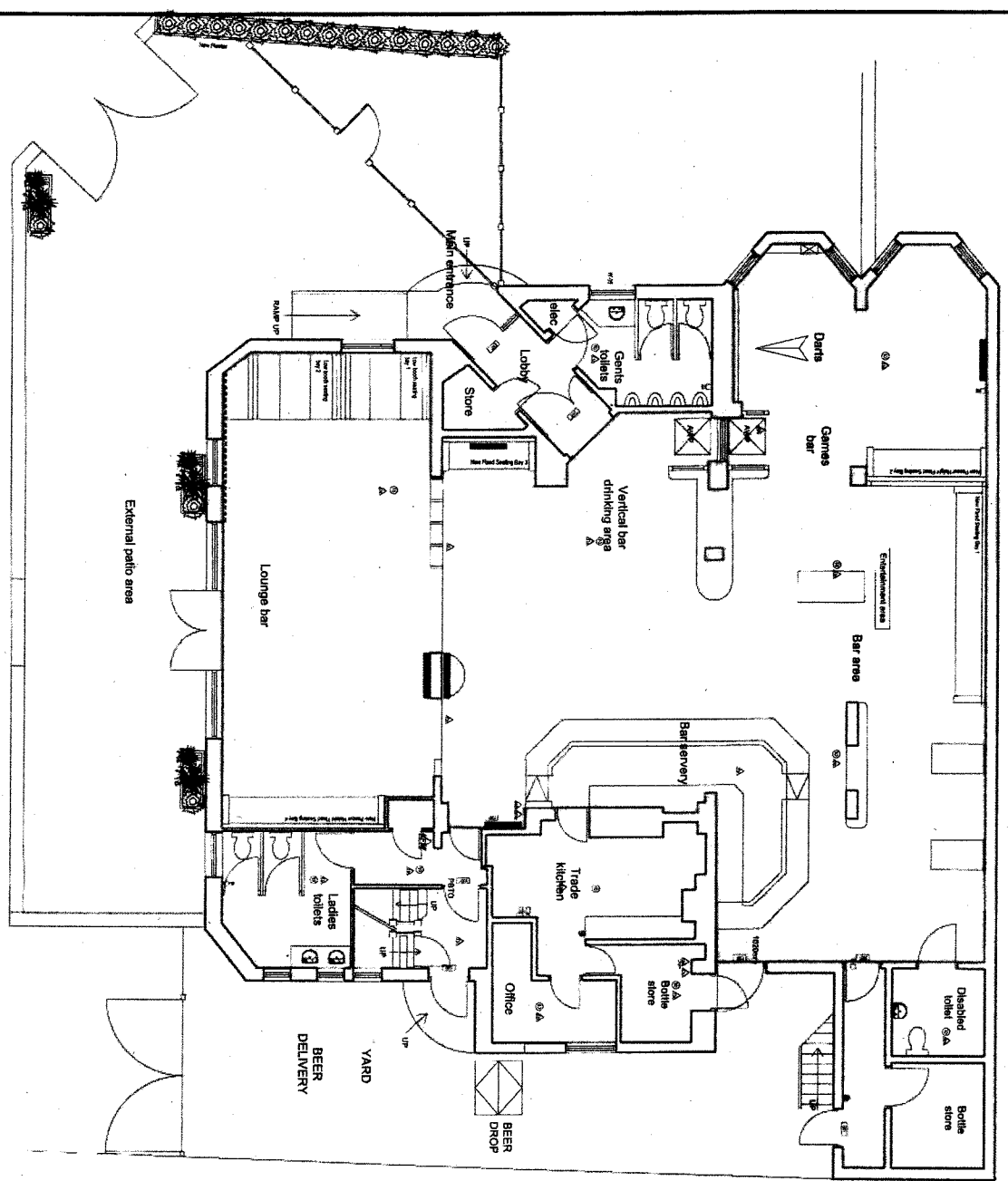
I should like to speak at the hearing, please.

Kind wishes

Fenella
Fenella Bowden
Independent Councillor for Heath & Birchgrove
Tel: 02920 692435
Twitter :@HBIndependents

From: Barker, Kirstie
Sent: 10 January 2017 15:43
To: Bowden, Fenella (Cllr) <FBowden@cardiff.gov.uk>; Hinchey, Graham (Cllr) <Graham.Hinchey@cardiff.gov.uk>; Hudson, Lyn (Cllr) <LHudson@cardiff.gov.uk>
Cc: Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk>
Subject: Licensing Act 2003: Application for Review - New Inn, Caerphilly Road, Cardiff

I am writing to advise you that an application for a Review of the existing Premises Licence was received on 10th January 2017 in respect of the above premises. A Licence Review requires the licensing authority to consider the matter and to take any necessary action to tackle any substantiated problems identified.



LEGEND

— Licensed Area

Fixtures and fittings

Games Machine (AHP or SIF)

Unit Area - 276 Square Metres
 Licensed Area - 199 Square Metres
 Proposed Cover Numbers
 Internal - 107
 External - 86

KEY TO SYMBOLS

Symbol	Description
⊠	Bar
⊡	Bar counter
⊢	Bar stool
⊣	Bar seat
⊤	Bar tap
⊥	Bar sink
⊦	Bar drain
⊧	Bar fire extinguisher
⊨	Bar fire blanket
⊩	Bar fire alarm
⊪	Bar fire door
⊫	Bar fire escape
⊬	Bar fire extinguisher cabinet
⊭	Bar fire extinguisher cabinet
⊮	Bar fire extinguisher cabinet
⊯	Bar fire extinguisher cabinet
⊰	Bar fire extinguisher cabinet
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⊼	Bar fire extinguisher cabinet
⊽	Bar fire extinguisher cabinet
⊾	Bar fire extinguisher cabinet
⊿	Bar fire extinguisher cabinet

CONTRACTOR'S CHECK LIST

1) Verify the dimensions of the building and the location of the building on the site. The contractor must provide a copy of the site plan to the licensing authority.

2) The ground must be level to the proposed bar area. The contractor must provide a copy of the ground level plan to the licensing authority.

3) The proposed bar area must be separated from the rest of the building by a fire-rated wall and door. The contractor must provide a copy of the fire-rated wall and door details to the licensing authority.

4) The proposed bar area must be separated from the rest of the building by a fire-rated ceiling. The contractor must provide a copy of the fire-rated ceiling details to the licensing authority.

5) The proposed bar area must be separated from the rest of the building by a fire-rated floor. The contractor must provide a copy of the fire-rated floor details to the licensing authority.

REVISIONS

No.	Date	Description
A	01/09/16	REVISED QA
B	08/02/17	AMENDED TO SUIT REVISED PLANNING
C	01/09/16	AMENDED TO SUIT REVISED QA

Concept

1.0

THE NEW INN
 67 Caspally Road
 Cardiff
 CF14 5AE

LICENSING PLAN

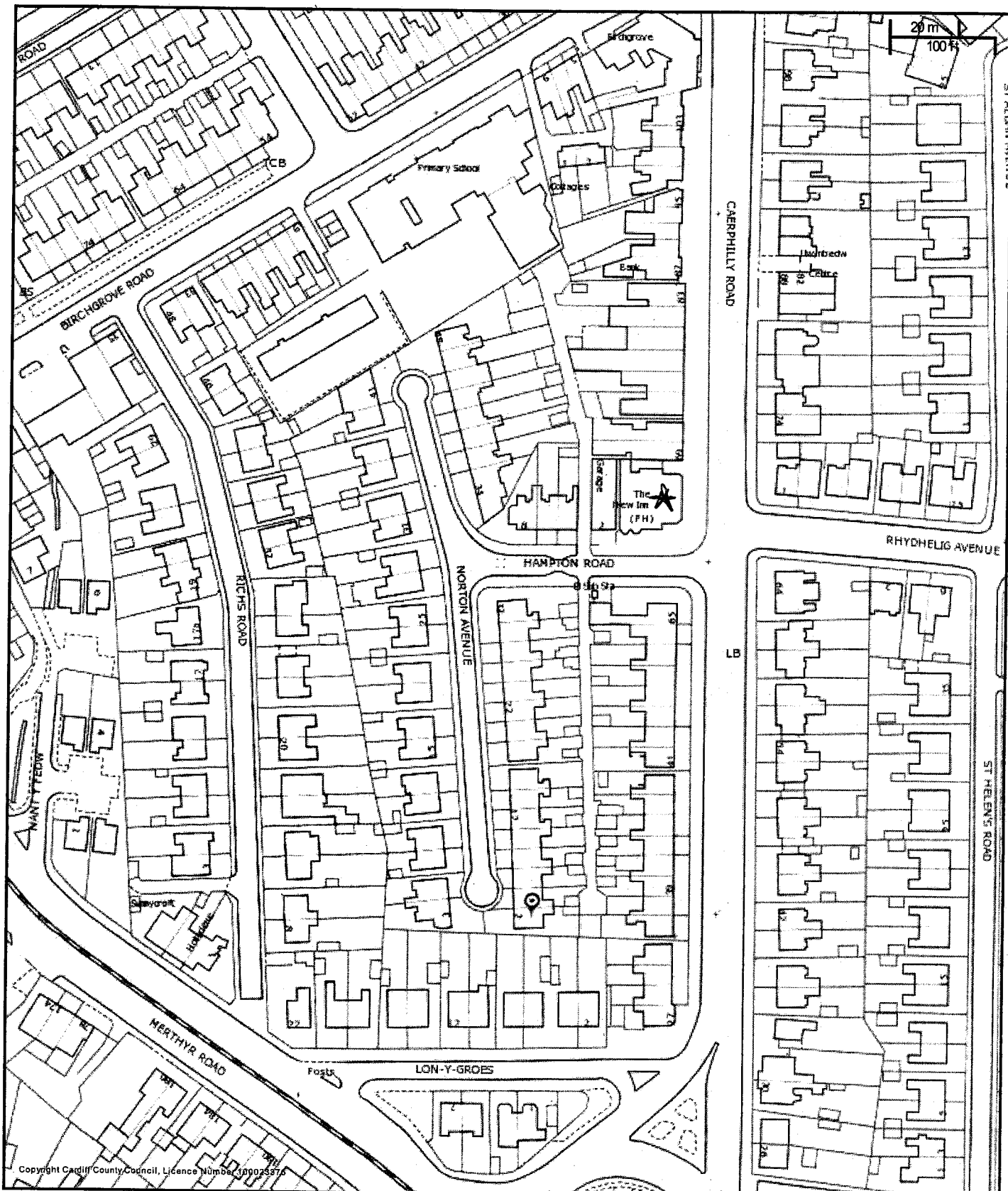
2017/16

PUNCH

2017/16

Task: 1:50@A1
 Scale: 1:100@A1
 Date: 2016/16

Form: 2016/40



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

City of Cardiff Council
Cyngor Dinas Caerdydd



Title
 Scale: 1:1500
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