

LICENSING SUB-COMMITTEE: 31<sup>st</sup> March 2017

Report of the Head of Regulatory Services

Application for the grant of a Premises Licence

Application No: 006377

Premises: The Brass Beetle, 11-13 Whitchurch Road, Cardiff

Ward: Gabalfa

1. Application

1.1 An application for the grant of a Premises Licence has been received from K and A Property Limited in respect of The Brass Beetle, 11-13 Whitchurch Road, Cardiff.

1.2 The applicant has applied for the following:

Supply of alcohol for consumption on the premises  
Monday to Sunday 11:00 to 15:00 and 17:00 to 23:00

2. Promotion of Licensing Objectives.

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

3. Relevant Representations

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

The representation submitted by South Wales Police has been withdrawn as the applicant has agreed to the proposed conditions.

The representation submitted by Environmental Health (Noise Pollution) has been withdrawn as the applicant has agreed to the proposed condition.

4. Legal Considerations.

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

Prevention of crime and disorder  
Public Safety

Prevention of Public Nuisance  
Protection of Children from Harm

- 4.2 In each case the Sub-Committee may make the following determination
- a) To grant the application.
  - b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
  - c) Reject the whole or part of the application.
- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.
5. **Issues for Discussion.**
- 5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

**Dave Holland**  
**Regulatory Services**

**15 March 2017**

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

SMALL RESTAURANT WITH SMALL BAR AREA. ADEQUATE STAFF NUMBERS WHO ARE WELL TRAINED TO DEAL WITH CERTAIN SITUATIONS. IN GENERAL BELIEVE CONSUMPTION OF ALCOHOL WILL BE PRIMARILY WITH FOOD. CCTV CAMERAS FITTED. FREE WATER ON REQUEST. MANAGER/SUPERVISOR WITH PERSONAL LICENCE ALWAYS ON DUTY.

b) The prevention of crime and disorder

CCTV CAMERAS WILL BE IN PLACE AND RECORDINGS KEPT . AGE VERIFICATION POLICY WILL BE IN PLACE. WELL TRAINED STAFF IN THE LICENSING ACT AND DEALING WITH CUSTOMERS. DOORS WELL ALARMED. ANY PERSON APPEARING DRUNK WILL NOT BE ALLOWED TO BE SERVED ALCOHOL AND NOT ALLOWED ON PREMISES

c) Public safety

SECURITY CAMERAS IN PLACE. PROCEDURE IN PLACE FOR CONTACTING EMERGENCY SERVICES. WELL LIT AREA, A NUMBER OF RESTAURANTS NEARBY. ON A MAIN ROAD. NO ALCOHOL TO BE CONSUMED OUTSIDE EXCEPT SMALL SMOKING AREA- REAR "BEER GARDEN".

d) The prevention of public nuisance

MUSIC WILL BE KEPT LOW VOLUME. VERY SMALL OUTSIDE SMOKING AREA. RESTAURANT WILL BE CLOSED AT 11.00PM. PROPOSAL FOR PIZZA RESTAURANT SO ODOUR WILL BE EMMITTED THROUGH CHIMNEY FLUE AND WILL BE LOW TO NIL. NO LITTER WASTE AS FOOD EATEN ON PREMISES. LIGHT POLLUTION- NO EXCESSIVE LIGHTING .

e) The protection of children from harm

NO ADULT ENTERTAINMENT ON PREMISES. AGE VERIFICATION POLICY WILL BE IN PLACE. ENSURING PHOTO ID IS PRODUCED BY INDIVIDUALS WHO APPEAR TO BE UNDER 21. CCTV CAMERAS IN PLACE. PREMISES ARE SECURE. LAYOUT WILL COMPLY WITH HEALTH AND SAFETY REGULATIONS.

## Section 19 of 19

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300,	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls,

**Barker, Kirstie**

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**From:** Timothy.Davies@south-wales.pnn.police.uk  
**Sent:** 19 February 2017 11:05  
**To:** lanwar@hotmail.co.uk  
**Cc:** Licensing (Licensing, Regulatory)  
**Subject:** Premises Licence Application - The Brass Beetle [OFFICIAL]  
**Attachments:** 20170219102910335.pdf

OFFICIAL  
Lauren

Please find attached South Wales Police representations in relation to your application.

I know you have already agreed to the conditions but can I ask you formally notify Cardiff Council Licensing and myself that you are happy with the conditions by return email.

I have copied in Cardiff Council Licensing on this email so you have their correct email address.

Regards

Tim

Tim Davies

Police Constable 3466 / Cwnstabl 3466

Police Licensing / Trwyddedu Heddlu

Cardiff Bay Police Station/ Gorsaf Heddlu Bae Caerdydd,

James Street/ Stryd James,

Cardiff/ Caerdydd.

CF10 5EW.

Internal Phone / Ffôn mewnol 34207

External Phone / Ffôn Allanol 02920527207

Mobile / Ffon Symudol 07976277161

Email / E-bost tim.davies@south-wales.pnn.police.uk

Please visit our website/ Ewch i'n gwefan [www.south-wales.police.uk](http://www.south-wales.police.uk)

-----Original Message-----

From: ricohcdfbay017@south-wales.pnn.police.uk [mailto:ricohcdfbay017@south-wales.pnn.police.uk]

Sent: 19 February 2017 09:29

To: Davies, Tim swp3466 <Timothy.Davies@south-wales.pnn.police.uk>

Subject: Message from "RICOHCDFBAY017"

This E-mail was sent from "RICOHCDFBAY017" (Aficio MP C5501).

Scan Date: 19.02.2017 10:29:10 (+0100)

Queries to: ricohcdfbay017@south-wales.pnn.police.uk

OFFICIAL

Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101... Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr.  
Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to police but don't require an emergency response? Call 101... The number can be used to report a non-emergency to any force in Wales and England.  
In an emergency, always dial 999.

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Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon.

Gallwch weld ein datganiad cyfrinachedd yn: <http://www.south-wales.police.uk/cy/datganiad-cyfrinachedd-e-bost/>



OFFICIAL

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

17<sup>th</sup> February 2017

Lauren Anwar  
C/O Bevan & Buckland  
Langdon House  
Langdon Road  
Swansea  
SA1 8QY

Dear Ms Anwar

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

**The Brass Beetle, 11-13 Whitchurch Road, Cardiff CF14 3JN**

I have caused enquiries to be made into this application and make the following representations that I wish to be considered when deciding on the licensable activities and conditions for the licence.

I therefore ask that the Licensing Committee hear the representations made by the Police when determining the grant of this application.

Should the applicant agree to comply with the representations made to meet the licensing objectives before a hearing, then please accept that the Police will automatically withdraw their request for a hearing with the Licensing Committee

**POLICE REPRESENTATIONS**

I have identified conditions below which are appropriate and proportionate that would enable the premises to operate in line with the licensing objectives

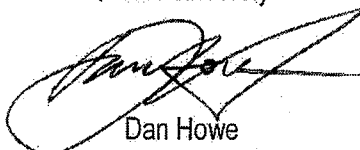
NOT PROTECTIVELY MARKED  
OFFICIAL

1. Premises licence only to remain valid as long as the primary function of the premises is that of a restaurant/café.
2. Seventy percent of licensable area where the public have access to be seated.
3. A CCTV system be installed to an agreed standard as approved by South Wales Police and maintained and operated at all times when the premises are open to the public.  
The system will cover all internal areas of the premises where the public have access (excluding toilets), including all entrances and exits and any external area associated with the premises.  
The images will be kept for a minimum period of 31 days.  
A copy must be provided in a readily playable format to South Wales Police employees should it be requested within 24 hours of the request.  
There will be sufficient trained staff to facilitate the above.  
CCTV signage will be placed in prominent positions inside and outside the premises.
4. The premises will operate the 'Challenge 25 Policy. This policy will be brought to customers' attention through the display of appropriate signage. Challenge 25 notices will be displayed in prominent positions throughout the premises. The only form of identification recognised will be photographic identification cards, such as driving licence, passport or proof of age scheme (PASS) card.
5. All staff will be fully trained before they are authorised to sell alcohol and will be refresher trained on a regular basis, with records kept on the training, retraining and initial authorisation and re-authorisation.
6. No sales of alcohol are permitted in the rear outside courtyard.

Additional evidence to support the Police representations and conditions may be used at a subsequent hearing before the Licensing Committee; this may be expanded on verbally, or by way of written evidence.

Should you have any queries regarding the above representations, please contact Police Constable Tim Davies at the Licensing Department, Cardiff Bay Police Station on Telephone 029 20527207.

Yours sincerely



Dan Howe  
Chief Inspector

**SOUTH WALES POLICE EASTERN BCU**  
Cardiff Bay Police Station, James Street, Cardiff Bay CF10 5EW  
Telephone: 029 2022 2111 Facsimile: 029 2052 7280

**HEDDLU DE CYMRU URBS Y DWYRAIN**  
Gorsaf Heddlu Bac Caerdydd, Stryd James, Bac Caerdydd CF10 5EW  
Telifon: 029 2022 2111 Ffacsimili: 029 2052 7280

OFFICIAL

**Barker, Kirstie**

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**From:** Lauren Anwar <l.anwar@hotmail.co.uk>  
**Sent:** 19 February 2017 11:41  
**To:** timothy.davies@south-wales.pnn.police.uk  
**Cc:** Licensing (Licensing, Regulatory)  
**Subject:** Re: Premises Licence Application - The Brass Beetle [OFFICIAL]

Hi Tim,

Thank you for your email. Yes I can confirm that I happily agree to all of the conditions listed.

Kind Regards,

Lauren Anwar

Get [Outlook for Android](#)

**From:** timothy.davies@south-wales.pnn.police.uk  
**Sent:** Sunday, 19 February, 11:05 a.m.  
**Subject:** Premises Licence Application - The Brass Beetle [OFFICIAL]  
**To:** l.anwar@hotmail.co.uk  
**Cc:** licensing@cardiff.gov.uk

OFFICIAL Lauren Please find attached South Wales Police representations in relation to your application. I know you have already agreed to the conditions but can I ask you formally notify Cardiff Council Licensing and myself that you are happy with the conditions by return email. I have copied in Cardiff Council Licensing on this email so you have their correct email address. Regards Tim Tim Davies Police Constable 3466 / Cwnstabl 3466 Police Licensing / Trwyddedu Heddlu Cardiff Bay Police Station/ Gorsaf Heddlu Bae Caerdydd, James Street/ Stryd James, Cardiff/ Caerdydd. CF10 5EW. Internal Phone / Ffôn mewnol 34207 External Phone / Ffôn Allanol 02920527207 Mobile / Ffon Symudol 07976277161 Email / E-bost tim.davies@south-wales.pnn.police.uk Please visit our website/ Ewch i'n gwefan www.south-wales.police.uk -----Original Message----- From: ricohcdfbay017@south-wales.pnn.police.uk [mailto:ricohcdfbay017@south-wales.pnn.police.uk] Sent: 19 February 2017 09:29 To: Davies, Tim swp3466 Subject: Message from "RICOHCDFBAY017" This E-mail was sent from "RICOHCDFBAY017" (Aficio MP C5501). Scan Date: 19.02.2017 10:29:10 (+0100) Queries to: ricohcdfbay017@south-wales.pnn.police.uk OFFICIAL Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101... Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser. Do you need to speak to police but don't require an emergency response? Call 101... The number can be used to report a non-emergency to any force in Wales and England. In an emergency, always dial 999.

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Unauthorised use or disclosure of this email may be unlawful. View our confidentiality statement at <http://www.south-wales.police.uk/en/e-mail-confidentiality-statement/> Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon. Gallwch weld ein datganiad cyfrinachedd yn: <http://www.south-wales.police.uk/cy/datganiad-cyfrinachedd-e-bost/>



**Barker, Kirstie**

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**From:** Jones, Gillian (Pollution)  
**Sent:** 17 February 2017 10:27  
**To:** Licensing (Licensing, Regulatory)  
**Cc:** 'Timothy.Davies@south-wales.pnn.police.uk'  
**Subject:** Brass Beetle, 11-13 Whitchurch Road - new premises application  
**Attachments:** IMG\_20170215\_101506.jpg

With regard to the new premises application submitted for the 'Brass Beetle', 11-13 Whitchurch Road, I would like to make the following representation concerning the rear outside amenity area, under public nuisance grounds:

The hours that the external drinking and dining area that are attached to the premises remains open to the public and used for the supply of alcohol and table meals to members of the public shall terminate at 21:00 hours each day.

I can confirm that I have spoken to Lauren Anwar, the applicant and Tim Davies (Police Licensing Officer) regarding this issue.

Kind regards



**Mrs Gillian Jones**

**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

Phone | Ffôn: 02920871819

e-mail / e-bost: [Gillian.Jones@Cardiff.gov.uk](mailto:Gillian.Jones@Cardiff.gov.uk)

*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:** Licensing (Licensing, Regulatory)  
**Sent:** 15 February 2017 13:32  
**To:** Jones, Gillian (Pollution)  
**Subject:** FW: 11-13 Whitchurch road [OFFICIAL]

Hi Gillian,

Attached as promised ☺

**Barker, Kirstie**

---

**From:** Lauren Anwar <l.anwar@hotmail.co.uk>  
**Sent:** 03 March 2017 15:38  
**To:** Jones, Gillian (Pollution)  
**Cc:** Licensing (Licensing, Regulatory)  
**Subject:** RE: "The Brass Beetle" 11-13 Whitchurch RD

Hi Gillian,

My name is Lauren Anwar, I spoke to you a few weeks ago in regards to "The Brass Beetle" and the outside area. Kirstie forwarded your email:

'With regard to the new premises application submitted for the 'Brass Beetle', 11-13 Whitchurch Road, I would like to make the following representation concerning the rear outside amenity area, under public nuisance grounds:

The hours that the external drinking and dining area that are attached to the premises remains open to the public and used for the supply of alcohol and table meals to members of the public shall terminate at 21:00 hours each day.'

I would just like to confirm that we have agreed to this.

If there is anything else please do not hesitate in contacting me.  
Kind Regards,

Lauren Anwar

*l.anwar@hotmail.co.uk*  
07715583650

**Griffiths, Paul (PPE)**

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**From:** [REDACTED]  
**Sent:** 13 February 2017 14:04  
**To:** Licensing (Licensing, Regulatory)  
**Cc:** Bridges, Ed (Cllr); rhystaylor892@gmail.com; ashleywood007@gmail.com  
**Subject:** Licensing Application, 11-13 Whitchurch Road, Gabalfa

FAO: Licensing Section, Cardiff Council, CF10 3ND

Hello,

Please accept this email as my Representation Submission Form (Licensing Act 2003 - Representation in respect of Premises Licence Applications). If you are unable to accept this email submission, please let me know and I shall re-submit by post.

Details of person making representation

Details of premises representation is about  
Name of premises: Brass Beetle  
Address: 11-13 Whitchurch Road, Cardiff  
Application no: Unknown

Licensing objectives that my representation relates to:

Prevention of crime and disorder: Yes  
Public safety: Yes  
Prevention of public nuisance: Yes  
Protection of children from harm: Yes

Summary of my concerns about this application:

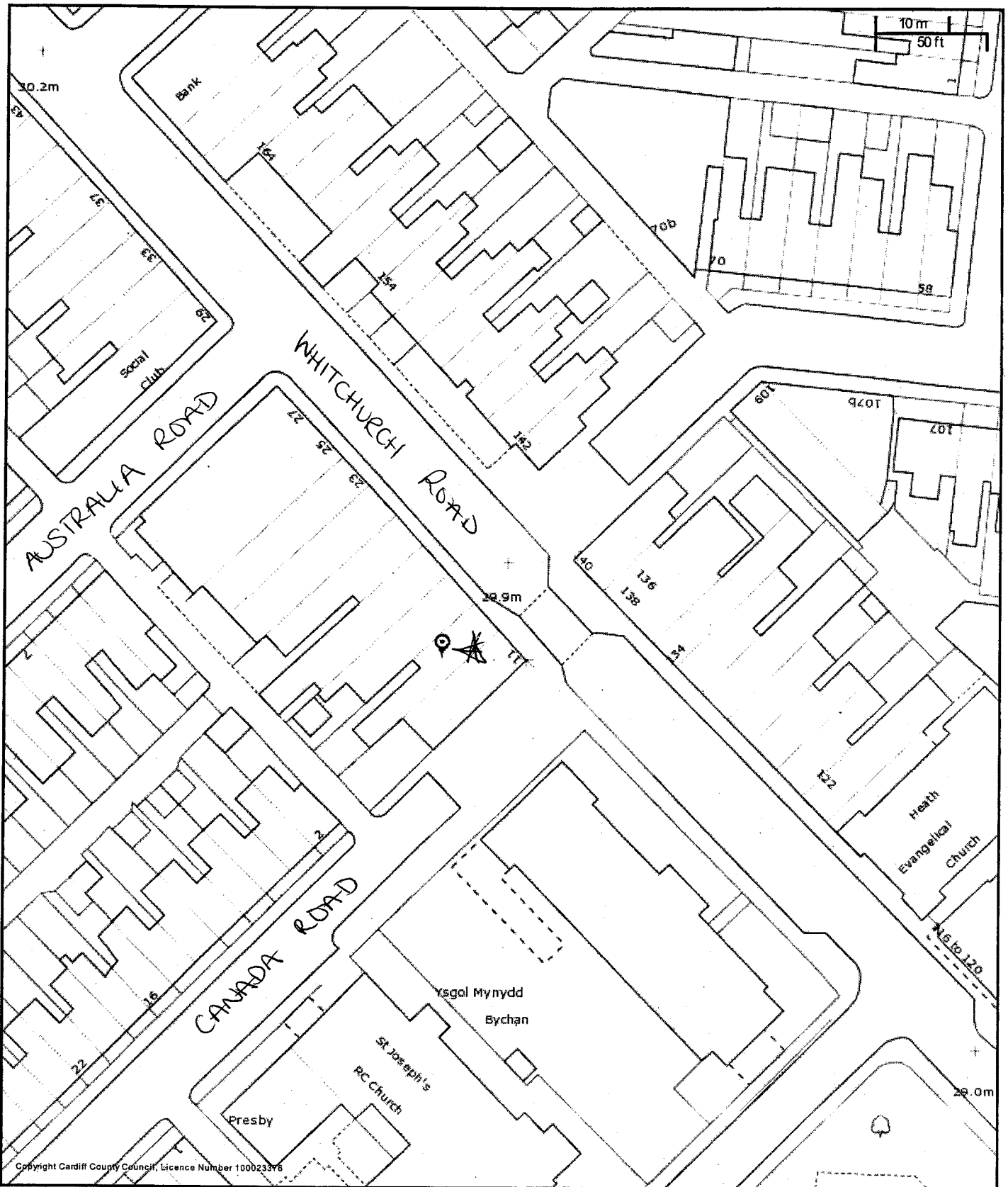
I have been living in the cul-de-sac end of Llanishen Street close to Whitchurch Road since 2002. This part of Llanishen Street provides a thoroughfare between Whitchurch Road and its surrounding area. Since the Licensing Act 2003 came into force in 2003, I have experienced numerous incidents of crime and disorder, public safety and public nuisance in the proximity of my house. It is not unusual to find local youths and other people gathering around the benches and telephone box located between Llanishen Street and Whitchurch Road late at night in an intoxicated state.

I hereby strongly object any attempt to grant further licenses in the area. I note there are a good number of restaurants and supermarkets serving the area already.

Further details:

The application by Brass Beetle will have an adverse effect on the licensing objectives. If the license is granted,

- (a) it will increase crime and disorder in the area. It is understood that an intoxicated person is more likely to become a victim of crime.
- (b) As stated in (a), an increase in crime and disorder will jeopardise public safety in the main thoroughfare in the area.
- (c) An intoxicated person(s) is likely to cause public nuisance in the area.
- (d) The area is a major thoroughfare between Allensbank Primary School and Whitchurch Road. The presence of intoxicated person(s) will no doubt affect the well-being of young children as well as youths and teenagers. This is in contrary to the objective for the protection of children from harm.



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

**City of Cardiff Council**  
**Cyngor Dinas Caerdydd**



Title

Scale: 1:708

Date: 15/3/2017 at 11:12 AM

Coordinates:

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