

LICENSING SUB-COMMITTEE:

Report of the Head of Regulatory Services

Application to vary a Premises Licence

Application No: CCCP00297

Name of Premises: The Village, 156 Penarth Road, Grangetown, Cardiff

Ward: Grangetown

1. Application

1.1 An application to vary a Premises Licence, has been received from Safia Bello Aguh in respect of The Village, 156 Penarth Road, Grangetown, Cardiff, CF11 6NJ.

1.2 The Premises Licence currently permits the following:

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

Monday to Saturday: 10:00am to Midnight

Sunday: 12:00 midday to 11:30pm

Christmas Day: 12:00 midday to 11:30pm

Good Friday: 12:00 midday to 11:30pm

New Years Eve: 11:00am until start of permitted hours on 1st January

2. The provision of late night refreshment:

Mondays to Saturdays: 23:00 to 00:30

Sundays, Christmas Day & Good Friday: 23:00 to 00:00

New Years Eve: 23:00 to 05:00

1.3 The following application for variation is now made:

To permit the sale by retail of alcohol for consumption on the premises and allow opening: Monday to Sunday: 12:00 noon to 02:00am

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, along with agreements reached with both Environmental Health and South Wales Police.

4. Legal Considerations.

4.1 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 appropriateness of the hours of operation and conditions on the licence needs to be discussed.

Continued from previous page...

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

I WILL SEND IT BY POST

Section 16 of 17

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

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

A-NO SELLING OF ALCOHOL TO UNDERAGE
B-NO DRUNK AND DISORDERLY BEHAVIOR ON THE PREMISES AREA
C-VIGILANCE IN PREVENTING THE USE AND SALE OF ILLEGAL DRUGS IN AND AROUND THE PREMISES
D-NO VIOLENT AND ANTI SOCIAL BEHAVIOUR
E-NO ANY HARM TO CHILDREN

b) The prevention of crime and disorder

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

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

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

Continued from previous page...

Not selling of alcohol to drunk or intoxicated customers.
Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

c) Public safety

Internal and external lighting fixed to promote the public safety objective.
Well trained staff adherence to environmental health requirements.
Training and implementation of underage ID checks.
A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.
Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.
Well trained staff about requirement for persons' identification, age establishment etc.
All the details provided in Training Record Book available the retail unit.
Log Book will be kept upon the premises all the time.

Section 17 of 17

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.
Variation 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

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

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
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Griffiths, Paul (PPE)

From: Safia Aguh <aguhsafia@yahoo.com>
Sent: 17 May 2017 15:28
To: Griffiths, Paul (PPE)
Subject: Re: Licensing Act 2003: Variation: The Village, 156 Penarth Road, Cardiff, CF11 6NJ

Dear Paul

Is Safia from the village ,I just wanted to confirm that I'm happy to apply all the conditions requested by the police as some of them are already in place in the restaurant.

I agree to all the conditions.

I was ask to confirm to you that I do agree with all the conditions so that they may withdraw their representation.

Many thanks

Sent from Yahoo Mail for iPad

On Friday, April 28, 2017, 9:39 am, Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk> wrote:

Hi Safia,

You can publish the advert in Western Mail or South Wales Echo.

Regards,



Paul Griffiths |

Licensing Section (Cardiff) / Adran Drwyddedu (Caerdydd)

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan

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

Phone| Ffon: [\(029\) 20871651](tel:02920871651)

Email / Epost: paul.griffiths@cardiff.gov.uk

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â [029 20871651](tel:02920871651)/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis



SWYDDOGOL - OFFICIAL

Our Ref/Cyf:
Direct Line/ Llinell Uniongyrchol:02920527207
Extension No. / Rhif Estyniad: Ext. 34207

Safia Bello Aguh
The Village
156 Penarth Road
Cardiff
CF11 6NJ

16th May 2017

Dear Ms Aguh

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

The Village, 156 Penarth Road, Cardiff, CF11 6NJ

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

1. Premises licence only to remain valid as long as the primary function of the premises is that of restaurant.
2. 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.

OFFICIAL

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.

3. 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.
4. 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.

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

Gorsaf Heddlu'r Bae Caerdydd / Cardiff Bay Police Station

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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 welcome's 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.

HEDDLU DE CYMRU URhS Y DWYRAIN

Gorsaf Heddlu Bae Caerdydd, Stryd James, Bae Caerdydd CF10 5EW
Telffon: 01656 869211 Ffacsimill: 029 2052 7280

SOUTH WALES POLICE EASTERN BCU

Cardiff Bay Police Station, James Street, Cardiff Bay CF10 5EW
Telephone: 01656 869211 Facsimile: 029 2052 7280

OFFICIAL

From: Thorne, Lynda (Cllr)

Sent: 16 May 2017 11:32

To: Holland, Dave

Cc: Parry, Jacqueline (Cllr); Murphy, Jim (Cllr); Lister, Ashley (Cllr); Sattar, Abdul (Cllr)

Subject: The Village - Penarth Road

Hi Dave,

I understand that there is a premises called the Village in Penarth Road which serves food which has applied for an extension to its licence to serve food and play music until 2.00am. Ward Councillors haven't been consulted and we have only found out through the PCSO's.

I have spoken with my ward colleagues and we are strongly opposed to the extension. Although Penarth Road has lots of shops there are many flats above those shops and houses opposite., we believe that the noise from both the premises and from those leaving will create a disturbance to residents in the area.

I am concerned that we have had to learn about this application from outside the Council and wonder why I either wasn't consulted prior to the election or the new members consulted directly after. I believe at the very least the application should be deferred.

Regards

Lynda

**YSTAFELL YR AELODAU
MEMBERS ROOM**

Fy Nghyg / My Ref: AL / The Village

Dyddiad / Date: 18 May 2017



Dear Licensing

I am writing with regard to the application proposing a variation to the existing licence submitted by Safia Bello Aguh, on behalf of The Village restaurant.

Having consulted with my ward colleagues, Cllrs Thorne and Sattar, we would like to formally object to the application on the grounds of *preventing public nuisance*.

The Village is situated in an area which is surrounded by other retail outlets, however there are a number of flats above, as well as properties opposite. We therefore feel that any noise generated by the premises itself, and those leaving will cause disruption to the neighbouring residents. We feel it would be unreasonable to expect residents to tolerate on a daily basis, particularly in the early hours of the morning.

Should you require any more information from us please do not hesitate to get in contact with us.

Best wishes

**ASHLEY LISTER
CYNGHORYDD DROS GRANGETOWN
COUNCILLOR FOR GRANGETOWN**

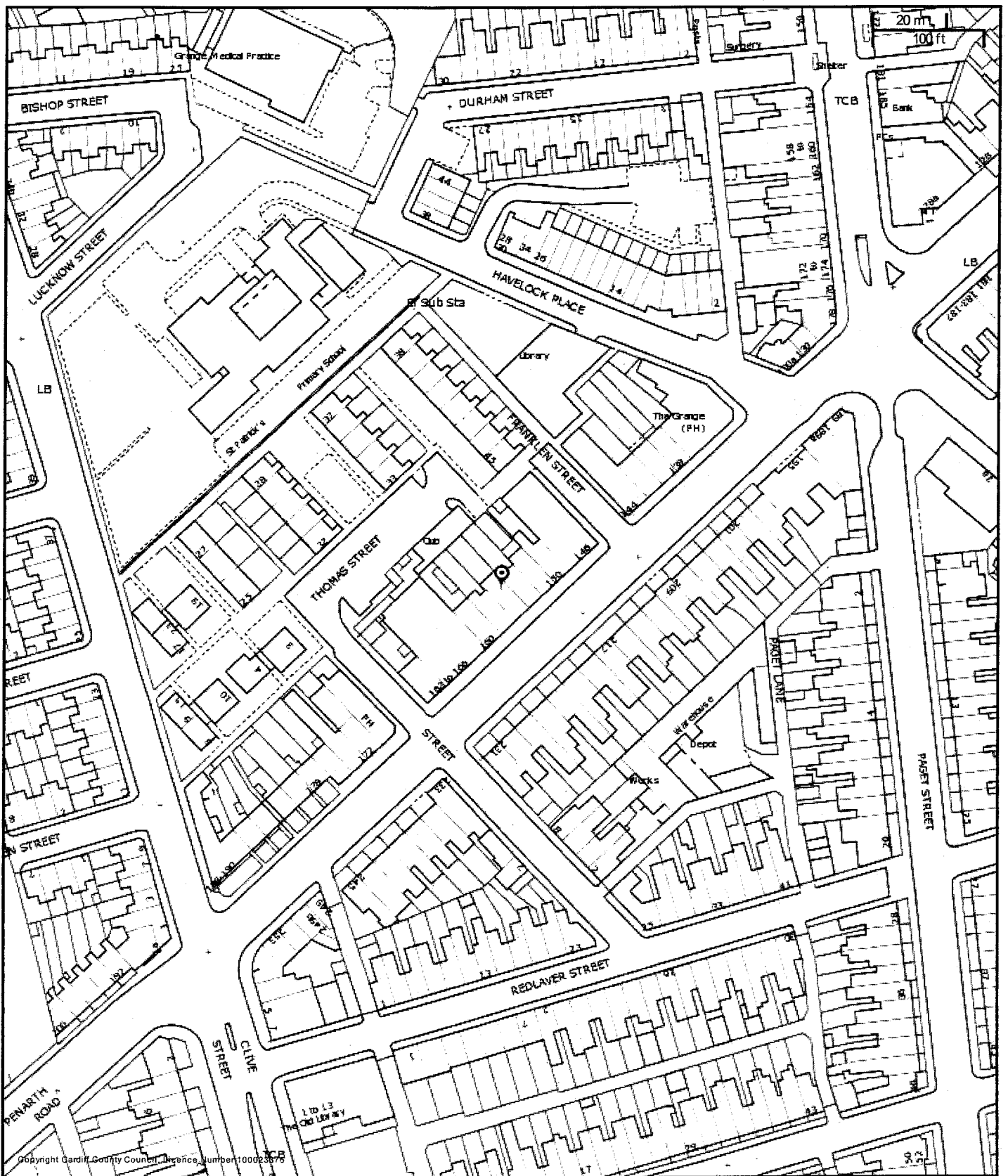
CARDIFF COUNTY COUNCIL

18 MAY 2017

LICENSING SECTION

07779 975502

Ash.Lister@caerdydd.gov.uk / Ash.Lister@cardiff.gov.uk
@ash193



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

City of Cardiff Council
Cyngor Dinas Caerdydd



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