

LICENSING SUB-COMMITTEE: 21 July 2017

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 011406

Name of Premises: Vintage Tea & Coffee Co Ltd

Ward: Cathays

1. Application

- 1.1 An application for a Premises Licence - Grant, has been received from Vintage Tea & Coffee Co Ltd in respect of Unit 2-6, Castle Arcade, High Street, Cardiff, CF10 1BU.
- 1.2 The applicant has applied for a Premises Licence for the above premises and has given the description of the premises as follows:

“Juice bar by day including coffee, healthy juices, cocktails, wine, gin etc. Cocktail bar by night offering complimentary tapas/small plates”.

- 1.3 The following licensable activity is proposed:

1. The provision of live music:
Monday to Saturday 18:00 to 23:00
Sunday 18:00 to 22:00
2. The provision of recorded music:
Monday to Saturday 08:00 to 02:00
Sunday 10:00 to 23:00
3. The provision of late night refreshment:
Monday to Saturday 23:00 to 02:00
4. The supply of alcohol for consumption on and off the premises:
Monday to Saturday 10:00 to 02:00
Sunday 10:30 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.

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

04 July 2017

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)

no anti-social behaviour.
challenge 25 policy.
ZERO TOLERANCE

b) The prevention of crime and disorder

- E.i.A registered door staff for opening hours after midnight
- Search policies
- ZERO DRUG TOLERANCE POLICY

c) Public safety

31 day recording CCTV
Accident book

d) The prevention of public nuisance

Appropriate signage - consideration of noise to neighbours

e) The protection of children from harm

Challenge 25 policy
STAFF TRAINING

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
-

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Barker, Kirstie

From: Timothy.Davies@south-wales.pnn.police.uk
Sent: 29 June 2017 17:15
To: charlotte@coffeebarker.com
Cc: Licensing (Licensing, Regulatory)
Subject: Premises Licence Objection - Vintage Tea and Coffee Co [OFFICIAL]
Attachments: 20170629163554010.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. ***

OFFICIAL
Charlotte

Please find an objection letter regarding your recent application for a premises licence for Vintage Tea and Coffee Co, Unit 2-6 Castle Arcade, High Street, Cardiff.

As discussed in our meeting, the premises falls within the cumulative impact policy area for the city centre and as such South Wales Police make an objection to allow the licensing committee to decide on whether they feel the premises would impact in a negative way on one or more of the licensing objectives.

I have list the conditions South Wales Police would seek to request should the application be granted.

Many thanks

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



SWYDDOGOL - OFFICIAL

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

Charlotte Barker
The Nest
Bryn Road
Pontllanfraith
Blackwood
NP12 2EX

28TH June 2017

Dear Mrs Barker

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

Vintage Tea and Coffee Co Limited, Unit 2 – 6 Castle Arcade, High Street, Cardiff

I, Chief Inspector Mark Hobrough, of the South Wales Police, hereby give notice that an objection shall be made to the application for a new premises licence for Vintage Tea and Coffee Co Limited, Unit 2-6 Castle Arcade, High Street, Cardiff.

This Police objection is based upon the licensing objectives:-

1. The prevention of crime and disorder. (The premises are situated in an area which has high incidents of crime and disorder and incidents associated with alcohol)
2. The prevention of public nuisance (The premises are situated in an area which have incidents of public nuisance)

As a result the premises are located within the agreed Cumulative Impact Policy area for Cardiff City Centre as per the City of Cardiff Council Statement of Licensing Policy 2016-2021.

South Wales Police will object to the application to allow a Licensing Committee the opportunity to undertake the rebuttable presumption that the premises licence will not be granted unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives.

Within the current application, the applicant has detailed the steps they intend to take to promote the four licensing objectives. These are in the way of voluntary conditions that would be placed on the premises licence

Prif Gwnstabl **Peter Vaughan, O.St.J, QPM, BSc (Hons), DipAppCrim** Chief Constable

If the applicant successfully challenges the Saturation Policy or is able to demonstrate that the premises are likely to promote the licensing objectives, I feel that these conditions do not adequately promote the four licensing objectives, in particular the prevention of crime and disorder and the prevention of public nuisance.

For that reason I have identified conditions that are necessary and proportionate that would enable the premises to operate whilst reducing the negative impact it will have on the licensing objectives.

However, I feel that it is pertinent to take this opportunity to reinforce the point that these conditions will not adequately promote the licensing objectives but merely go some way in limiting the extent as to which they are likely to be undermined.

Police Representations

The Provision of recorded music

Monday to Saturday 08.00 – 01.00

Sunday 10.00 – 23.00

The provision of late night refreshment

Monday to Saturday 23.00 – 01.00

The Supply of alcohol for consumption on and off the premises

Monday to Saturday 10.00 – 01.00

Sunday 10.30 – 23.00


-
1. 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.
 2. 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.
 3. 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.
 4. SIA registered door staff to be on duty at the premises from 19.00 hours on Friday and Saturday until close.
 5. On days classified as 'major event days' by South Wales Police, SIA registered door staff to be on duty from open until close.

OFFICIAL

6. On days classified as 'major event days' by South Wales Police, all drinks will be dispensed into plastic vessels, with the exception being hot drinks.
7. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:
 - All crimes reported to the venue
 - Any complaints received (of a Criminal or Licensing nature)
 - Any incidents of disorder
 - Any refusal of the sale of alcohol
 - Any refusal of entry
 - Any visit by a relevant authority or emergency service
8. No performance of striptease, lap dancing, entertainment or a sexual nature of other similar entertainment will be permitted on the premises
9. Children under the age of 16 shall not be permitted to enter the premises after 22.00 hours.
10. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:
 - All crimes reported to the venue
 - Any complaints received (of a Criminal or Licensing nature)
 - Any incidents of disorder
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service.
11. Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.
12. In the delineated outside area only the consumption of alcohol is permitted..
13. The premises will operate a South Wales Police approved radio system.
14. The premises will be a member of the Licensee Forum for Cardiff City Centre or other related scheme (where one exists)

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,


Mark Hobrough

OFFICIAL

OFFICIAL

Chief Inspector
Gorsaf Heddlu'r Bae Caerdydd / Cardiff Bay Police Station
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 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
Telifon: 01656 869211 Ffacsimili: 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

Barker, Kirstie

11406

From: Wathan, Stephanie A <sawathan@valeofglamorgan.gov.uk>
Sent: 05 June 2017 11:27
To: 'charlotte@coffebarker.com'
Cc: Licensing (Licensing, Regulatory)
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Vintage Tea and Coffee Co. Limited, Unit 2-6 Castle Arcade, High Street, Cardiff

Good Morning Charlotte,

I write further to your below application.

I can confirm that this division has concern due to the live music until 23:00hrs and the regulated entertainment until 02:00hrs.

Could you please provide further information regarding the nature of the premises and details of preventing public nuisance.

Kind Regards



Mrs Stephanie Ann Wathan

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: 02920871854

e-mail / e-bost: SAWathan@valeofglamorgan.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: Barker, Kirstie

Sent: 01 June 2017 15:55

To: (safety-south@southwales-fire.gov.uk); Old Email Addresses - 2015b; Bond, Graham; CH - Child Protection Unit; Old Email Addresses - 2015b; DC Consultations; Fiona Kinghorn; Food Safety Team; Health & Safety Enforcement Section; Home Office (Immigration Enforcement); Hotchkiss, Jackie; Josef Prygodzicz; Kelly, Cerys; NA Plan; Planning Assistants; Police Mailbox (SWPCardiffLicensing@south-wales.pnn.police.uk); Reville, Shaun; Sian James

Cc: Griffiths, Paul (PPE); Cook, Daniel; Agostini-Green, Ilaria; Brown, Andrew (SRS TUPE); Curry, Peter; Ewington, Amanda; Griffiths, Emily (Regulatory); Haughton, Tim; Like, Ruth

Subject: Licensing Act 2003: Application for the grant of a Premises Licence - Vintage Tea and Coffee Co. Limited, Unit 2-6 Castle Arcade, High Street, Cardiff

I am writing to advise you that an application for a Premises Licence under the Licensing Act 2003 was received by this office on 1st June 2017 in respect of the above premises.

Barker, Kirstie

From: Ewington, Amanda
Sent: 05 June 2017 13:38
To: Barker, Kirstie
Subject: Vintage Tea & Coffee
Attachments: Licensing Act Rep Vintage Tea & Coffee.docx

Please see attached



Amanda Ewington Senior Licensing Enforcement Officer
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Phone | Ffôn: 029 20871852
Email: chartrey@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.

My Ref / Cyf: AJE/REP 011406
Direct Line / Lein Uniongyrchol: (029) 20871651
Date/Dyddiad 5th June 2017

Dear Sir, Madam,

Re: Application for Premises Licence - Grant Premises:
Vintage Tea & Coffee
Application Number 011406

I write in respect of the above application submitted to the authority on 31st May 2017, and hereby give notification that the Licensing Authority of Cardiff Council object to the application for a Premises Licence.

A Cumulative impact Policy has been adopted for the City Centre area of the City. The Licensing Authority has adopted the policy due to high levels of alcohol related crime and disorder, in the interests of public safety and the avoidance of nuisance.

The policy creates a presumption that new applications for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives. I have attached a copy of the policy for your information.

The premises detailed above falls within the boundary of the Cumulative Impact Zone and therefore an objection is submitted in respect to the following Licensing Objectives.

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

Consequently the Licensing Sub-Committee will need consider this application.

However the Authority will withdraw its objection if the applicant can demonstrate that the premises is primarily a restaurant in that alcohol is only sold with a substantial table meal and there is no public bar area exclusively for the sale the sale of alcohol, in line with Cardiff Councils Cumulative Impact Policy.

You will need to demonstrate to the Licensing Sub-Committee that there will be no negative cumulative impact on one or more of the licensing objectives if the Premises Licence were to be granted.

You will receive notification of the date of the Licensing Sub-Committee hearing once the consultation period has ended.

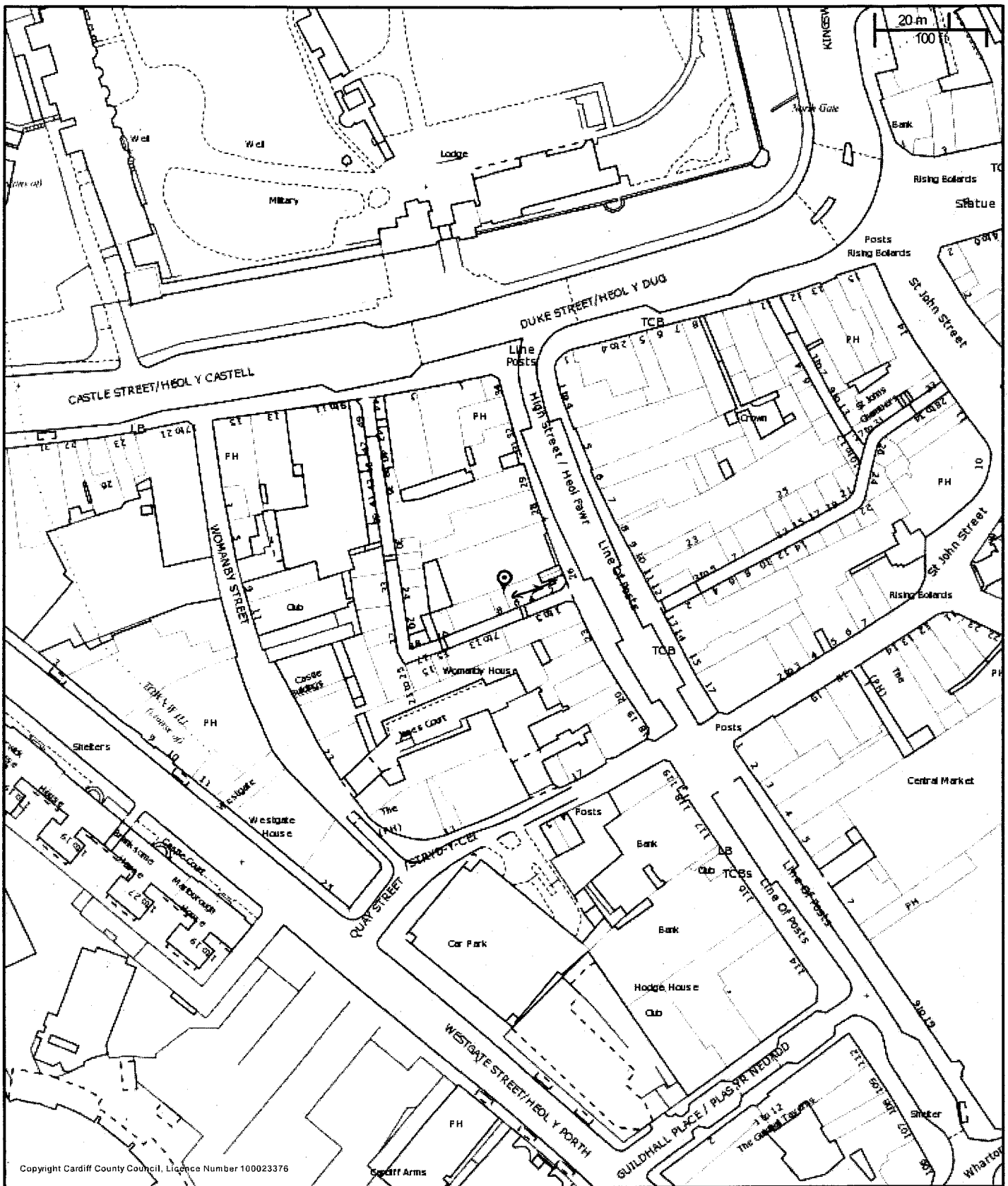
Yours faithfully,

Amanda Ewington
Senior Licensing Enforcement Officer

Language Preference

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/trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.


The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029 20871651/licensing@cardiff.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.



Copyright Cardiff County Council, Licence Number 100023376

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

City of Cardiff Council
Cyngor Dinas Caerdydd



**CARDIFF
 CAERDYDD**



Title

Scale: 1:1417
 Date: 4/7/2017 at 10:29 AM
 Coordinates:
 © Crown copyright and database rights (2014).
 This copy is produced specifically to supply County Council information NO
 further copies may be made.
 Ordnance Survey 100023376 (2014).