

LICENSING SUB-COMMITTEE: 15th September 2017

Report of the Head of Regulatory Services

Application to vary a Premises Licence

Application No: CCCP/01717

Name of Premises: Co-Op, Llantrisant Road

Ward: Fairwater

1. Application

1.1 An application for a Premises Licence - Variation, has been received from Co-Operative Group Food Limited in respect of Co-Op, Llantrisant Road, Llandaff, Cardiff, CF5 2PW

1.2 The licence currently permits the following:

1. The supply of alcohol for consumption off the premises:
Monday to Sunday: 07:00 to 23:00

2. The provision of late night refreshment:
Monday to Sunday: 23:00 to 00:00

1.3 The application for variation is made to propose the following:

1. The supply of alcohol for consumption off the premises:
24 hours a day, 7 days a week

2. The provision of late night refreshment:
Monday to Sunday: 23:00 to 05:00

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 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.

Dave Holland
Regulatory & Supporting Services

31 August 2017

Continued from previous page...

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

All of Annex 2 to be replaced with conditions offered in this application.

- 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.

Section 16 of 18

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.

The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regard to the locality, considers that the following conditions are appropriate, proportionate and necessary.

b) The prevention of crime and disorder

1. The Premises Licence Holder shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.

2. There shall be "CCTV in Operation" signs prominently displayed at the premises.

3. Between the hours of 23:00 and 05:00 members of the public shall not be allowed to enter the store and shall be served through the night hatch.

4. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

5. The Premises Licence Holder shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.

6. The premises shall be fitted with a burglar alarm system.

7. The premises shall be fitted with a panic button system for staff to utilise in the case of an emergency.

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c) Public safety

The Premises Licence Holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

d) The prevention of public nuisance

A complaints procedure shall be maintained by the Premises Licence Holder, details of which shall be made available in store and upon request.

e) The protection of children from harm

1. All staff shall receive training in relation to the sale of alcohol. No member of staff will be permitted to sell alcohol until such time as they have successfully completed the aforementioned training.

2. An age till prompt system shall be utilised at the premises in respect of alcohol.

3. A refusals register (whether kept in written or electronic form) shall be maintained at the premises and shall be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

From: Rob.Gunstone@south-wales.pnn.police.uk
Sent: 23 August 2017 08:41
To: Licensing (Licensing, Regulatory); Richard.Arnot@wardhadaway.com
Subject: FW: COOP and Llantrisant Road, Llandaff [WH-WH.FID2670797]
Attachments: Amended Conditions.DOCX

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

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

Thank you Richard.

I would be in agreement with the attached conditions and withdraw the proposed condition in relation to the personal licence holder etc.

As such there would be no objection to the granting of the variation as discussed.

Kind regards,

Rob.

From: Richard Arnot [mailto:Richard.Arnot@wardhadaway.com]
Sent: 22 August 2017 16:27
To: Gunstone,Robert swp3487 <Rob.Gunstone@south-wales.pnn.police.uk>
Subject: COOP and Llantrisant Road, Llandaff [WH-WH.FID2670797]

Hi Rob,

I have managed to speak to someone who can give me instructions and have attached a revised schedule which I hope assuages your concerns.

If you're content, we'll ask that the application be amended accordingly.

R

Richard Arnot
Partner | Licensing & Regulatory Unit

Direct: +44 (0) 191 204 4342
Mobile: +44 (0) 797 311 7329

AMENDED CONDITIONS

1. CCTV

- 1.1. A CCTV system shall be installed and maintained at the premises.
- 1.2. The CCTV system shall be in operation at all times during which the premises are open to the public and shall give coverage of all areas, except toilets, to which the public have access.
- 1.3. CCTV images shall be kept for a minimum of 31 days and shall be made available to an employee of the Police, a Police Officer or an authorised employee of the Licensing Authority in an easily downloadable format on request.
- 1.4. A member of staff who is able to operate the CCTV system shall be present at the premises at all times that they are open to the public.

2. Incident Log

- 2.1. An incident log, whether kept in written or electronic form, shall be maintained at the premises and shall be made available to an employee of the Police, a Police Officer or an authorised employee of the Licensing Authority for inspection on request.
- 2.2. The incident log shall record any complaints received in connection with the licensable activity at the premises, any faults with the CCTV system, any refusal to sell alcohol at the premises, and any visit to the premises by a Responsible Authority in connection with the licensable activity.

3. Night Hatch

- 3.1. Between the hours of 2300 and 0500 customers shall not be permitted to enter the shop area of the premises and shall be served through the night hatch.

From: Rob.Gunstone@south-wales.pnn.police.uk
Sent: 21 August 2017 11:10
To: Licensing (Licensing, Regulatory)
Cc: jenny.waller@wardhadaway.com
Subject: Variation. Co-op. Llantrisant Road.
Attachments: 20170821115233632.pdf; Headed Paper Co-Op Llantrisant Road..doc

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Please find attached Police representations in respect of the above application to vary an existing premises licence. Should the applicant confirm that they are in agreement with said representations, then the Police objections will be withdrawn.

For your information and consideration.

Rob Gunstone.
Pc 3487

Police Licensing Department
Cardiff Bay Police station.
James Street
Cardiff
CF10 5EW

Tel 029 20 634159

Mob 07584 004356

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.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Police Licensing Department .
Cardiff Bay Police station.
James Street,
Cardiff.
CF10 5EW.

21st August 2017

Co-op.
Llantrisant Road.
Cardiff
CF5 2PW

**APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003.
CO-OP. LLANTRISANT ROAD. CARDIFF. CF5 2PW**

To whom it may concern,

I have caused enquiries to be made into this application. As a result of these enquiries, I now make the following representations. It is my request that these representations should be considered when deciding on the licensable activities and conditions for the licence.

The Police are objecting to the granting of the new premises licence on the basis of the prevention of crime and disorder and that of public nuisance.

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

POLICE REPRESENTATIONS.

The following conditions are therefore requested.

Should the applicant not agree to these conditions then the Police will object to the granting of this variation on the following basis;

The prevention of Crime and disorder

From: Ford, Lisa (Cllr)
Sent: 14 August 2017 15:02
To: Barker, Kirstie; McEvoy, Neil (Cllr); Parry, Keith (Cllr)
Cc: Griffiths, Paul (PPE)
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Co-op, Llantrisant Road, Llandaff, Cardiff

Dear Kirstie,

I write with regard to the application for licensing and object on the grounds of the hours requested due to the close proximity to all of the residents properties. Furthermore there are already problems with anti-social behaviour and the extended hours will cause more problems in the area.

Regards

Cllr Ford

From: Barker, Kirstie
Sent: 26 July 2017 14:50
To: Ford, Lisa (Cllr); McEvoy, Neil (Cllr); Parry, Keith (Cllr)
Cc: Griffiths, Paul (PPE)
Subject: Licensing Act 2003: Application to vary a Premises Licence - Co-op, Llantrisant Road, Llandaff, Cardiff

I am writing to advise you that an application was received on 25th July 2017 to vary the Premises Licence under the Licensing Act 2003 in respect of the above premises. Details of the application are attached.

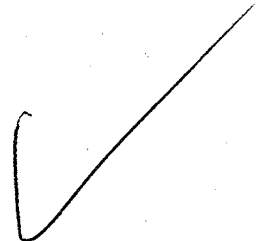
Representations regarding the application must be submitted to this office by 22nd August 2017.

I hope this is of assistance. If you have any queries please do not hesitate to contact me.

Regards



Kirstie Barker | Senior Licensing Officer
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
Email / Epost: kibarker@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/ 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.

Barker, Kirstie

From: Kirstie Barker
Sent: 22 August 2017 11:51
To: Licensing (Licensing, Regulatory)
Subject: Coop Group - Llantrisant Rd, Llandaff - CCCP/01717

Dear Sir,

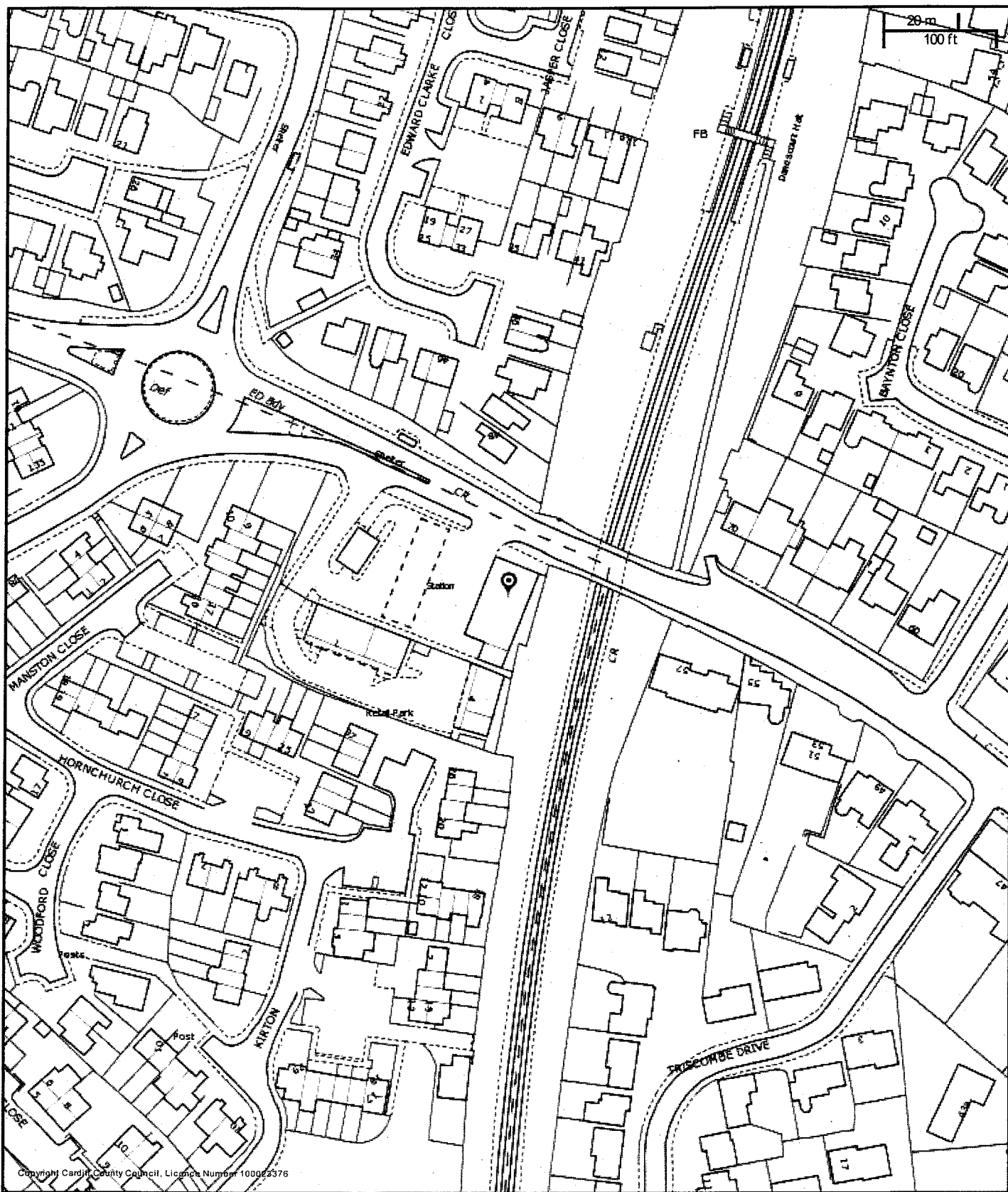
We have just seen the application to vary the premises' licence at the Coop Garage, Llantrisant Rd, Llandaff. We understand they wish to change the hours for sale, for off-premises consumption of alcohol, from Monday-Sunday 07.00-23.00 to Monday-Sunday 00.00-00.00. They also wish to change the hours for late night refreshment from 23.00-00.00 to 23.00-05.00 Monday-Sunday.

As mentioned in our objection to the original licence application, we object to the principle of sales of alcohol from any garage, as it could encourage drivers to consume alcohol whilst driving. We also worry about people needing to buy alcohol at these late hours and whether it could encourage bad behaviour in the area.

We understood that a previous, similar application had been turned down by the council and would be interested to discover any evidence of need, for this change, which has no doubt been investigated by the Coop.

This is mostly a residential area and if such sales were not made to drivers, as mentioned earlier, sales would be made to passing foot trade, plus some attracted from other areas, who could both be the cause of anti-social behaviour in the area close to the premises.

Yours



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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