

LICENSING SUB-COMMITTEE: 23rd November 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Licence No: CCCP00563

Name of Premises: Ty Madeira, 32 St Mary Street, Cardiff, CF10 1AB

Ward: Cathays

1. Application

1.1 An application for variation of a Premises Licence has been received from Madeira 3 Ltd in respect of Ty Madeira, 32 St Mary Street, Cardiff, CF10 1AB.

1.2 The premises licence currently permits the following:

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

Monday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 23:30

Christmas Day: 12:00 to 23:30

Good Friday: 12:00 to 23:30

New Years Eve: until the start of permitted hours on New Years Day

The provision of late night refreshment (indoors):

Monday to Saturday: 23:00 to 00:30

Sunday: 23:00 to 00:00

Christmas Day: 23:00 to 00:00

Good Friday: 23:00 to 00:00

New Years Eve: 23:00 to 05:00

1.3 The applicant has applied to vary the licence as follows:

The sale by retail of alcohol for consumption ON and OFF the premises:

Monday to Sunday: 10:00 to 01:30 hours

New Years Eve: 10:00 until the start of permitted hours on New Years Day

The provision of regulated entertainment in the form of live music, recorded music, performances of dance and anything of similar description (indoors):

Monday to Sunday: 10:00 to 01:30 hours

New Years Eve: 10:00 until the start of permitted hours on New Years Day

The provision of late night refreshment (indoors):

Monday to Sunday: 23:00 to 01:30 hours

New Years Eve: 23:00 to 05:00

The opening hours of the premises enabling to cater for the above:

Monday to Sunday: 10:00 to 02:00 hours

New Years Eve: 10:00 until the start of permitted hours on New Years Day

2. Promotion of Licensing Objectives.

- 2.1 A copy of the operating schedule submitted with the application is attached. Also attached is a copy of the current premises licence conditions.

3. Relevant Representations

- 3.1 A representation has been received from South Wales Police. A copy of the objection is attached. The applicant has agreed to attach the conditions suggested by the Police but the objection to the granting of the variation has not been withdrawn by the Police.
- 3.2 A representation has been received from the Senior Licensing Enforcement Officer but has been withdrawn following the agreement to attach conditions (as above) to the licence if granted. A copy of the objection is attached.
- 3.3 A representation has been received from a local business. A copy of the objection is attached.

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

08 November 2018

ANNEXES: CONDITIONS

Annex 1 Mandatory Conditions**Mandatory conditions where licence authorises supply of alcohol**

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the



ANNEXES: CONDITIONS continued ...

permitted price.

6. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

<http://www.legislation.gov.uk/ukdsi/2014/9780111109120/images/ukdsi_9780111109120_en_001>
where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

7. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

1. A period of 30 minutes is allowed at the end of each period of permitted hours for the consumption of alcohol on the premises by persons taking meals there provided the alcohol was supplied ancillary to a meal, and

2. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

3. It shall be an implied condition to this licence that suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.



Dave Holland
Shared Regulatory Services

26 September, 2018



Continued from previous page...

None

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.

New Years Eve/New Years Day extension from 02:00 until start of permitted hours on 1st January

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

Annex 2, Condition 2

- 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.

Will be handed in to Licensing Office.

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.

70% of public space to have tables and chairs and see below.

b) The prevention of crime and disorder

Introduction of CCTV to an approved standard by South Wales Police.
Use of plastic drinking vessels on major event days in city except for champagne and wines.
Incident log book to record any incident occurring on the premise

c) Public safety

Continued from previous page...

To adhere to guidelines set regarding the use of plastic glasses on event days unless accompanying table meals or are consuming wine or champagne.
All food by waiter/waitress service. No Self Seating customers shown to seats by waiters/waitresses. No use of disposable crockery.

d) The prevention of public nuisance

Ensure sufficient measures are taken to prevent any noise on the premises causing nuisance or disturbance.
Ensure correct dispose of refuse and waste, at the correct time to minimise disturbance to nearby properties.

e) The protection of children from harm

No children permitted after 18:00 hours unless accompanied by an adult.
No adult entertainment.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Premises Licence

ANNEXES: CONDITIONS

Annex 1 Mandatory Conditions**Mandatory conditions where licence authorises supply of alcohol**

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- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

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 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the



Premises Licence

ANNEXES: CONDITIONS continued ...

permitted price.

6. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

<http://www.legislation.gov.uk/ukdsi/2014/9780111109120/images/ukdsi_9780111109120_en_001>
where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

7. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

1. A period of 30 minutes is allowed at the end of each period of permitted hours for the consumption of alcohol on _____ the premises by persons taking meals there provided the alcohol was supplied ancillary to a meal, and
2. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
3. It shall be an implied condition to this licence that suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.



Dave Holland
Shared Regulatory Services

26 September, 2018



Barker, Kirstie

From: [REDACTED]
Sent: 17 October 2018 17:03
To: [REDACTED]
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: TY MADEIRA
Attachments: Ty Madeira.pdf; CI Madeira Signed.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 fgythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

Dear Mr Jose De Gouveia,

Please find attached South Wales Police representations regarding the premises licence variation submitted for Ty Madeira, 32 St Mary Street, Cardiff, CF10 1AB

If you are happy to accept our representations can I ask you confirm this by return email including Cardiff Council Licensing licensing@cardiff.gov.uk

Many thanks, Kind Regards
Claire

Claire-Louise Dewhurst
Swyddog Trwyddeduy Heddlu / Police Licensing Officer
Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police
URS y Dwyrain / Eastern BCU
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station
Stryd James / James Street
Bae Caerdydd / Cardiff Bay
CF10 5EW

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.

[REDACTED]

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.



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

17th October 2018

Mr Jose De Gouveia
Madeira 3 Ltd
Ty Madeira
32, St Mary Street,
Cardiff
CF10 1AB

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

TY MADEIRA, 32, ST MARY STREET, CARDIFF, CF10 1AB

Dear Mr Jose De Gouveia,

I have caused enquiries to be made into this application and make the following representation;

South Wales Police wish to object to the grant of this application under the Licensing Objectives;
Prevention of Crime and Disorder
Prevention of Public Nuisance, as well as the Cardiff City Council Cumulative Impact Policy 2016-2021.

Should the committee be of a mind to grant this application, we ask that amendments are made to permitted hours and conditions are attached to the premises licence as listed below;

POLICE REPRESENTATION

PERMITTED HOURS APPLIED FOR SUPPLY BY RETAIL OF ALCOHOL FOR CONSUMPTION ON AND OFF
PREMISES TO BE AMENDED TO:

Monday – Sunday 10:00 – 01:00

With the additional timings as detailed in the original application.

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.

PERMITTED HOURS FOR THE PROVISION OF REGULATED ENTERTAINMENT IN THE FORM OF FILMS, LIVE MUSIC, RECORDED MUSIC, PERFORMANCES OF DANCE AND ANYTHING OF A SIMILAR DESCRIPTION (ALL INDOORS) TO BE AMENDED TO:

Monday – Sunday 10:00 – 01:00

With the additional timings as detailed in the original application.

PERMITTED HOURS FOR THE PROVISION OF LATE NIGHT REFRESHMENT (INDOORS) TO BE AMENDED TO:

Monday – Sunday 10:00 – 01:00

With the additional timings as detailed in the original application.

PERMITTED HOURS FOR THE PREMISES TO BE OPEN TO THE PUBLIC TO BE AMENDED TO:

Monday – Sunday 10:00-01:30

With the additional timings as detailed in the original application.

CONDITIONS

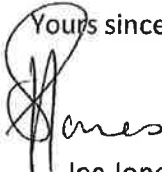
1. The Designated Premises Supervisor (DPS) will be an active member of the Cardiff Licensees Forum. He/she will attend at meetings in person, or by sending a suitable proxy.
2. On days classified as 'major event days' by South Wales Police, all drinks will be dispensed into plastic vessels, with the exception being hot drinks and wine, champagne and or cocktails served with a substantial table meal to seated persons.
3. SIA registered door supervisors will be employed at the premises at the ratio of 1:100 or part thereof, with a minimum of two at any time, from 21:00hrs whenever the premises remains open past 00:00hrs for licensable activities.
4. A register of door supervisors shall be kept at the premises. The register shall show the full name and SIA registration number of each door supervisor, stating the start and end duty times from each door supervisor. The register shall be kept by the DPS for a minimum of 12 months and will be made available to a police employee or representative of a responsible authority on request.
4. Off sales of alcohol will only be in sealed containers.
5. A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits. It will cover the external front of the premises. Any outside area used by customers will also be covered. The images will be kept for a minimum period of 31 days. Images will be produced to a police employee on the provision of satisfactory identification in a readily playable format, immediately upon request when the premises are open to the public and at all other times as soon as reasonably practicable, subject to data protection legislation. There will be sufficient trained staff to facilitate the above. Signs will be prominently displayed, advising customers that CCTV is in operation at the premises.

6. An incident book shall be kept at the premises and maintained on site for a period of twelve months. 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 representative of a relevant authority or a member of the emergency services.
Any failures of the CCTV system.
7. All staff involved in the sale of alcohol will participate in training on an annual basis concerning knowledge of licensing laws to promote responsible retailing. A record of this will be kept for a 12 month period.
8. Children under the age of 18 shall not be permitted into or remain on the premises after 21:00 hours unless accompanied by an adult and seated for a table meal.
9. At least 80% of the public space is occupied by tables and chairs
10. All meals are consumed at tables with non disposable crockery.
11. There is no self-seating; customers are shown to their table by staff.
12. All food is served by waiter/waitress service, with the only exception of buffet-style restaurants.
13. At all times when open to the public, the premise shall operate a radio system which is monitored by the local authority and South Wales Police.

Additional evidence to support the notice of objection will be presented at any subsequent Licensing Committee hearing. This evidence will be expanded on verbally, written, statistical or CCTV evidence.

Should you have any further queries please contact Police Licensing Officer Claire Dewhurst on 02920 633421 or by email claire.dewhurst@south-wales.pnn.police.uk

Yours sincerely

PP  *Ch Supt 3435*
Joe Jones
Chief Inspector

Barker, Kirstie

From: Griffiths, Paul (PPE)
Sent: 26 October 2018 09:37
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Te Madeira - Police representations



Paul Griffiths |
Licensing Section (Cardiff) / Adran Drwyddedu (Caerdydd)
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rënnir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Phone | Ffon: (029) 20871651
Email / Ebst: 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/ 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.

From: [REDACTED]
Sent: 25 October 2018 14:54
To: Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk>
Subject: Te Madeira - Police representations

Hi Paul

Just confirming that my client has accepted all police representations in respect of the above application. I have emailed the police with this information. Perhaps you can let your colleague Rhys have a copy of the police reps. Many Thanks for your help.

Bill Freeman

Sent from [Mail](#) for Windows 10

Barker, Kirstie

From: Morgan, Rhys
Sent: 11 October 2018 14:40
To: Barker, Kirstie
Subject: FW: Licensing Act 2003: Variation Application: Ty Madeira, 32 St Mary Street, City Centre, CF10 1AB
Attachments: Variation Ty Madeira 32 St Mary Street Cardiff CF10 1AB.pdf; 00563 Variation.O18.pdf

Good Afternoon Kirstie,

Concerning the above application for variation of premises license, I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

A Cumulative impact Policy has been adopted for the City Centre area of Cardiff. 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 or variations for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives.

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.

There has been some detail in the application on how the promotion of the licensing objectives will be undertaken, however the premises falls under the category restaurant in the Statement of licensing Policy. For which additional steps within Table 2 of the Policy highlight measures that can be adopted by the applicant in order to achieve the policies objectives. It can be see that the application details some of the additional steps within the operating schedule, however not all additional measures have yet been adopted and as such the application falls under the red category and the CIP still applies, Consequently the Licensing Sub-Committee will need consider this application 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.

Kind regards

Rhys Morgan

Licensing Section / Adran Drwyddedu

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Telephone | Ffôn 02920 871123



Shared Regulatory Services
Gwasanaethau Rheoliadol a Rennir

Language Preference

Barker, Kirstie

From: Morgan, Rhys
Sent: 29 October 2018 10:51
To: [REDACTED] Licensing (Licensing Regulatory) / Trwyddedu
(Rheoleiddio Trwyddedu)
Subject: FW: Te Madeira - Police representations

Hi Bill,

Further to discussions and the subsequent agreement the applicant has made to meet the Police proposed conditions the licensing authority would remove their objection.

Kind regards

Rhys Morgan

Licensing Section / Adran Drwyddedu

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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.

From: [REDACTED]
Sent: 25 October 2018 14:54
To: Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk>
Subject: Te Madeira - Police representations

Hi Paul

Just confirming that my client has accepted all police representations in respect of the above application. I have emailed the police with this information. Perhaps you can let your colleague Rhys have a copy of the police reps.
Many Thanks for your help.
Bill Freeman

Sent from [Mail](#) for Windows 10

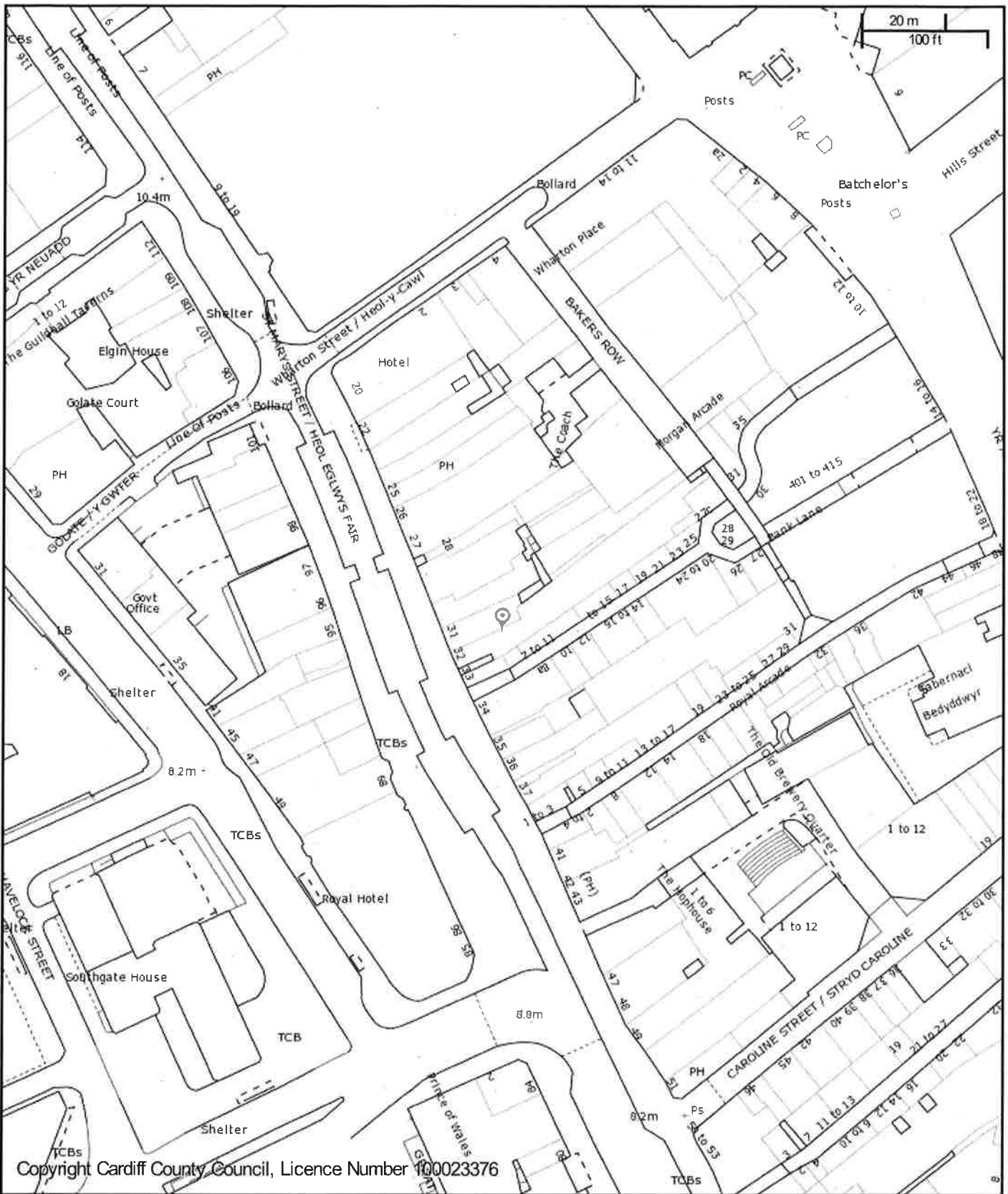
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Hartrey, Claire

From: [REDACTED]
Sent: 25 October 2018 18:23
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: objection to ty madira ,st mary street cardiff

iam writing in to object to this licensing of the application of ty madira 32 st Mary street for the sale of alcohol past 10pm and live music on the grounds that ,i run Charleston's steak house in town for 27 years i have a 6am music and alcohol licence that i do not use at all, i don't even serve drinks without food ,the amount of trouble that comes with this i feel isn't fair as iam open till 4am 6 days a week and don't want more drunks coming up my stairs as they always end up in caroline street as you know ,town isn't what it used to be ,the decent people rarely come into town past evening as the homeless have made sure of that ,i cannot walk to and from work without being shouted at and threatening behavior by them ,there is enough bars and strip clubs to keep people happy i have a really strong objection on this ,no problem being a restaurant with drinks up till 10pm thats great but no more late night places its a very big place ty madira and if they have this licence there will be alot of trouble that we just don't need these people have no experice with the late night trade,i have 27 years of it , please consider this when looking at this appilcation ,king regards [REDACTED]
[REDACTED]



CHIEF EXECUTIVE
Paul Orders

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council




Title

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