

LICENSING SUB-COMMITTEE: 14th December 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 028903

Name of Premises: Traders, 26 High Street, Llandaff, Cardiff, CF5 2DZ

Ward: Riverside

1. Application

1.1 An application for a Premises Licence - Grant, has been received from Trader Jon's Limited in respect of 26 High Street, Llandaff, Cardiff, CF5 2DZ.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail for consumption on and off the premises
- (ii) The provision of regulated entertainment in the form of recorded music (indoors)

(2) The following permitted opening hours:

Monday to Thursday: 08:00 to 23:00
Friday and Saturday: 08:00 to 00:00
Sunday: 10:00 to 16:00

(3) To provide licensable activities during the following hours:

- (i) The sale by retail for consumption on and off the premises:
Monday to Thursday: 12:00 to 23:00
Friday: 12:00 to 00:00
Saturday: 09:00 to 00:00
Sunday: 10:00 to 16:00

- (ii) The provision of regulated entertainment in the form of recorded music (indoors):
Friday and Saturday: 23:00 to 00:00

2. Promotion of Licensing Objectives.

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

3. Relevant Representations

3.1 A representation has been received from South Wales Police, a copy of which is attached. The applicant has agreed to the conditions suggested by the Police and the representation has therefore been withdrawn.

3.2 Representations have been received from other persons. Copies of the objections are 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

27 November 2018

Continued from previous page...

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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.

b) The prevention of crime and disorder

We will have digital CCTV throughout the building as well as outside the main entrance and the fire escape. Any antisocial behaviour or criminal activity will be reported to the police. A security alarm is to be installed.

c) Public safety

Will carry out a risk assessment and have a first aid boxes on site. We will ensure that the venue is never over capacity and that temperature in the venue is adequate. Empty glassware will be collected to ensure non are taken off of the premises. Spillages and borken glass will be cleaned up immediately. Any incidents will be recorded in an accident book.

d) The prevention of public nuisance

Staff will be trained to promote socially responsible drinking and how to deal with customers that might have consumed to much alcohol with a view of spotting the early signs that the customer has consumed to much.

e) The protection of children from harm

Children will need to be accompanied with an adult and we wont allow access for children during the evening during the weekend. Challenge 21 scheme will be used.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Barker, Kirstie

From: [REDACTED]
Sent: 13 November 2018 08:50
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Application for the grant of a Premises Licence -

Morning Kirstie,

The police have made some representations to yourselves about the application.

We have no objections to their requests.

Is there any thing I need to do to make sure this doesn't hold up the application?

Kind regards

Jonathan

On 5 Nov 2018, at 11:03, Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk> wrote:

Thanks Jonathan.

Regards

Kirstie



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.

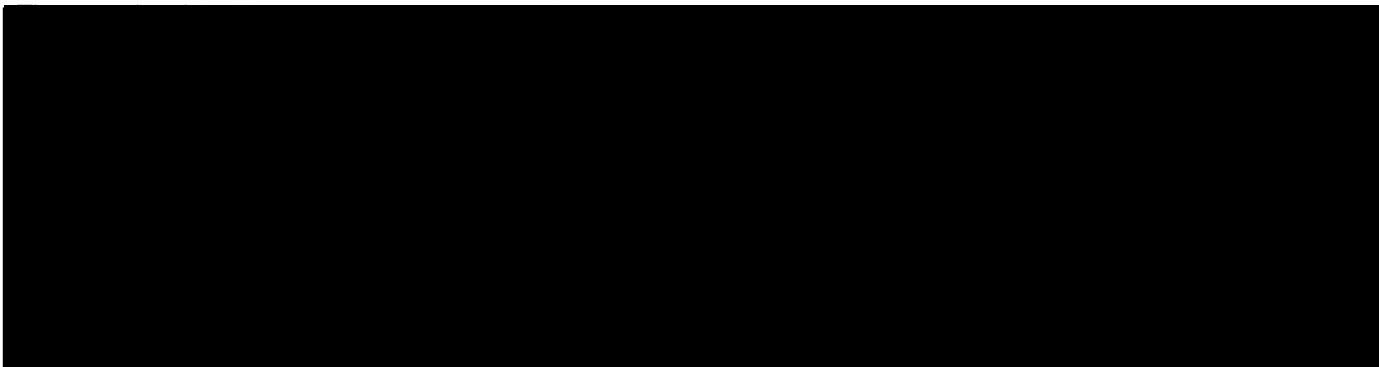
From: [REDACTED]
Sent: 05 November 2018 10:50
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
<licensing@cardiff.gov.uk>
Subject: RE: Application for the grant of a Premises Licence -

Hi Kristie,

The Notice is in the window as we are supposed to display.

I had an issue getting pale blue paper but it was displayed by 2pm once I was able to get hold of some.

The newspaper advert went out on the South Wales Echo on Friday too.



From: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
[mailto:licensing@cardiff.gov.uk]

Sent: 02 November 2018 16:27

To: [REDACTED]

Subject: RE: Application for the grant of a Premises Licence -

Hi Jonathan,

An officer visited the premises to view the public notice on 31st October 2018 but was unable to locate it. Could you please advise?

If the notice has not been displayed in accordance with the Licensing Act 2003 we will have to invalidate the application.

Thanks



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

Jonathan Rees
292 North Road
Cardiff
CF14 3BN

9th November 2018

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

“Traders 26” 26 High Street Llandaff Cardiff CF5 2DZ.

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

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

Should the applicants agree to comply with the representation 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.

Mae Heddlu De Cymru yn croesawu derbyn goheblaeth yn Gymraeg a Saesneg.
Byddwn yn ateb goheblaeth a dderbynir 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.

Prif Gwnstabl **Matt Jukes QPM, MA(Oxon)MSc.** Chief Constable

POLICE REPRESENTATION

1. Proposed times for the Supply of alcohol - both on and off the premise:

Monday to Thursday 1200 to 2230 each day

Friday 1200 to 2330 each day

Saturday 0900 to 2330

Sunday 1000 to 1530

2. CCTV system shall be installed to a standard agreed with South Wales Police. The system shall be maintained and be operational at all times the premises are open to the public. The system shall cover all parts of the licensable areas to which the public have access (excluding toilets) and all exits and entrances used by customers. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee immediately upon request when the premises are open and at all other times as soon as is reasonably practical. There will be sufficient staff training to facilitate the above.

Whilst the Police acknowledge the condition offered by the applicant, the above proposed condition sets out exactly what is required of such a condition to the avoidance of doubt.

3. At least 70% of the public space within the licensable area of the premises will be occupied by tables and chairs.

This condition is requested to prevent the venue being utilised as a vertical drinking establishment.

4. An incident record 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:

- a) All crimes reported to the venue
- b) Any complaints received (of a Criminal or Licensing nature)
- c) Any incidents of disorder
- d) Any refusal of the sale of alcohol
- e) Any visit by a representative of a relevant authority or a member of the emergency services
- f) Any failures of the CCTV system.

The above condition will allow the accurate documenting of incidents likely to arise at the premises.

5. External areas of the premises shall not be used at any time for licensable activities or the consumption of alcohol.

To promote public safety of the general public using the highway.

6. All doors and windows shall be kept closed from 21.00 hours except for those doors when allowing access/egress to the premises.

If the applicant does not agree with the afore-mentioned representations the Police objections will be based on the following:-

The prevention of crime and disorder

The prevention of public nuisance

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

If you wish any further information then please contact Police Licensing Officer 759 Marchant at the Cardiff Bay Police Station ☎ 02920 527207.

Yours faithfully,

pp *G. Jones*

JOE JONES
Chief Inspector.

Barker, Kirstie

From: [REDACTED]
Sent: 05 November 2018 19:50
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Traders Cocktail Bar

Dear Sir , I would like to make an objection to the license application for the above property at 26 High street , Llandaff. We live opposite the premises and strongly object to the request for midnight closing on Fridays and Saturdays. From experience with previous tenants this means that customers will be leaving the premises considerably after midnight and the subsequent noise reverberates around the high street for up to an hour. Also the provision of selling alcohol for consumption off the premises would mean that patrons could drink in the street, something that would be most unsatisfactory. We do not object to the business per se - we know that we live on a working street , but it has to take into account the many many residential properties on the street and the number of children who abide here.

Yours faithfully,

[REDACTED]

Barker, Kirstie

From: [REDACTED]
Sent: 05 November 2018 21:43
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: martin mc hale
Subject: Objection to licensing application

Dear Sir/Madam,

I write in response to the licensing application that has been made for 26 High Street, Llandaff to allow for weekday and weekend late night opening for:

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

Monday to Thursday: 12:00 to 23:00

Friday and Saturday: 12:00 to 00:00

Sunday: 10:00 to 16:00

2. The provision of regulated entertainment in the form of recorded music (indoors):

Friday and Saturday: 23:00 to 00:00.

I am the owner of [REDACTED] High Street, a home that along with four other residential properties, directly faces the cocktail bar in question from a distance of less than ten metres. My wife and I have lived at [REDACTED] High Street with our two young sons for the last 13 years; and we enjoy a busy lifestyle that draws on the benefits of being located in the High Street with its balance between economic and residential purposes.

I object to the licensing application on the following grounds:

- The current balance of the High Street is maintained by the normal closing hours of 11pm, whereby the restaurants and pubs all cease trading - the additional licensing hour for this cocktail bar would unavoidably create a hub for further late night drinking which in our experience will result in anti-social behaviour that would continue well past midnight;
- The suggestion of selling alcohol for off the premises drinking is a significant concern for us and I feel would create stressful circumstances for residents and more work at night for already stretched community policing services in the immediate locality;
- When the premises previously operated with a (more limited than this application's) late license between 2013-2015 we did experience significant anti-social behaviour late at night (unfortunately including people that sat in, urinated and defecated in our front garden);
- Whenever the premises opposite has operated with any kind of late license we have continually had to ask for the doors of the establishment to be closed (as stated within the terms of the extant license) to avoid our children being awoken by music, shouting or both. This has been stressful for us as a family requiring as it does, late night conversations with irritated staff and revellers;
- Whilst in general, we have good relationships with the businesses on the High Street, even under current conditions we have on more than one occasion in recent years had to dial 101 due to disturbing antisocial behaviour outside of our house after midnight - and smashed glasses on the pavement unfortunately remains a very common occurrence.

We appreciate the value of a vibrant High Street, but we really do feel that the additional licensed hour would create an imbalance and therefore an ongoing issue for the residents of the High

Street, every single weekend. I do hope that the committee will give due consideration to ours and other residents' positions, given that we are speaking from actual experience of what is likely to result from any extension to the license.

We are disappointed not to have had any direct communication from the Council on this matter, given that the suggested licensing change is for premises directly opposite our house at a distance of less than ten metres. We know that several residents in Chapel Street have also suffered from these issues and would hope that some effort is being made to consult them, though I presume now that this is not the case.

Despite the straitened times local authorities find themselves in, I do hope that the licensing committee will bear in mind its responsibilities for sensitive place shaping and promoting public health when it sits to make a decision on this matter.

Kind regards,



Barker, Kirstie

From: [REDACTED]
Sent: 06 November 2018 14:43
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: [REDACTED]
Subject: Objection to licensing application Llandaff High street.

Dear Sir/Madam.

I write to add our strongest objections and heartily endorse those objections which you have already received from our neighbours residing at nos. [REDACTED] High Street Llandaff .

We have lived at no. [REDACTED] which also faces the High street, for 20 years , and very much value the Village atmosphere of the community.

Adding a cocktail bar with inevitable late night booming music , and use of tables and chairs on the pavement will detract from the unique flavor of an area which is already more than blessed with drinking establishments. Please be reminded that Llandaff is an oasis away from the city center late night revelers, and we can only rely on you to preserve and maintain that for all who live there.

We look forward to your kind consideration of our objections in the interests of preserving our community's entitlement to quiet enjoyment of Llandaff village.



Yours faithfully

[REDACTED]

Sent from my iPad



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| <p>CHIEF EXECUTIVE Paul Orders</p> <p>Neuadd y Sir, Glanfa'r Iwerydd CAERDYDD CF10 4UW Tel: 029 20872088</p> <p>County Hall, Atlantic Wharf CARDIFF CF10 4UW Tel: 029 20872087</p> | <p align="center">Cyngor Caerdydd</p> <p align="center">Cardiff Council</p>  |  | <p>Title</p> <p>Scale: 1:708</p> <p>Date: 27/11/2018 at 15:39 PM</p> <p>Coordinates</p> <p>© Crown copyright and database rights (2014). This copy is produced specifically to supply County Council information NO further copies may be made.</p> <p>Ordnance Survey 100023376 (2014).</p> |
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