

LICENSING SUB-COMMITTEE: 21st December 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 028551

Name of Premises: The Groaker, 4A/B Heol y Deri, Rhiwbina, Cardiff, CF14 6HF

Ward: Rhiwbina

1. Application

1.1 An application for a Premises Licence - Grant, has been received from Groaker Group Limited in respect of 4A/B Heol y Deri, Rhiwbina, Cardiff, CF14 6HF.

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 late night refreshment (indoors)

(2) The following permitted opening hours:

Monday to Saturday: 08:00 to 23:30

Sunday: 10:00 to 22:00

New Years Eve: 08:00 to start of permitted hours on 1st January

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

(i) The sale by retail for consumption on and off the premises:

Monday to Saturday: 11:00 to 23:30

Sunday: 11:00 to 22:00

New Years Eve: 08:00 to start of permitted hours on 1st January

(ii) The provision of late night refreshment (indoors):

New Years Eve: 23:00 to 02:30

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.

3.2 A representation has been received from a local resident. 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

04 December 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.

WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to:

a/ no selling of alcohol to underage people

b/ no drunk and disorderly behavior on the premises area

c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behavior

e/ no any harm to children

Uphold BII Membership

I am implementing a bespoke online training system that will allow me to ensure all staff are provided with compliance training as part of their initial recruitment, a condition of their employment and ongoing talent management. Training in under age sales prevention, drug awareness, conflict management and award for licensed premises staff will be mandatory, assist in ensuring that all staff have the extensive knowledge of the importance of adherence to the licensing act.

b) The prevention of crime and disorder

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

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

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

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby

Continued from previous page...

residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time.

Nothing belong existing Health & Safety requirements.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Barker, Kirstie

From: John.Crowther@south-wales.pnn.police.uk
Sent: 23 November 2018 11:56
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Justin.Hardwick@south-wales.pnn.police.uk
Subject: The Groaker - Grant Application
Attachments: Amended seating Layout With Highlighted Licensing Area.pdf; Letter from CI signed.pdf; Letter from CI.doc

***** 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. ***

Good morning,

Please find SWP reps attached for the above grant application.
Should the applicant agree to our reps, SWP will withdraw their request for a hearing.
Word copy attached.
Email from applicant, asking for licensable area applied for to be amended to follow...

Kind regards

John



John Crowther

Cwnstabl 946 / Police Constable 946
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

: 02920 527402 | Ext: 34950 | Mobile: 07805301222

/SWPolice @SWPolice @SWPolice /SWPTV

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.



Licensing Department,
Cardiff Bay Police Station,
James Street,
Cardiff,
CF10 3EW

23 November 2018

Mr Bray
1st Floor
9a Heol-y-Deri
Rhiwbina
Cardiff
CF14 6HA

APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003
THE GROAKER, 4a/b HEOL-Y-DERI, RHIWBINA, CARDIFF, CF14 6HB

Dear Sir,

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

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

LICENSABLE AREA TO BE AMENDED IN ACCORDANCE WITH THE REVISED DRAWING (ATTACHED).

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

Monday to Saturday: 11:00 to 23:00

Sunday: 11:00 to 21:30

New Year's Eve: 11:00 to 02:00

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 APPLIED FOR SUPPLY BY RETAIL OF ALCOHOL FOR CONSUMPTION OFF PREMISES
TO BE AMENDED TO:

Monday to Saturday: 11:00 to 23:30
Sunday: 11:00 to 22:00
New Year's Eve: 11:00 to 02:30

CONDITIONS:

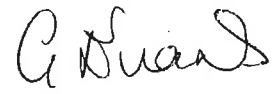
1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police. It will be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits and any outside area used by patrons. The images will be stored for a minimum period of 31 days and will carry date and time markings. The images will be produced to a police employee in a readily playable format upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above. Signs will alert patrons to the use of CCTV at the premises.
2. An incident book shall be kept at the premises. Any incident of crime or disorder witnessed by staff or any incident reported by customers is to be noted in the log. The following information shall be recorded in relation to each incident:
 - a. Date and time of the incident.
 - b. Name of person making the report.
 - c. Names of the parties involved (if known) or description of the parties (in as much detail as possible).
 - d. Nature of the incident.
 - e. Any action taken thereafter.
 - f. Visits from Emergency Service personnel.The book shall have sequentially numbered pages. Staff shall be trained in relation to their responsibility to complete an incident report. Sight of incident reports will be made available to South Wales Police on request.
3. Windows and doors shall be kept closed at all times after 20:00 hrs daily, except for entry and/or exit purposes.
4. There shall be no external audio speakers of any description used at the premises.
5. There shall be no music at the premises after 23:00 hrs daily.
6. There shall be seating provided, adequate to seat a minimum of 48 persons at tables at any time.
7. Alcoholic beverages shall not be removed from the premises unless in sealed containers.

8. There shall be no consumption of alcoholic beverage at the external front of the premises.
9. Alcohol sale or supply between the hours of 08:00–11:00 hrs, for consumption on premises, shall only be made to persons seated and partaking of a table meal.
10. Signage shall be displayed to remind patrons of the need to leave the premise and vicinity in an orderly manner so as not to disturb local residents and/or businesses.
11. All customer-focussed staff shall receive training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. The DPS shall keep records of such training for a period of at least 12 months.
12. Whenever the premises is open for licensable activity later than 00:00 hrs, Security Industries Agency (SIA) Door Supervision shall be provided. There shall be a minimum of one Door Supervisor provided at such times from 21:00hrs until close.
13. A register of Door Supervisors shall be kept at the premises. The register shall show the full name, address, company and SIA registration number of each Door Supervisor with signed acknowledgement of 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.

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

Should the applicant agree to these representations, South Wales Police will withdraw their request for a hearing.

If you require any further information please contact PC946 John Crowther at Cardiff Bay police station, Licensing Department on 101(South Wales) ext. 34-950.

PP 

Yours sincerely,
J Jones
Chief Inspector

Griffiths, Paul (PPE)

From: [REDACTED]
Sent: 09 November 2018 16:15
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: The Groaker 4A/B Heol-Y-Deri CARDIFF Cf14 6HT

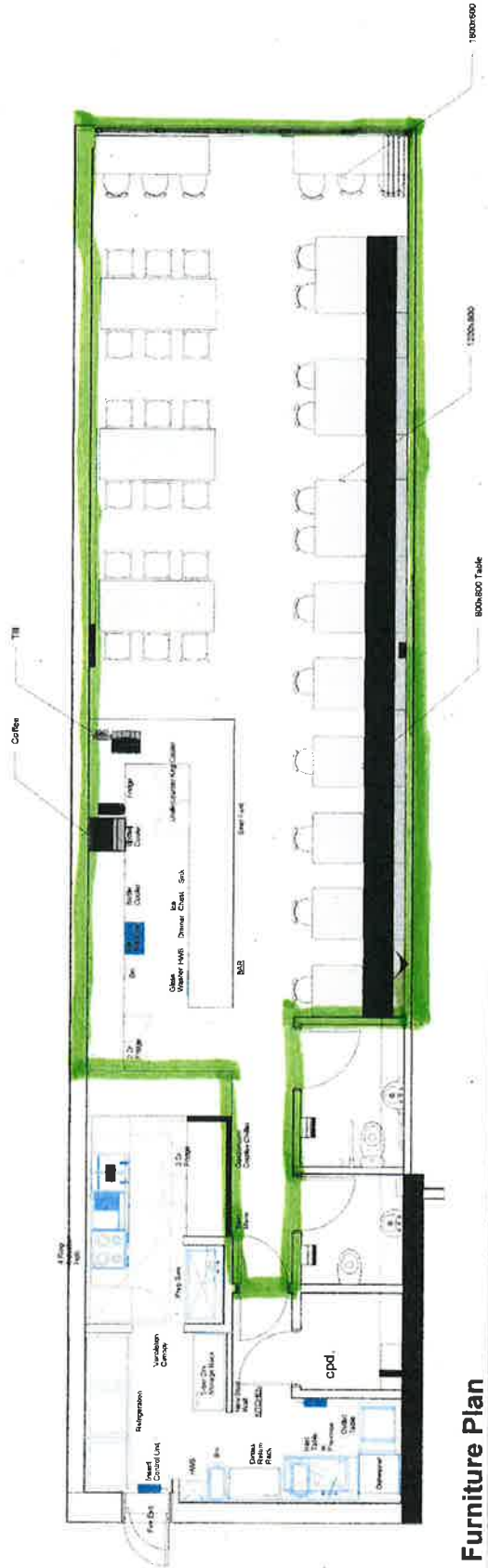
Dear Sir,

We wish to oppose the application for the sale of alcohol up to 2330 at this premises, which is only opening as a business for this purpose. We do not need late night drinking dens in an area that is deficient in shops selling basic necessities. In addition the noise and disturbance to residents in Rhiwbina village will be unacceptable.

Yours faithfully,

[REDACTED]

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1 Furniture Plan
1 : 50

	Chris Bly Name, Furniture A2	A
	1 : 50 2018/09/27 STATUS: FOR APPROVAL CH	Tapas Bar Furniture layout

Barker, Kirstie

From: John.Crowther@south-wales.pnn.police.uk
Sent: 23 November 2018 11:57
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Groaker floor plan - Licensable Area

FYI

Regards

John

From: [REDACTED]
Sent: 21 November 2018 15:31
To: Crowther,John swp946 <John.Crowther@south-wales.pnn.police.uk>
Cc: Hardwick,Justin swp2027 <Justin.Hardwick@south-wales.pnn.police.uk>
Subject: Re: Groaker floor plan - Licensable Area

Hi John,

Further to my call to confirm you have received the plan I can confirm that the attached drawing is in essence what I am asking to be licenced.

Kind regards
Chri

Kind Regards
Chris

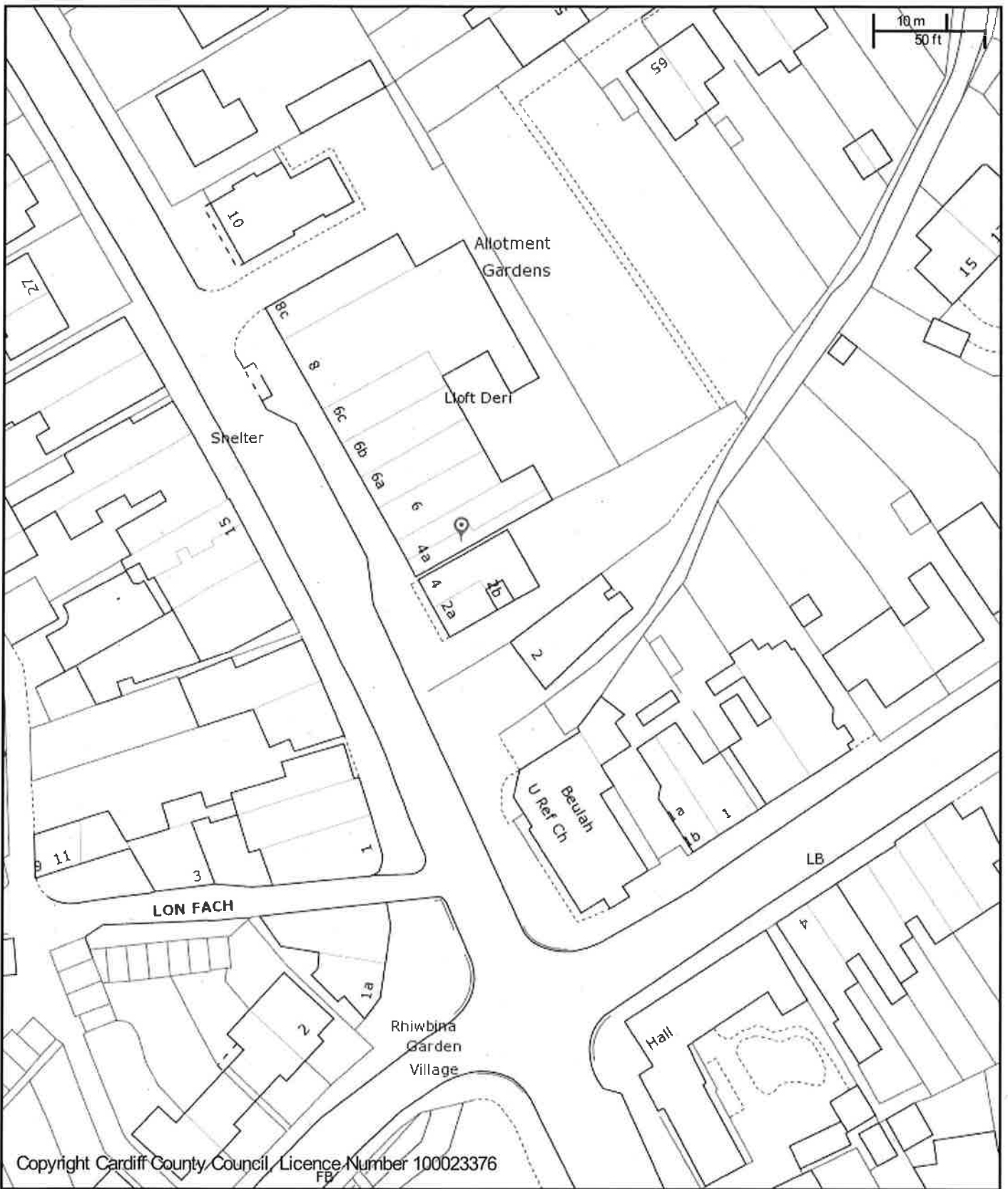
From: [REDACTED]
Sent: 21 November 2018 14:39
To: John.Crowther@south-wales.pnn.police.uk
Cc: Justin.Hardwick@south-wales.pnn.police.uk
Subject: Re: Groaker floor plan - Licensable Area

Hi John,



Sorry for the delay but being honest I could not find my email to you - I must have closed my laptop and not saved and sent it. I have since redone the diagram this morning and have attached it as promised.

I have reviewed the seating figures with the team and can we set the number of seats to 48 please?

Kind Regards
Chris



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<p>CHIEF EXECUTIVE Paul Orders</p> <p>Neuadd y Sir, Glanfa'r Iwerydd CARDIFF 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 Date: 4/12/2018 at 10:37 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).</p>
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