

LICENSING SUB-COMMITTEE: 18 December 2015

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: CCCP/01905

Name of Premises: BANC

Ward: Cathays

1. Application

1.1 An application for a Premises Licence - Grant, has been received from Voltaire (Cardiff) Limited in respect of BANC, 117 St Mary Street, Cardiff, CF10 1DY .

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

1. The sale by retail of alcohol for consumption on and off the premises.
2. The provision of regulated entertainment in the form of recorded music.
3. The provision of late night refreshment.

(2) Description of Premises (as stated by applicant):

“Restaurant with ancillary bar”

(3) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non standard timings:

Sunday to Thursday: 10:00 to 00:30

Friday and Saturday: 10:00 to 01:30

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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

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

Sunday to Thursday: 10:00 to 00:00

Friday and Saturday: 10:00 to 01:00

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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

Sunday to Thursday: 10:00 to 00:00

Friday and Saturday: 10:00 to 01:00

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

3. The provision of late night refreshment (indoors):

Sunday to Thursday: 23:00 to 00:30

Friday and Saturday: 23:00 to 01:30

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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 & Supporting Services

07 December 2015

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 9)

The Premises Licence will have no effect until the premises are constructed/alterd only in accordance with the appropriate provisions of the local licensing authority and this condition has been removed from the premises licence.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.

The premises will operate predominantly as a restaurant and the licence will remain in force as long as the primary use of the premises is that of a restaurant.

No less than 80% of the internal public trading area will be given over to tables and chairs.

The full menu will be available throughout the trading day (subject to a permitted wind-down period before the terminal hour of service).

b) The prevention of crime and disorder

On days classified as 'major event days' by the South Wales Police, all drinks will be dispensed into plastic vessels, with the exception being hot drinks and those drinks served with a substantial table meal to seated persons, wine, champagne and/or cocktails. The premises need only comply with this requirement should the Police, after consultation with the operator, deem that there is a real risk to public safety during a specific major event and notified accordingly.

The premises will operate a South Wales Police approved radio system.

To be a member of Pubwatch or related scheme.

CCTV shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times that the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets), including entrances and exits and any outside areas used by customers. Images shall be kept for a minimum of 31 days. The images shall be produced to an authorised police employee in a readily format upon reasonable request. There will be sufficient staff training to facilitate this request.

SIA registered door staff shall be employed at a ratio of 1:100 on 21:00 until close on a Friday and Saturday whenever regulated entertainment is taking place and on all days classified as 'major event days' by South Wales Police. At all other times, SIA registered door staff shall be employed on a risk assessed basis.

When employed, a register of those door staff shall employed shall be maintained at the premises and shall include:

- a) number of door staff on duty
- b) the identity of each member of door staff
- c) the times the door staff are on duty

Open containers shall not be removed from the premises, save for consumption in any delineated external area.

Any external furniture will be moved inside or alternatively secured by 23:00 daily.

A refusals book will be maintained at the premises, and made available to an officer of a responsible authority on request.

A dispersal and smoking policy document is to be drawn up in consultation with Police and Council officers. Once agreed it is to be implemented in full. To include, but not *limited to*; (the monitoring of customers by (door) staff, the pre booking of mini cabs/taxis, orderly dispersal of patrons). This policy shall be reviewed on an annual basis to ensure it is still effective and shall be updated if necessary.

c) Public safety

Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.

d) The prevention of public nuisance

Noise from amplified music, voices, nor vibration be transmitted through to the structure of the nearest residential dwelling as to cause a noise nuisance to occupants.

The emptying of bins into skips and refuse collections shall not take place between 11pm and 7am.

Late Night Refreshment is restricted to on the premises only.

A designated, de-lineated and bordered smoking area will be allocated outside the premises. Suitable receptacles will be provided within this area for cigarette litter. The Premises Licence Holder or nominated person shall ensure that the smoking area is regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed.

e) The protection of children from harm

A 'Challenge 21' scheme shall be implemented in full and identification sought from any persons who appear to be under 21. Acceptable forms of identification shall be photographic driving licences, passports, HM forces cards or a form of identification with the "PASS" hologram.

Staff to be trained in the laws relating to underage sales, particularly around 'Challenge 21' and its operation. All training to be documented and repeated at 6 monthly intervals.

Children under the age of 18 shall not be permitted into or remain on the premises after 21:00 unless accompanied by an adult and seated for a table meal.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee (submitted and paid online)
- 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.(submitted online)
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.

1905.



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

25th November 2015

Banc
117 St. Mary Street,
Cardiff.
CF10 1DY

**APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003.
BANC. 117 ST MARY STREET, CARDIFF. CF10 1DY**

The Police make an objection to this application based upon the licensing objections of ;
The Prevention of Crime and Disorder,
Public Safety,
Prevention of Public Nuisance.

The premises are situated within the St Mary Street cumulative impact zone. This area experiences a disproportionate amount of alcohol related crime, disorder and nuisance. The correlation between the increased availability of alcohol and an increase in Crime Disorder and Nuisance is well known. The applicant has submitted a comprehensive application which has been the subject of site visits and discussion with Cardiff Police Licensing Officers. Should the committee be minded to grant this application then the Police seek the following conditions be placed on the Premises Licence Conditions.

I have caused enquiries to be made into this application. As a result of these enquiries, I now make the following representations. I therefore request that the Licensing Committee hear these representations when determining the granting of this application.

RESTRICTED

1/ "No less than 80% of the internal public trading area will be given over to tables and chairs laid out for the purpose of taking meals "

Prevention of Crime and Disorder

The following wording is requested;

2/ "On major event days all drinks will be served in non-glass vessels. The only exception will be to seated customers partaking of a substantial table meal"

3/ " Open containers shall not be removed from the premises save for those persons seated at tables partaking of a substantial table meal. Alcohol will be served to those persons by way of waitress/waiter service "

Should you have any queries regarding the above representations, please contact Pc 3487 Rob Gunstone, Police Licensing Department, Cardiff Bay Police Station on Telephone 029 20527402.

Yours faithfully,



D Howe

Chief Inspector.

26/11/2015

COPY TO:
Clair HARTREY
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND

RESTRICTED

My Ref / Cyf RL/LSS/CCCP/01905
Your ref: CCCP/01905
Direct Line / Lein Uniongyrchol 029 20 871744
Date / Dyddiad: 18 November 2015
Email: rlike@cardiff.gov.uk



County Hall
Cardiff,
CF10 4UW
Tel: (029) 2087 2087

Neuadd y Sir
Caerdydd,
CF10 4UW
Ffôn: (029) 2087 2088

C/O Paul Uren
TLT Solicitors Cardiff
One Redcliff Street
Bristol
BS1 6TP

COPY

Dear Sir,

**Re: Application for Premises Licence: Grant
BANC CCCP/ 01905
117 St Mary Street, Cardiff, CF10 1DY**

I write in respect of the above application submitted to the authority on 29th October 2015 and hereby give notification that the Licensing Authority of Cardiff Council object to the application for a Premises Licence grant.

A Cumulative Impact Policy has been adopted for the St Mary Street 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 premises detailed above falls within the boundary of the Cumulative Impact Zone and therefore an objection is submitted and the Licensing Sub-Committee will consider the application. 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 grant 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,

Ruth Like
Senior Licensing Enforcement Officer

PLEASE REPLY TO: Licensing, Cardiff Council, City Hall, Cathays Park, Cardiff, CF10 3ND
Tel (029) 2087 1651 Fax (029) 20871816
e-mail licensing@cardiff.gov.uk
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CHIEF EXECUTIVE
 Paul Orders
 County Hall
 Atlantic Wharf
 Cardiff CF10 4JW
 Tel: 029 20872000

City of Cardiff Council
Cyngor Dinas Caerdydd



Title

Scale: 1:1417

Date: 7/12/2015

Coordinates:

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