

LICENSING SUB-COMMITTEE: 21 August 2015

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: CCCP/00989

Name of Premises: Pitch Bar & Eatery (formerly Flavour Eurasia) Ward: Cathays

1. Application

1.1 An application for a Premises Licence - Variation, has been received from B Browne & Co Ltd in respect of Pitch Bar & Eatery, 3 Mill Lane, Cardiff, CF10 1FL.

1.2 The current conditions attached to the Premises Licence:

(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 late night refreshment.

(2) 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:

Not specified

(3) The premises are permitted to provide licensable activities during the following hours:

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

Monday to Saturday: 10:00 to 23:00

Sunday: 12:00 to 22:30

Good Friday: 12:00 to 22:30

Christmas Day: 12:00 to 15:00 & 19:00 to 22:30

2. Alcohol may be sold for one hour following the hours set out above and on Christmas Day, between 15:00 & 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons

and for consumption by such persons in that part of the premises as an ancillary to his/her meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

On New Year's Eve between the end of the permitted hours in the premises on New Year's Eve and the beginning of the permitted hours in the premises on the following day.

A period of 30 minutes is allowed at the end of each period for the consumption of alcohol on the premises.

3. The provision of late night refreshment:

Monday to Saturday: 23:00 to 03:00

1.4 The following application for variation is now made.

To extend the hours permitted for the sale of alcohol as follows:

Monday to Sunday: 10:00 to 01:00

To extend the hours permitted for the provision of late night refreshment as follows:

Monday to Sunday: 23:00 to 01:30

To extend the opening hours as follows:

Monday to Sunday: 23:00 to 01:30

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 Services

05 August 2015

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.

N/A

- 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 17

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.

Manage and run a safe restaurant where people can enjoy food and drink until late into the night, using my fifteen years hospitality experience and management team, work & communicate with local Police and functions to ensure everyone have a safe and responsible experience in my venue and Cardiff as a whole.
at least 75% of the licensable area will be laid out with tables and chairs for the purpose of eating and drinking, food will be available at all times alcohol is offered for sale.

b) The prevention of crime and disorder

Use of CCTV monitoring, vigilance by myself and license holders running shifts, not running immoral drinks deals or offers, use of plastic containers or major event days
a cctv system will be installed to a standard agreed with South Wales Police. The system will cover all licensable areas to which the public have access, (excluding toilets) all entrances and exits and any outside areas used by customers. Images will be stored for at least 31 days and will be produced to an authorised member of south Wales Police upon demand when the premises are open to the public and within a reasonable period at all other times. There will be sufficient staff training to facilitate the above"

c) Public safety

On major event days all drinks will be dispensed in plastic vessels with the exception of hot drinks.
There may be up to 12 extensions of hours for licensable activities (with the exception of TENS) each year.
The management will submit a written operating schedule to South Wales Police at least seven days prior to such an extension. The Police will have an absolute veto over such extensions.

d) The prevention of public nuisance

A challenge 21 policy will be operated at all times in relation to the sale of alcohol.

e) The protection of children from harm

Continued from previous page...

As a restaurant we serve families, but the above statements will ensure the whole family will have a safe, enjoyable experience
A challenge 21 policy will be operated at all times in relation to the sale of alcohol.

Section 17 of 17

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

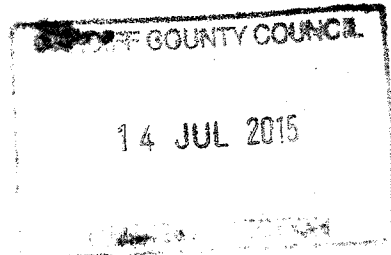


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Licensing Department,
Cardiff Bay Police Station,
James Street,
Cardiff
CF10 5EW

7th July 2015

Ben BROWN
"Pitch" 3 Mill Lane,
Cardiff
CF10 1FL



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

"PITCH BAR and EATERY" 3 MILL LANE, CARDIFF CF10 1FL.

I, Chief Inspector HOWE of the South Wales Police for the district of Cardiff, hereby give notice that an objection shall be made to the application for the variation of the premises licence for "PITCH" 3 MILL LANE, CARDIFF.

This objection is made under the Licensing Objectives of;

The prevention of Crime and disorder

(The premises are situated in a cumulative impact zone. There is a disproportionate amount of alcohol related crime and disorder late at night).

Should you have any queries regarding the above objection, please contact Licensing Officer Tony BOWLEY at the Licensing Department, Cardiff Bay Police Station. Telephone 02920 633421.

Yours faithfully,

D. HOWE
CHIEF INSPECTOR.

NP

14/7/2015

SOUTH WALES POLICE EASTERN BCU
Cardiff Bay Police Station, James Street, Cardiff Bay CF10 5EW
Telephone: 029 2022 2111 Facsimile: 029 2052 7280

HEDDLU DE CYMRU URhS Y DWYRAIN
Gorsaf Heddlu Bae Caerdydd, Stryd James, Bae Caerdydd CF10 5EW
Teliffon: 029 2022 2111 Facsimili: 029 2052 7280

My Ref / Cyf LSS/CCCP/00989
Your ref:
Direct Line / Lein Uniongyrchol 029 20 871651
Date / Dyddiad: 03 July 2015

C/O Benjamin Browne
Pitch Bar and Eatery
3 Mill Lane
Cardiff
CF10 1FL

copy

Dear Sir,

**Re: Application for Premises Licence: Variation
Pitch Bar and Eatery
3 Mill Lane**

I write in respect of the above application submitted to the authority on 30th June 2015 and hereby give notification that the Licensing Authority of Cardiff Council object to the application for a Premises Licence variation.

A Cumulative Impact Policy has been adopted for the Mill Lane 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 variation were to be granted.

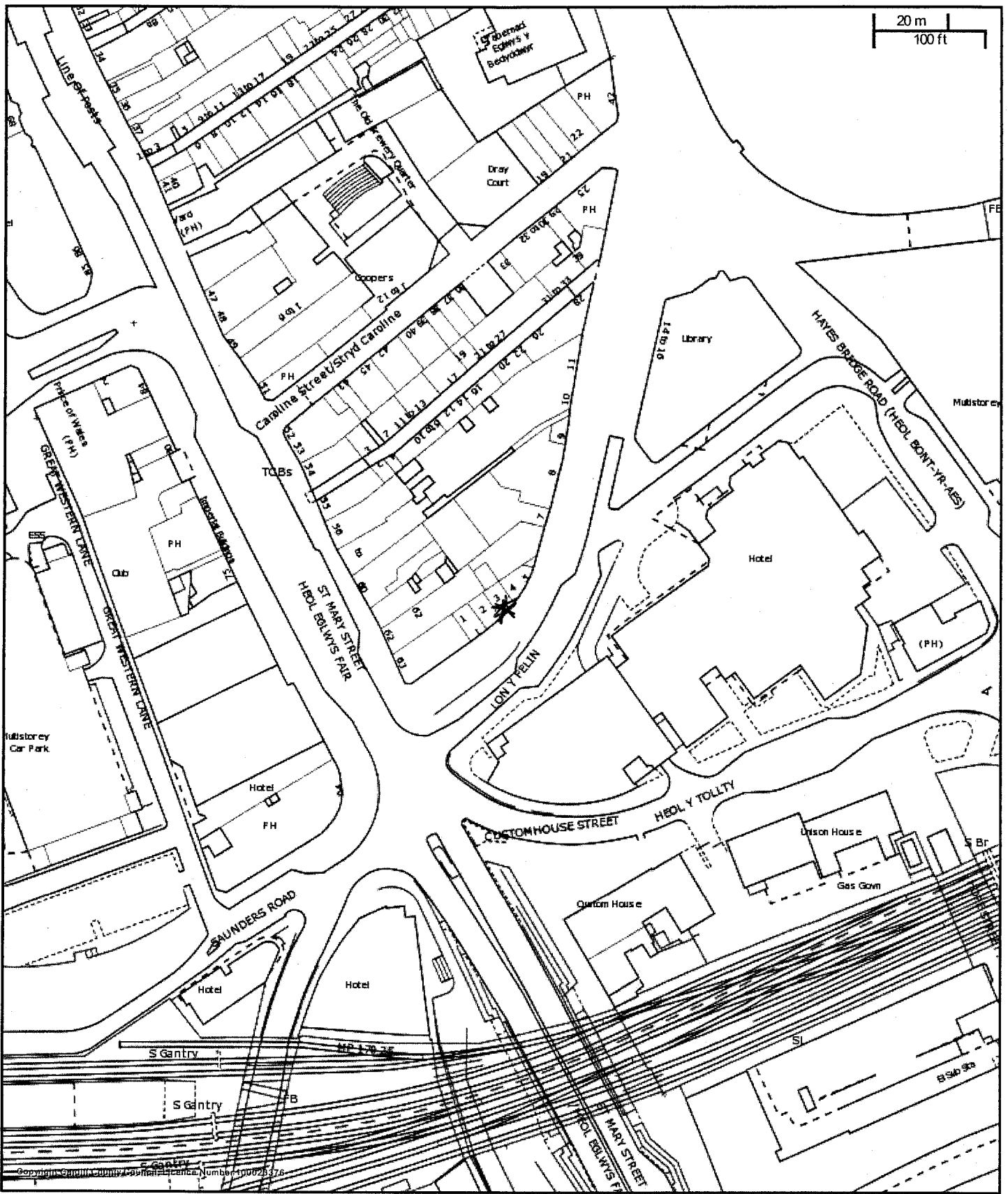
You will receive notification of the date of the Licensing Sub-Committee hearing once the consultation period has ended.

Yours faithfully,




Paul Walters
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
G:\Member of Staff Folders\Paul Walters\Pitch bar and eatery (Saturation zone)..doc



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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