



**CARDIFF COUNCIL**

**LICENSING SUB-COMMITTEE**

**28 August 2015**

**REPORTS**

## *Licensing Sub-Committee - 28/08/2015*

The Sub-Committee is requested to consider and determine the following applications.

<i>Co.</i>	<i>No.</i>	<i>Premises</i>	<i>Address</i>
1087	01883	The Grazing Shed	31 St Mary Street, Cardiff
1088	01886	We Love Italy	1-3 Royal Arcade, Cardiff

**LICENSING SUB-COMMITTEE: 28 August 2015**

**Report of the Head of Regulatory Services**

**Application for Premises Licence - Grant**

**Application No: CCCP/01883**

**Name of Premises: The Grazing Shed**

**Ward: Cathays**

**1. Application**

1.1 An application for a Premises Licence - Grant, has been received from The Grazing Shed Limited in respect of The Grazing Shed, 37 St Mary Street, Cardiff, CF10 1AD.

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) Description of Premises (as stated by applicant):

“The premises will be a gourmet burger restaurant. It is situated on St Mary Street. We will have a fridge behind the till selling locally brewed ale and cider for restaurant consumption only with a meal.”

(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:

Monday to Sunday: 07:00 to 23:00

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

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

Monday to Sunday: 10:00 to 22:30

**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 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**

**12 August 2015**

*Continued from previous page...*

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 18 of 19

### 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.

We will work closely with the surrounding business' to prevent any crime and disorder. Fire escape routes and fire prevention will be implemented. At all times, one member of Staff on site will have Health & Safety training. We will not serve alcohol to anyone under the age of 18 even if they are 16 and eating a meal with an adult. If anyone attempts to purchase alcohol that we believe are under age will be refused and a written log will be taken of the attempt. The premises licence shall only remain in force as long as the principle use is that of a restaurant.

b) The prevention of crime and disorder

A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets). Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee or authorised Officer of Cardiff Council Licensing in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practical. There will be sufficient staff training to facilitate the above. Alcohol will only be sold ancillary to the purchase of food.

c) Public safety

We will work closely with the Building Regulation Officer to ensure all aspects of public safety is taken into consideration. This includes and is not exclusive to ad equate fire escape routes, emergency lighting, fire extinguishers, fireproof ceilings and walls, disabled access. The business is restaurant serving all age groups during the day. On major event days all drinks will be sold in none glass vessels.

d) The prevention of public nuisance

There is residential property around the premises therefore clear prominent, clear and legible signage will be placed at all exits requesting that patrons leave the premises and surrounding area quietly. We will also ensure that any noise is kept to an acceptable level and local business' and residents are not unreasonably disturbed. The use of any outside area will be by seated customers only. The outside area will be designated by ropes or planters.

e) The protection of children from harm

We will advise all members of staff to be on guard for any children at risk. We will not serve alcohol to anyone under the age

*Continued from previous page...*

of 18 even if they are 16 or over, and eating a meal with an adult. Anyone attempts to purchase alcohol that we believe to be under 18 will be refused and a written log will be taken of the attempt. The same applies if an adult attempts to buy a drink for a young person over 16 (and under 18)

## Section 19 of 19

### 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.

Premises Licence 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](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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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 (£)

315.00

### 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

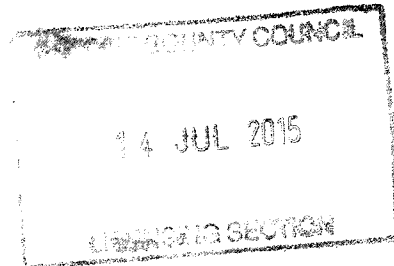
1883



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

19<sup>th</sup> May 2015

Daniel MAGEE,  
1 Barrack Lane,  
Cardiff  
CF10 2FR



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

**"THE GRAZING SHED" 37 St Mary Street, Cardiff CF10 1AD.**

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 grant of the premises licence for "THE GRAZING SHED" 37 St Mary Street, 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 level of alcohol related crime, disorder in the area.).

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,

*N*  
D. HOWE  
CHIEF INSPECTOR.

14/7/2015

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

**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 Ffacsimili: 029 2052 7280

My Ref / Cyf LSS/CCCP/01883  
Your ref:  
Direct Line / Lein Uniongyrchol 029 20 871651  
Date / Dyddiad: 10<sup>th</sup> July 2015



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

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

The Grazing Shed Limited  
c/o Daniel Magee  
1 Barrack Lane  
Cardiff  
CF10 2FR

Dear Sirs,

**Re: Application for Premises Licence - Grant**  
**Premises: The Grazing Shed, 37 St Mary Street,**  
**Cardiff, CF10 1AD**

I write in respect of the above application submitted to the authority on 9<sup>th</sup> July 2015 and hereby give notification that the Licensing Authority of the City of Cardiff Council object to the application for a Premises Licence.

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 policy creates a presumption that new applications for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives.

Information relating to the Policy can be found at:

<https://www.cardiff.gov.uk/ENG/Business/Licences-and-permits/Entertainment-and-alcohol-licences/Documents/Statement%20of%20Licensing%20Act%20Policy.pdf>

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 were to be granted.

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

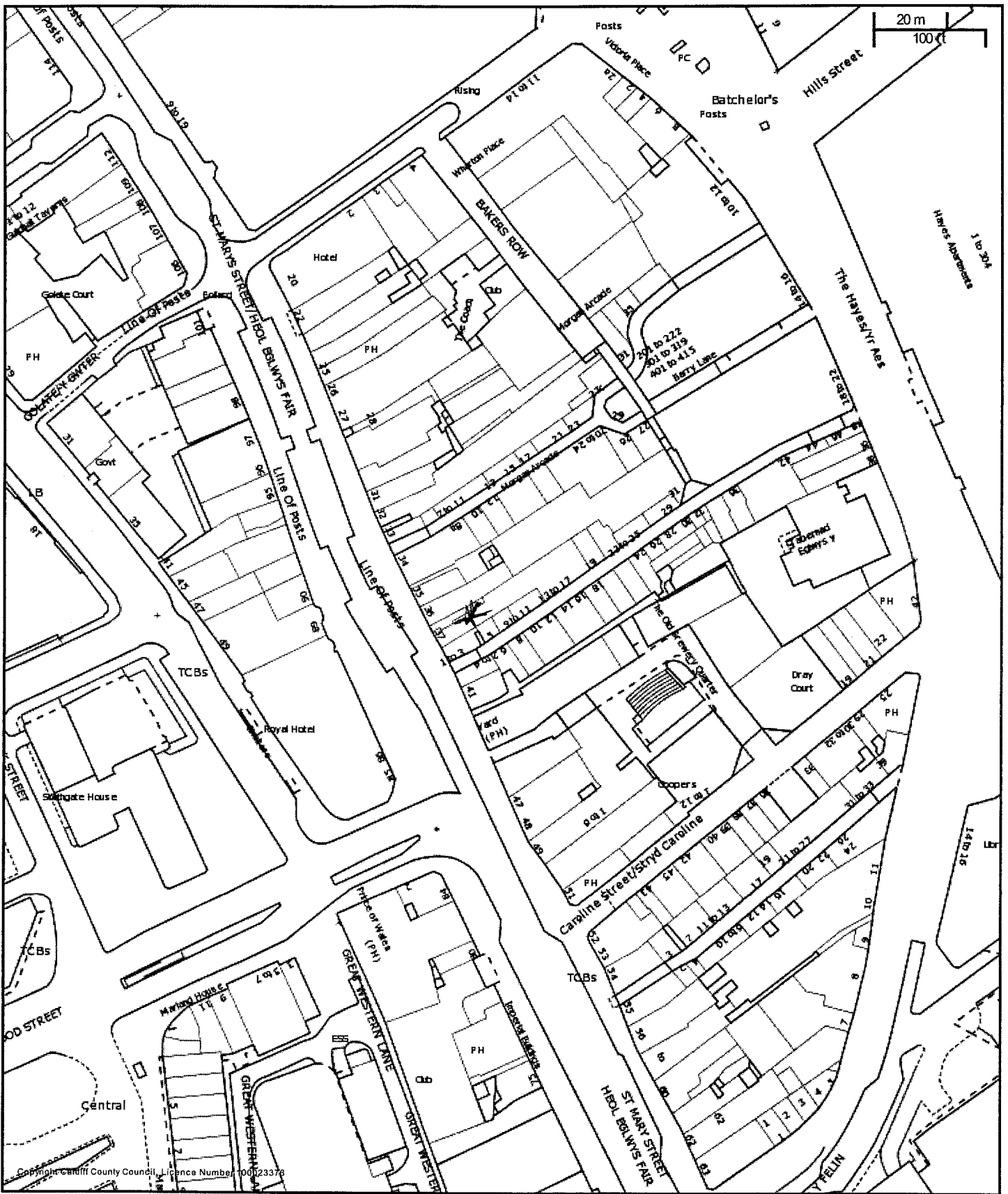
Yours faithfully,

**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  
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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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