

LICENSING SUB-COMMITTEE: 04 September 2015

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: CCCP/01884

Name of Premises: Grillstock

Ward: Cathays

1. Application

1.1 An application for a Premises Licence - Grant, has been received from Grillstock Ltd in respect of Grillstock, 47-48 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. 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):

“The premises, if granted a licence, would become a restaurant bar providing mainly bar-b-que food for consumption both on and off the premises along with sale of alcohol primarily for consumption on the premises but with some limited off sales. The premises also plays recorded music and serves hot food and drink after 23:00 on Thursday to Saturday. The premises will extend over part first floor (staff facilities) ground floor and basement (toilets and back of house)”

(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 Wednesday: 11:00 to 23:00

Thursday to Saturday: 11:00 to 00:00

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 Wednesday: 11:00 to 22:45

Thursday to Saturday: 11:00 to 23:45

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 Wednesday: 11:00 to 23:00

Thursday to Saturday: 11:00 to 00:00

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):

Thursday to Saturday: 23:00 to 00:00

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

20 August 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)

Substantial meals will be available throughout the trading day.
Waiter / waitress service will be available throughout.
Alcohol for consumption on the premises will only be served to those seated. As such the granting of this licence will not have any adverse impact on the licensing objectives and will not contribute to the issues that warranted the adoption of the cumulative impact policy in the area. The introduction of food led premises with operating hours limited to those in this application is likely to have a positive rather than negative effect on the crime and disorder and nuisance issues. The premises appeals to a wide range of customers including families and will attract persons to the area who will be likely to have a calming and positive influence on those already in the area who are contributing to the issues that prompted the adoption of the cumulative impact policy.

b) The prevention of crime and disorder

CCTV will be installed and maintained in consultation with the police.
Images will be retained for 28 days and made available to the police or local authority on request
Images will be of evidential quality
The time and date will be generated onto the images

c) Public safety

The maximum number of persons permitted on the premises at any one time will be determined by a documented fire risk assessment
Toughened glass will be used at all times

d) The prevention of public nuisance

Signage will be displayed at the exit requesting persons leave the area quietly
Persons will not be allowed to leave the premises with open containers of alcohol

e) The protection of children from harm

Barker, Kirstie

From: Jeremy Woodcraft [jeremy.woodcraft@cookco.co.uk]
Sent: 28 July 2015 10:02
To: Timothy.Davies@south-wales.pnn.police.uk
Cc: Licensing (Licensing, Regulatory)
Subject: RE: Premises Licence Application- Grillstock, 47-48 St Marys Street, Cardiff [NOT PROTECTIVELY MARKED]

Tim

Thank you for your time last Wednesday

I confirm that should the committee be minded to grant the application my client would be willing to adopt the conditions suggested in your representation.

Kind regards

Jeremy Woodcraft
for Cook & Co Solicitors

T: +44 (0) 1173179719

M: +44 (0) 7500717170

F: +44 (0) 1173179720

A: Bush House, 77-81 Alma Road, Clifton, Bristol, BS8 2DP jeremy.woodcraft@cookco.co.uk
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-----Original Message-----

From: Timothy.Davies@south-wales.pnn.police.uk [mailto:Timothy.Davies@south-wales.pnn.police.uk]
Sent: 26 July 2015 09:45
To: Jeremy Woodcraft <jeremy.woodcraft@cookco.co.uk>
Cc: licensing@cardiff.gov.uk
Subject: Premises Licence Application- Grillstock, 47-48 St Marys Street, Cardiff [NOT PROTECTIVELY MARKED]

NOT PROTECTIVELY MARKED

Jeremy

Please find attached representations by South Wales Police in relation to this premises licence application.

As I mentioned during our meeting, the location is in the Saturation Zone for St Marys Street, so will automatically generate an objection from the police. I have however listed representations in relation to conditions we would be requesting should the licence be granted.

Perhaps you could discuss the conditions with Ben and come back to me.

Many thanks

Tim

Tim Davies

Police Constable 3466 / Cwnstabl 3466

Police Licensing / Trwyddedu Heddlu

Cardiff Bay Police Station/ Gorsaf Heddlu Bae Caerdydd,

James Street/ Stryd James,

Cardiff/ Caerdydd.

CF10 5EW.

Internal Phone / Ffôn mewnol 34207

External Phone / Ffôn Allanol 02920527307

Mobile / Ffon Symudol 07976277161

Email / E-bost tim.davies@south-wales.pnn.police.uk

Please visit our website/ Ewch i'n gwefan www.south-wales.police.uk

NOT PROTECTIVELY MARKED

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.

Unauthorised use or disclosure of this email may be unlawful.

View our confidentiality statement at <http://www.south-wales.police.uk/e-mail-confidentiality-statement/>

Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon.

Gallwch weld ein datganiad cyfrinachedd yn: <http://www.south-wales.police.uk/datganiad-cyfrinachedd-e-bost/?lang=cy>

1884



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

22nd July 2015

Mr Jeremy Woodcraft
77.79 & 81 Alma Road
Clifton
Bristol
BS8 2DP

Dear Mr Woodcraft,

Application for a premises licence to be granted under the Licensing Act 2003.

Grillstock – 47-48 St Marys Street, Cardiff. CF10 1AD

I, Chief Inspector Dan Howe, of the South Wales Police, hereby give notice that an objection shall be made to the application for a new premises licence for Grillstock, 47-48 St Marys Street, Cardiff.

This Police objection is based upon the licensing objectives:-

1. The prevention of crime and disorder. (The premises are situated in an area which has high incidents of crime and disorder and incidents associated with alcohol)
2. The prevention of public nuisance (The premises are situated in an area which have incidents of public nuisance)

As a result the premises are located within the agreed Saturation Policy area for St Marys Street. (*Special Policy Statement in respect of City Road and Crwys Road adopted 24 July 2009*)

South Wales Police will object to the application to allow a Licensing Committee the opportunity to undertake the rebuttable presumption that the premises licence will not be granted unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives

SOUTH WALES POLICE EASTERN BCUHEDDLU DE CYMRU URHS Y DWYRAIN
Cardiff Bay Police Station, James Street, Cardiff Bay CF10 5EW/Gorsaf Heddlu Bae Caerdydd, Stryd James, Bae Caerdydd CF10 5EW
Telephone: 029 2022 2111 Facsimile: 029 2052 7280/Teliffon/ 029 2022 2111 Ffacsimili: 029 2052 7280

Prif Gwnstabl **Peter Vaughan, QPM, BSc (Hons), DipAppCrim. CCMi** Chief Constable

Within the current application, the applicant has detailed the steps he intends to take to promote the four licensing objectives. These are in the way of voluntary conditions that would be placed on the premises licence

If the applicant successfully challenges the Saturation Policy or is able to demonstrate that the premises are likely to promote the licensing objectives, I feel that these conditions do not adequately promote the four licensing objectives, in particular the prevention of crime and disorder and the prevention of public nuisance.

For that reason I have identified conditions that are necessary and proportionate that would enable the premises to operate whilst reducing the negative impact it will have on the licensing objectives.

However, I feel that it is pertinent to take this opportunity to reinforce the point that these conditions will not adequately promote the licensing objectives but merely go some way in limiting the extent as to which they are likely to be undermined.

Police Representations

1. Hours for the sale and supply of alcohol
Monday – Sunday 11.00 – 22.30 hours
(A period of 30 minutes is allowed at the end of the permitted hours for the consumption of alcohol on the premises)
2. This licence shall only authorise the sale of alcohol whilst the purpose of the premises remains for the operation of a restaurant.
3. At least 70% of the public space within the licensed area of the premises shall be occupied by tables and chairs.
4. A CCTV system be installed to an agreed standard as approved by South Wales Police and maintained and operated at all times when the premises are open to the public.
The system will cover all internal areas of the premises where the public have access (excluding toilets), including all entrances and exits and any external area associated with the premises.
The images will be kept for a minimum period of 31 days.
The images will be produced to a police employee in a readily playable format immediately 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.
CCTV signage will be placed in prominent positions inside and outside the premises.
5. The premises will operate the 'Challenge 25' Policy. This policy will be brought to customers' attention through the display of appropriate signage. Challenge 25 notices will be displayed in prominent positions throughout the premises. The only form of identification recognised will be photographic identification cards, such as driving licence, passport or proof of age scheme (PASS) card.

6. All staff will be fully trained before they are authorised to sell alcohol and will be refresher trained on a regular basis, with records kept on the training, retraining and initial authorisation and re-authorisation.
7. On days considered to be major events in the City and Cardiff Bay area, such as sporting events or pop concerts in the Millennium Stadium, all drinks shall be dispensed in non-glass or plastic drinking vessels. The exception to this will be if persons are seated at tables and partaking of a substantial table meal.
8. An incident book shall be kept at the premises and maintained on site at all times. 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:
 - All crimes reported to the venue
 - Any complaints received (of a Criminal or Licensing nature)
 - Any incidents of disorder
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service.

Should you have any queries regarding the above representations, please contact Police Constable Tim Davies at the Licensing Department, Cardiff Bay Police Station on telephone 029 20527207.

Yours faithfully,



Dan Howe
Chief Inspector

Barker, Kirstie

From: Timothy.Davies@south-wales.pnn.police.uk
Sent: 30 July 2015 15:39
To: Licensing (Licensing, Regulatory)
Cc: Justin.Hardwick@south-wales.pnn.police.uk
Subject: Grillstock Premises Licence Application Hearing [NOT PROTECTIVELY MARKED]
Attachments: St Marys Street Incidents.docx

NOT PROTECTIVELY MARKED

Please find attached figures I intend to use for the hearing in relation to Grillstock.

I will also be making reference to the Cardiff Council Statement of Licensing Act Policy

I am on out of the office now until 17th August 2015 but can confirm I will be attending the hearing which I think is listed for 21st August 2015.

Many thanks

Tim

Tim Davies

Police Constable 3466 / Cwnstabl 3466

Police Licensing / Trwyddedu Heddlu

Cardiff Bay Police Station/ Gorsaf Heddlu Bae Caerdydd,

James Street/ Stryd James,

Cardiff/ Caerdydd.

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Mobile / Ffon Symudol 07976277161

Email / E-bost tim.davies@south-wales.pnn.police.uk

Please visit our website/ Ewch i'n gwefan www.south-wales.police.uk

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Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101... Gelli 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.

30/07/2015

St Marys Street Incidents

01/07/2014 - 30/06/2015						
Incidents all day	All occurrences. (All incidents reported to the police)	All crime. (All offences reported to the police)	All Assaults (All assaults reported to the police)	All Public Order Offences. (Offences where persons have been arrested)	Anti Social Behaviour. (All reports of Anti Social behaviour)	Alcohol related occurrences. (All incidents where alcohol has been identified as being a contributing factor)
St Mary Street	2,325	893	287	61	212	545
High Street	127	44	14	2	16	16

01/07/2014 - 30/06/2015						
Incidents reported between 21:00hrs & 06:00hrs	All occurrences. (All incidents reported to the police)	All crime. (All offences reported to the police)	All Assaults (All assaults reported to the police)	All Public Order Offences. (Offences where persons have been arrested)	Anti Social Behaviour. (All reports of Anti Social behaviour)	Alcohol related occurrences. (All incidents where alcohol has been identified as being a contributing factor)
St Mary Street	1,267	374	191	42	102	384
High Street	53	12	8	1	5	11

My Ref / Cyf LSS/CCCP/01884
Your ref:
Direct Line / Lein Uniongyrchol 029 20 871651
Date / Dyddiad: 10th July 2015



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

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

Grillstock
c/o Jeremy Woodcraft
Cook & Co. Solicitors
77-81 Alma Road
Clifton
Bristol BS8 2DP

Dear Sirs,

Re: Application for Premises Licence - Grant
Premises: Grillstock, 47- 48 St Mary Street,
Cardiff, CF10 1AD

I write in respect of the above application submitted to the authority on 10th 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.

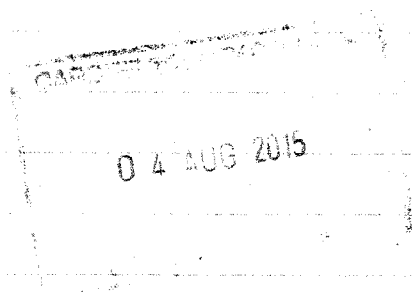
Yours faithfully,

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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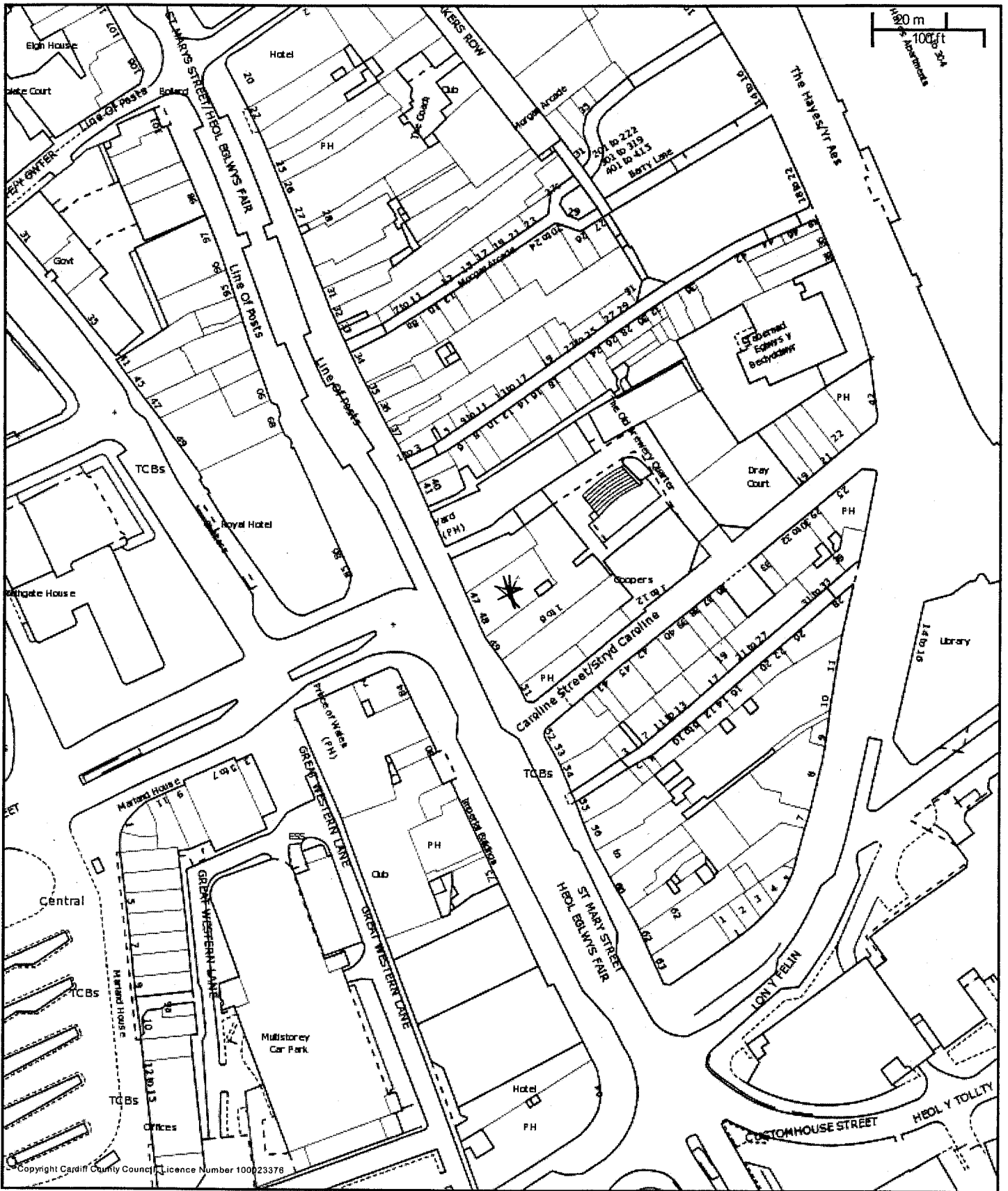
1884



Charltons Restaurant
46 CAROLINE
Street
CARDIFF
CF10 1FF


DEAR SIR/OR MADAM, I would like to object for the licensing hours for Grill Stock on the grounds of, I am just around the corner in Caroline Street and there is so much trouble in that Street that we don't need any more that was a retail outlet why is it being used for alcohol. If you do grant it MAKE it earlier, not enough police around to police it all, there will be more drunks, more fights, with all these places, all I get is people pissing and breaking my place and abusing myself and my staff, please please reconsider. This is for 47, 48 St Mary Street.

Yours Faithfully



CHIEF EXECUTIVE
 Paul Orders
 County Hall
 Atlantic Wharf
 Cardiff CF10 4UW
 Tel: 029 20872000

City of Cardiff Council
Cyngor Dinas Caerdydd



CARDIFF
CAERDYDD



Title

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