

LICENSING SUB-COMMITTEE: 19 October 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 077681

Name of Premises: St Mellons Service Station, Newport Road, Old St Mellons, Cardiff, CF3 5UG

Ward: Pontprennau and Old St Mellons

1. Application

1.1 An application to vary a Premises Licence has been received from D.K Forecourts Limited in respect of St Mellons Service Station, Newport Road, Old St Mellons, Cardiff, CF3 5UG.

1.2 The applicant has applied for the following:

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

Monday to Sunday: 24 hours a day

1.3 Unless otherwise indicated the premises may currently be open to the public during the following hours and for any hours consequential to the non-standard timings:

Monday to Sunday: 06:00 to 22:00

The sale by retail of alcohol for consumption off the premises is permitted:

Monday to Sunday: 07:00 to 22:00

1.4 A site map showing the premises can be found in **Appendix A**.

2. Promotion of Licensing Objectives

2.1 The conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in **Appendix B** along with a copy of the current licence conditions.

3. Relevant Representations

3.1 A representation has been received from South Wales Police and an agreement has been reached. The objection has therefore been withdrawn. A copy of the original representation and the subsequent amendment and agreement can be found attached as **Appendix C**.

3.2 Representations have been received from local residents. Copies of the representations can be found attached as **Appendix D**.

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 e.g. 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.

**Helen Picton
Regulatory Services**

3rd October 2022

APPENDIX A

Site Map



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CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council



Title

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APPENDIX B

Operating Schedule and Current Licence Conditions

Continued from previous page...

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 18

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.

b) The prevention of crime and disorder

• CCTV that is able to capture images without any blind spot, particularly outside under conditions of low lighting will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous/old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request

c) Public safety

• The management will take part in local neighbourhood watch or similar schemes

d) The prevention of public nuisance

• A list of persons that cause issues will be maintained by the premises and the management will not serve alcohol or tobacco products to these individuals at any time. This list can be populated by the management or any other responsible authorities.
• Between the hours of midnight and 0500 all transactions shall be made by way of a night hatch.

e) The protection of children from harm

• A Challenge 25 policy will be operated by the premises with notices informing customers of the policy. The only forms of acceptable identification shall be a photographic driving licence, a valid passport, a recognised form of photographic identification incorporating the PASS logo. Notices will be displayed in the premises stating this
• All staff with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 and will refuse such sales where they suspect that this may be about to occur.
• An Incident/Refusals Book will be maintained at the premises and made available to any of the appropriate authorities on request

Annex 1 - Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the operating schedule

- (1) 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 licensable 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.
- (2) All staff will be fully trained in their responsibilities with regard to the sale of alcohol and will be retrained every six months with recorded training records kept for inspection.
- (3) Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID, no sale.
- (4) Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction.
- (5) If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book which will be made available for inspection by Police or Licensing Officers of the Council on request.

Helen Picton

Helen Picton
Shared Regulatory Services

28 August, 2018



APPENDIX C

Police Representation and subsequent agreement

Barker, Kirstie

From:
Sent: 08 September 2022 14:39
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: St Mellons Service Station
Attachments: St Mellons Service Station Variation Signed.docx

***** 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 fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Good afternoon,

Please see attached SWP Representations for the above premise variation.

Many thanks,



William Tapper BA (Hons), PGDIP

Cwnstabl Yr Heddlu | Police Constable

Adran Drwyddedu | Licensing Department

Gorsaf yr Heddlu Bae Caerdydd | Cardiff Bay Police Station



Ymateb nad yw'n Argyfwng \ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.south-wales.police.uk>, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.south-wales.police.uk>, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

URhS Caerdydd a'r Fro
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Telffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**
Gwefan: www.heddlu-de-cymru.police.uk

Cardiff & Vale BCU
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

SWYDDOGOL – OFFICIAL

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

08th September 2022

St Mellons Service Station
Newport Road
Old St Mellons
Cardiff
CF3 5UG

APPLICATION FOR A PREMISES VARIATION. THE LICENSING ACT 2003;

St Mellons Service Station, Newport Road, Old St Mellons, Cardiff, CF3 5UG

To whom it may concern,

I have caused enquiries to be made into this application. The application advises that this premise will be a convenience store attached to a petrol station that wishes to sell alcohol 24 hours a day.

The application seeks the following licensable activity;

1. The sale by retail of alcohol for consumption off the premises:
Monday to Sunday: 24 Hours a Day

The applicant has been spoken to and the application has been discussed. As a result of this consultation, I now make the following representations on behalf of South Wales Police.

At this time, South Wales Police object to the grant of a new premises licence as applied for under the following licensing objectives, namely those of;

The Prevention of Crime and Disorder.

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.



The Prevention of Public Nuisance.

The protection of Children from Harm.

However, should the applicant agree to the below representations deemed to be appropriate and proportionate to support the licensing objectives, then the Police will automatically withdraw their request for a hearing before the Licensing Committee.

POLICE REPRESENTATIONS.

1. A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated, at all times the premises are open to the public. The system will cover all internal areas of the premises {Excluding toilets} where the public have access including all entrances and exits and any external areas associated with the premises. The images shall be kept for a minimum of 31 days and shall be produced to a Police employee in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

2. The premises will operate a Challenge 25 policy. This policy will be brought to the attention of customers by the use of appropriate signage. Challenge 25 notices will be displayed in prominent positions in the premises. The only form of identification recognised will be photographic identification cards such as driving licence, passport or proof of age scheme cards.

3. An incident book shall be kept at the premises and maintained on site, for a period of twelve months. 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 representative of a relevant authority or a member of the emergency services.
Any failures of the CCTV system.

4. All sales of alcohol for consumption off the premises shall be in manufacturer sealed containers only.

5. An incident log will be maintained at the premises. Each entry shall carry the day, date, and time that each report was made. It will record the following;

All crimes reported to the venue
All complaints received directly by the premise of a criminal or licensing nature

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.



All incidents of disorder of which the premise are aware.
All visits by a responsible authority, or emergency service.
Any refusals of alcohol sales
Price and quantity of alcohol refused
Reason for refusal of alcohol sale

The log shall be available for inspection at the premises by the police or an authorised officer of the council. The DPS shall use best endeavours to ensure that all incidents are logged on the day of the incident.

6. Staff authorised to carry out Licensable Activity shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.

7. The entrance door to the shop will be closed to customers between the hours of 22:00 and 05:00. Any sales between these hours will be made through the night window.

8. There will be no sales of any multipacks of beer/cider/lager that exceed the amount of 6 cans/bottles.

9. There will be no sales/supplies of beers, ales, lagers or ciders with an ABV over 6%.

10. Any unmixed spirits offered for sale will be stored behind the service counter only.

11. There will be no display of alcohol withing 2m of any entrance or exit.

Yours faithfully,

R Haines CI4705

Chief Inspector R. Haines.

COPY TO:

Dan Cook
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND

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.



Barker, Kirstie

From:
Sent: 26 September 2022 14:06
To: Tapper,William swp6414
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Premises Licence Variation - St Mellons Service Station, Newport Road

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Mr Tapper,
Thank you for your email and thank you for reconsidering this.
I can confirm that I have discussed this with my client and we are happy to accept these conditions.
Thank you

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

From: Tapper,William swp6414
Date: Monday, 26 September 2022 at 08:38
To: Naga Rajesh
Cc: licensing@cardiff.gov.uk <licensing@cardiff.gov.uk>
Subject: RE: Premises Licence Variation - St Mellons Service Station, Newport Road

Goo Morning,

Apologies for my delayed response, I have just returned from annual leave.

In relation to condition 7, we would be willing to amend the condition to 2300hrs in line with similar premises in the area and across Cardiff. The wording would therefore be as follows:

7. The entrance door to the shop will be closed to customers between the hours of 23:00 and 05:00. Any sales between these hours will be made through the night window.

In relation to condition 8, I propose the following amendments:

8. Between the hours of 23:00 and 05:00 there will be no sales of any multipacks of beer/cider/lager that exceed the amount of 6 cans/bottles. There will be no sale of single cans or bottles of beer/cider/lager at any time.

Please let me know if you are in agreement with the above.

Kind regards



William Tapper BA (Hons), PGDIP

Cwnstabl Yr Heddlu | Police Constable

Adran Drwyddedu | Licensing Department

Gorsaf yr Heddlu Bae Caerdydd | Cardiff Bay Police Station

Symudol/Mobile: 07970 161437



From: Naga Rajesh

Sent: 20 September 2022 08:48

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>

Cc: Tapper, William swp6414

Subject: Re: Premises Licence Variation - St Mellons Service Station, Newport Road

Dear Licensing,

I just noticed that you were not included in my last communication with Mr Tapper (Police Licensing). Please see the email below,

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

From: Naga Rajesh

Date: Friday, 9 September 2022 at 08:55

To:

Cc: Scott Williams

Subject: Premises Licence Variation - St Mellons Service Station, Newport Road

Dear Mr Tapper,

Thank you for the last email to my client, I'm dealing with the above application on behalf of my client, the current licence holder.

We went through your proposed conditions (attached) in detail and we are happy to accept almost all of them. However, could you kindly reconsider the following two conditions please?

7. The entrance door to the shop will be closed to customers between the hours of 22:00 and 05:00. Any sales between these hours will be made through the night window.

Could you kindly amend the night hatch sales from midnight to 5.00 am? This is only because during summer months and some other busy periods, we do get some extra customers between 22.00 & midnight. This might create unnecessary delays and some practical issues.

8. There will be no sales of any multipacks of beer/cider/lager that exceed the amount of 6 cans/bottles.

We are planning to expand the shop floor with more grocery lines. The customers who buy multipacks along with their groceries are not the usual trouble makers. Also, as per your proposed condition, we are not going to sell beers above 6% ABV, this will deter the trouble makers. We can also, if you wish, Avoid the sale of **single cans of beer**, this is the another measure which keeps the trouble makers away. But completely avoiding multipacks with more

than 6 cans or bottles will remove some of our product lines from the shelves as we do get some boxes with more than 6 bottles & cans.

Therefore could you please kindly reconsider these two conditions.

Thank you

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.south-wales.police.uk>, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.south-wales.police.uk>, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

Cymorth Iaith Gymraeg\Welsh Language Support

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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.

Ymwadiad Heddlu De Cymru\South Wales Police Disclaimer

Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon. Gallwch weld ein datganiad cyfrinachedd yn: <https://www.south-wales.police.uk/cy-GB/heddluoedd/heddlu-de-cymru/ardaloedd/amdanom-ni/amdanom-ni/datganiad-cyfrinachedd-e-bost/>.

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APPENDIX D

Other persons representations

Barker, Kirstie

From:
Sent: 12 September 2022 12:35
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Littlechild, Peter (Cllr); Williams, Joel (Cllr)
Subject: Application for Variation of a Premises License: D.K. Firecourts Limited

As a local resident to the Texaco Garage in Old St Mellons, I would like to register my concerns regarding their application for 24hr opening and alcohol license.

Having previously lived near a 24 hr garage, I am aware of the problems of late night noise and nuisance caused by gatherings of the younger generation. Set between 2 roundabouts, I am sure it will also attract and become a late night race track.

With a local Tesco being within walking distance of the garage. There is no need for the garage to be open longer than the existing opening times.

As the residence of old St Mellons are of a more mature age, a granting of this license, I think will be most unwelcome.

Regards

Sent from my iPhone

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Clerk | Old St Mellons Community Council
Sent: 28 September 2022 09:44
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Cllr Dianne Rees
Subject: Application for Variation of a Premises Licence - D.K Forecourts Limited

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Sir/Madam,

The Community Council of Old St Mellons is aware of serious local concern with the above application. The garage, known locally as the Texaco Garage is situated close to domestic properties. Extending the operating hours to 24 hours with alcohol sold throughout that time would cause noise and light pollution nuisance throughout night hours and is likely to result in an increase in incidences of antisocial behaviour in the area: An extension of opening hours and license to sell alcohol will only exacerbate an ongoing problem at the premises and surrounding area of littering and vermin.

The Community Council is concerned that if successful this application will have a detrimental effect on the community and urges the Licensing Authority to reject the application.

Kind Regards

*Clerk to the Council
Old St. Mellons Community Council, Cardiff*

*Old St. Mellons Community Council is a small organisation which normally meets only once per month, does not meet in August, and has only one Clerk who works part-time on **Monday, Tuesday, Wednesday & Thursday**. While we try to respond promptly to all correspondence, our limited resources mean that there may be some delay.*

Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions, and other information in this message that do not relate to the official business of Old St. Mellons Community Council shall be understood as neither given nor endorsed by it. All e-mails sent to or from this address will be processed by OSMCC and may be subject to scrutiny by someone other than the addressee.

27th September 2022

Your ref: PL/JW/LC

DK Forecourts Limited (Texaco Garage)

Variation of Licence.

1. I object to the extension of opening hours of the above garage for the sale of alcohol. However, I do not object to the sale of domestic goods and fuel during any extended hours.
2. The grounds for objection are:
 - a. There are several public houses in the area, which is more than sufficient.
 - b. The facility to get more alcohol after normal closing time could lead to misbehaviour and drink driving –as patrons from the public houses get more alcohol after closing hours.
 - c. Misbehaviour could escalate to criminal behaviour in an area where there are several old/ elderly people.

Yours sincerely,

Cllr. Peter Littlechild,
Members Room,
County Hall,
Cardiff,
CF10 4UW

Your ref: PL/JW/LC

Dear Councillor Littlechild,

Re: Application for Variation of a Premises Licence: D.K Forecourts Ltd.

Thank you for your letter of 9 September 2022.

Both my wife and I are appalled at the prospect of a change of licence to allow 24 hour trading including, specifically, the supply and sale of alcohol, at the premises known as The Texaco Garage.

Having lived a matter of **50 meters from this petrol station for 37 years**, we have seen the steady deterioration of that area encompassing the junction between Newport Road and Old Newport Road in terms of increasing dumping of rubbish, much of which is a variety foodstuff packaging, which emanates, largely, from purchases made at the garage shop.

Additionally, the garage is something of a magnet for youngsters many of whom buy various types of foodstuff who, sadly, discard wrappings etc on the road. This invariably blows down Old Newport road leaving an unsightly mess which is often scavenged for by many of the Corvidae family of birds (Rooks etc.)

In light of this continuing deterioration of the area, I want to place on record our vehement opposition to this ludicrous concept of '24 Hours of trading' at the Texaco Garage.

Cont./.... 2

Furthermore, that the concept of providing a service merely on the premise that it might prove helpful as 'A Corner Shop' facility should one need a pint of milk at 11:15pm, par exemple, is puerile nonsense.

More importantly however is the prospect of drivers visiting the garage in the late evening or early morning in search of alcoholic beverages before driving off to – possibly – drink them whilst having charge of a motor vehicle.

In light of the foregoing therefore, I reiterate our vehement opposition to this ludicrous application for Variation of a Premises Licence for '24 Hours of trading' at the Texaco Garage.

Yours faithfully

Barker, Kirstie

From:
Sent: 13 September 2022 15:33
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: D.K.Forecourts Limited./ Texaco Garage.

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

I would like to express my grave concerns if the proposal by the above mentioned goes ahead for the sale of Alcohol Monday to Friday 24 hours a day.

We in Old St.Mellons and in particular in Melrose Close where i live and a 3 minute walk to the Garage, we already get a lot of youngsters hanging around and making a lot of noise with their motorbikes and not to mention the litter they leave behind. Referring to the sale of 'corner shop goods', in my opinion and of other locals, the garage isnt always open for selling shop goods or petrol so not very reliable either

I hope you will look at this not only for the locals who all have cars and can drive to tesco if need be but i feel selling alcohol will bring trouble and for the police to have to deal with it all.

Many thanks.

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 27 September 2022 18:59
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Application for Variation of a premises Licence: DK Forecourts Ltd

Your Ref:PL/JW/LC

Dear Sirs

As a local resident of Melville Avenue, Old St Mellons and within close proximity to the 'Texaco Garage' St Mellons I wish to raise my concerns of the garage wishing to extend it's opening hours to 24 hours a day.

Having lived in the locality for many years it would be obvious to say that the average age of the residences within a few 100 yards of the garage is 50 plus. The need to service the local residences with the purchase of alcohol, provisions and petrol after 10pm would be zero and are more likely to be tucked up in bed after this time.

However, the attraction for young people to buy alcohol and gather around the area the 'garage' after closing time at the local pubs and throughout the night could appear very appealing to continue their socialising and with the close proximity to the St Mellons Estate where unsavoury characters are known to roam the area. Not only could this become intimidating for residence walking in the area it could also lead to increased vandalism. There is also the possibility to congregate in the grounds of the Business Park increasing the security risk to the adjoining houses and an increase work load and costs for the security staff to monitor the area.

The passing traffic on Newport Road after 10pm is minimal, so passing traffic that is likely to just pop in for petrol and at the same time need to purchase provisions and alcohol does not warrant the 'garage' to remain open after 10pm and would not warrant an extension to 24 hours a day. I would be interested to know if a study has been carried out to justify the need for the extension of the openinghours.

During the summer months it was very hit and miss if the garage would be open on a day to day basis and now they have the man power to open it 24 hours a day 7 days week. The grass in the grounds of the garage was uncut throughout the summer and the increase in foot fall could also increase the rubbish that would then need to be cleared by the Council and in turn would increase the locals Council Tax.

I welcome your comments.

Kind regards

Sent from [Mail](#) for Windows

Barker, Kirstie

From:
Sent: 12 September 2022 11:42
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Ref:--PL/JW/LC

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Thanks for the letter of 9/9/22.

With reference to the premises licence application made by D.K.Forecourts Ltd known as the Texaco Garage ,Newport Road Old St. Mellons.

The fuel station does sell some 'corner shop' goods which is mostly to those buying fuel and staff from Eastern business park and pupils from St. John's school not so much local residents.

Old Newport Road alongside the garage does have a habit of being a dumping area for empty alcohol bottles and various rubbish from their customers and attracts vermin , not what local residents want .

As for allowing the garage to sell alcohol 24hrs a day I must say that I and my wife oppose the idea and the application for the extended licence.

Enough noise along with bad language can be heard during daytime ,the comings and goings overnight cannot be tolerated, it is after all a residential area.

I oppose the application by D.K. Forecourts.

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: 12 September 2022 14:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Application for variation of a premises licence:D.K.Forecourts Ltd.

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

I would ask you Cardiff Council to refuse this licence. I am concerned about the alcohol being ready available 24 hrs a day 7 days a week. This would encourage more people to drink in a time when government guidelines are recommending people drink less. I am also concerned about the extra litter that will be on our streets. Our local councillors have already approached the garage to advise them about litter that is encouraging rats and other vermin.

Regards

[Sent from Yahoo Mail on Android](#)

From:
Sent: 14 September 2022 12:24
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu
(Rheoleiddio Trwyddedu); Williams, Joel (Cllr)
Subject: Re: Texaco garage, Newport Road, St Mellons.

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Hello

Understood.

Can you please add this to my objection letter of 12th September :

"Overnight opening is against Council Policies : refer to to Planning Permission conditions for 16/02113/MNR."

Thanks,

On Tue, 13 Sept 2022 at 15:34,

wrote:

Dear

is away from the office today so I have picked this up in her absence. Planning and Licensing are separate regulatory regimes so whilst the current Planning Permission may restrict timings it is possible that they will seek to amend the Planning Permission if they are successful in getting their Premises Licence varied. The statutory guidance issued under Section 182 of the Licensing Act 2003 ([9.41](#)) states "the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate".

Therefore, if you wish to object to the variation I would do so on the assumption that they will get seek the relevant Planning Permission if it is granted (although you may also be able to object to that planning application if they do).

I hope this helps. I'm happy to answer any follow up queries.

Kind regards,

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029 20871651/ licensing@cardiff.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.

From:

Sent: 12 September 2022 12:12

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>

Cc: Williams, Joel (Cllr)

Subject: Texaco garage, Newport Road, St Mellons.

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Councillor Joel Williams has sent us details of the proposed licensing change to 24/7.

We object most strongly to this.

It is unnecessary : Tesco keeps extended hours and there is a 24 hour off-licence barely half a mile away in Castleton.

The Garage is already a source of nuisance : planning conditions are regularly breached regarding the car wash; litter is a permanent problem as are the rats that live off the litter and unsealed rubbish bins on the forecourt. Increased sales over extended hours will make this worse.

Noise will be a problem : on warm nights, we sleep with our bedroom window open and that window is less than 50 metres from the forecourt. Current hours are not a problem but ongoing activity through the small hours (not forgetting the forecourt Tannoy, car alarms and thumping music) will be intolerable. You should not be contemplating the licensing of a source of noise overnight in what is essentially a residential area.

For these reasons we urge you to reject this application.

Kind Regards,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 27 September 2022 23:01
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Application for Variation of a Premises Licence - D.K Forecourts Limited

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

To Whom it may concern,

I am writing to you today in regard to the application for Variation of a Premises Licence for D.K Forecourts Limited.

As a resident of the local area for over 28 years and a proud member of the local community council, I would like to express how I think this decision will be detrimental to the local residents of the Texaco Garage.

In the letter from the council posted through my door you state that you have already been "informed that some residents are concerned about the prospect of the Texaco being able to be open 24 hours a day and serve alcohol throughout this time". You also state "Conversely we are aware residents may be supportive of this application as the Texaco sells a number of 'corner shop' goods.

These are entirely different matters and should be treated as such.

Firstly, you have been contacted by local residents with genuine and real concern for their local community and the effect this will have on their everyday life. Now compare that to the fact that nobody in the locally petitioned area has asked for nor wants this licensing change, that's clear in your own wording "we are aware residents **MAY** be supportive".

Secondly, the requirement of local residents being able to buy corner shop goods 24 hours per day is not solved by approving a 24 hour alcohol licence. The fact that the current operating hours of the Texaco Garage are 6am-10pm shows that there is no demand for such goods or service.

Furthermore, as per my conversation with my local councillor, only the residents living behind the garage - (Melville Avenue, Melrose Close and Old Newport Road) were informed of this potential change to licence.

Therefore I would ask the Licensing Authority - why have they only surveyed such a small sample of the local residents? This clearly will have an impact much further afield and those residents have a right to know.

As there is already an ongoing problem with littering and vermin on the premise and its surrounding areas, an increase in opening hours and footfall would just simply exacerbate these problems.

The change in licence will undoubtedly attract anti-social behaviour and gatherings at the garage and its surrounding areas. In particular the open land attached to the business park, which sits directly behind residents of Melville Avenue. The local residents' age demographic is older and they shouldn't feel intimidated around their neighbourhood.

In summary, I urge the Licensing Authority to reject this application and listen to the local residents that have lived in this area for many years. They have every right to have their voices heard just like I am voicing mine to you now. The Texaco Garage has been there since before I moved here in 1994. There has been no demand for alcohol then and there isn't now.

Kind Regards,

Barker, Kirstie

From:
Sent: 12 September 2022 12:03
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re : Application for variation of a premises licence: D.K. Forecourts Limited

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Your ref PL/JW/LC

I am mainly concerned about the increased litter in the form of alcoholic drink cans and bottles that are already discarded along the fence of the petrol station with Old Newport Road.

I have on innumerable occasions gone picking up the rubbish left and there are obviously regulars who leave for example an empty vodka bottle in a plastic bag and four partially drank lager cans.

More worryingly is what I can only describe as "drug paraphernalia" in the form of rolled up aluminium foil that bears scorch marks.

The problem is going to be that being open 24 hours is only going to lead to more anti-social behaviour here.

I don't have any confidence at all that making it a condition of the licence that the staff pick up the litter would result in that actually happening often enough to make a difference (would need to be daily).

Barker, Kirstie

From:
Sent: 14 September 2022 09:23
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Your Ref: PL/JW/LC

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Hi

Ref: Application for Variation of a Premises Licence: D.K. Forecourts Limited

With reference to the above, we live directly across the road from the Texaco garage on Newport Road.

Both [redacted] and I object strongly to the proposal to extend the hours permitted for the sale of alcohol for consumption off the premises to 24 hours a day. We both feel there is absolutely no need for this and that the current licence in place for sale of alcohol is more than sufficient. Extending through the night could encourage the appearance of anti-social behaviour plus the road is already very noisy, and we can hear the daily comings and goings of the garage from our house as it is. We feel that encouraging further potential traffic and noise throughout the night is not something we support.

Kind Regards

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 27 September 2022 10:52
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Variation of Premises Licence: D.K. Forecourts Limited
Attachments: Garage Opening Times.docx

***** 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, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Sir/Madam,

Please find attached a letter of objection concerning the above premises.

Yours faithfully,

26th September 2022

Your ref: PL/JW/LC

DK Forecourts Limited (Texaco Garage)

Variation of Licence.

1. We object to the extension of opening hours of the above garage for the sale of alcohol.
However, we do not object to the sale of domestic goods and fuel during any extended hours.
2. The grounds for objection are:
 - a. There are several public houses in the area, which is more than sufficient.
 - b. The facility to get more alcohol after normal closing time could lead to misbehaviour and drink driving –as patrons from the public houses get more alcohol after closing hours.
 - c. Misbehaviour could escalate to criminal behaviour in an area where there are several old/ elderly people.

Yours sincerely,

Barker, Kirstie

From:

12 September 2022 18:55

To:

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject:

RE: Application for Variation of a Premises Licence: D K Forecourts Limited

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

To whom in my concern,

I am writing to you in response to the letter I received on the 12th September 2022 in regards to the variations of hours at DK Forecourts better known as the Texaco on Newport Road. The application is proposing an extension of hours to 24 hours whereby alcohol can be purchased. As a resident of Old Newport Road I find the proposed extension of hours unacceptable to the neighbouring community. I fear that if alcohol can be purchased around the clock that it will hinder the peace and quiet that we are used. If the Texaco garage is open to sell alcohol 24 hours it could invite anti- sociable behaviour in a quiet residential part of Old St. Mellons. I would be most grateful if my concerns could be addressed whilst considering the licencing application for extended hours.

I look forward to your response.

Kind regards,