

LICENSING SUB-COMMITTEE: 27 March 2024

Report of the Head of Regulatory Services

Consideration of Objections Received – Temporary Event Notice

Temporary Event Notice: CCCT0460

Name of Premises: Rockin Chair, 62-64 Lower Cathedral Road, Riverside, Cardiff, CF11 6LT

Ward: Riverside

1. Temporary Event Notice (TEN)

1.1 A Temporary Event Notification's (TEN) was received on 14th March 2024 from:

Dennis McLaggon

for authorisation of a temporary event at:

Rockin Chair, 62-64 Lower Cathedral Road, Riverside, Cardiff, CF11 6LT

The notification is in respect of an event due to take place between:

23:30 hours on Friday 29th March 2024 until 04:00 hours on Monday 1st April 2024.

1.2 The notification is to allow the following licensable activities:

- (i) The sale by retail of alcohol
- (ii) The provision of regulated entertainment
- (iii) The provision of late night refreshment

1.3 The nature of the event has been described as:

"The temporary event notice application is made to enable the venue to carry out a bank holiday music weekend playing Nigerian/Afro Beats themed recorded music.

This will take place from the 29th March through into the 1st April.

Regulated entertainment provided in the form of both live and recorded music.

The applicant agrees to the following conditions being attached to the TEN:

1. The licensable activities are to cease at 03:30 and the premises are to close at 04:00 on each of the 30/3/24, 31/3/24 and 01/4/24
2. There are to be 2 Door Supervisors employed at the venue from 21:00 each night until close of premises, on the 30/3/24, 31/3/24 and 01/4/24/24 with one operative wearing a body camera, throughout.
3. Plastic drinking vessels are to be used from 00:00 on 30/3/24, 31/3/24 and 01/4/24
4. Plastic cutlery is also to be used from 00:00 30/03/24, 31/3/24 and 01/4/24 with any metal cutlery being cleared away at that time".

1.4 The maximum number of persons attending the event at any one time, in accordance with the temporary event notice is 100.

1.5 A site map showing the premises is attached as **Appendix A**.

2. Objections

2.1 Neighbourhood Services (Pollution Control) have issued an objection notice to the Temporary Event Notice. They state that holding the event would lead to the undermining of the following licensing objectives:

Prevention of Public Nuisance

2.2 A copy of the objection notices is attached as **Appendix B**

3. Legal Considerations

3.1 The Licensing Act 2003 allows the licensing authority to attach conditions to a TEN but only if a counter notice is NOT issued and provided that the premises concerned are already subject to either a premises licence or club premises certificate. Any proposed conditions must already apply to the licence/certificate and it must be appropriate for the promotion of the licensing objectives to impose the conditions.

3.2 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.

4. Issues for Discussion

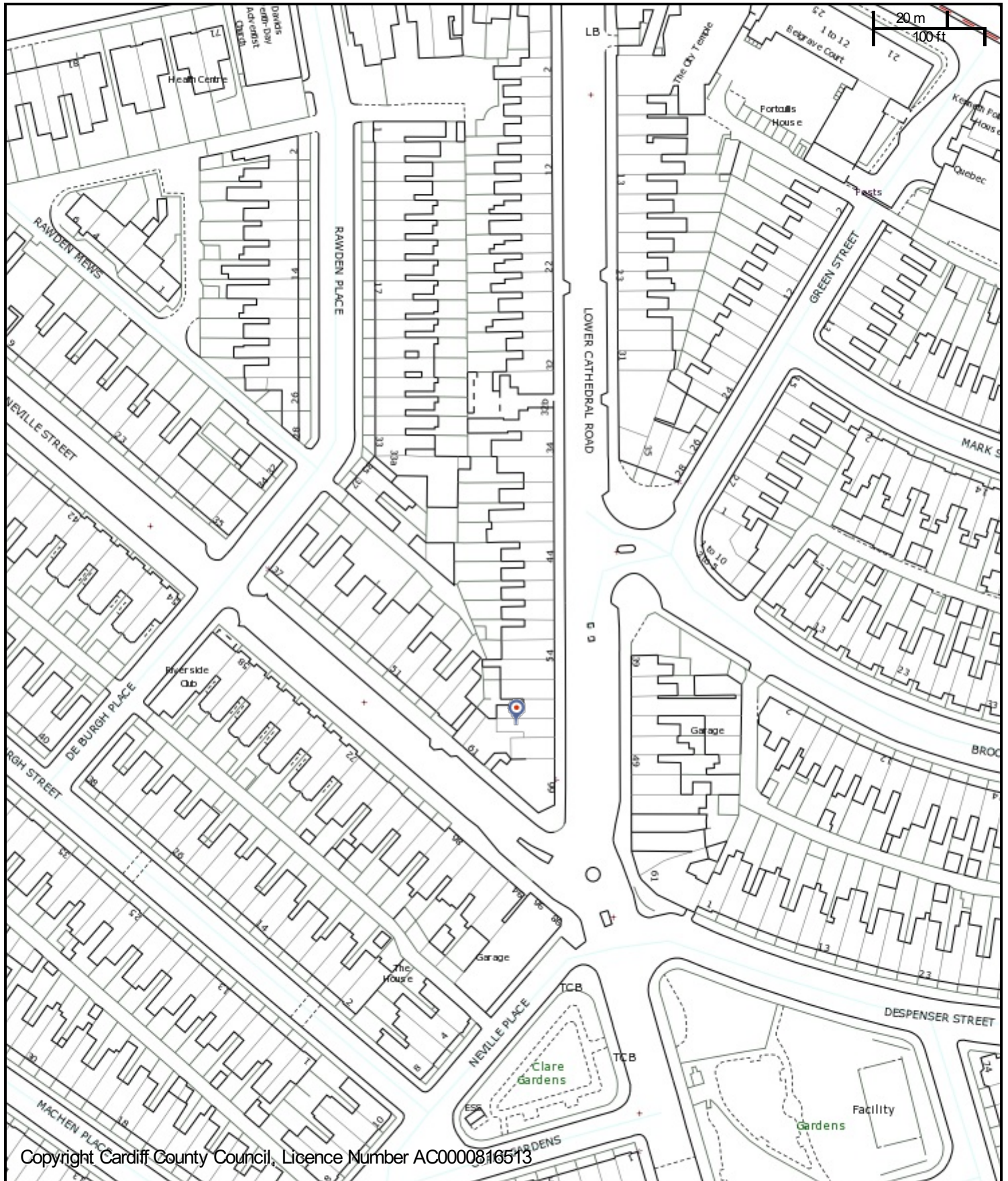
4.1 The Sub-Committee is required determine if a counter notice, which would prevent licensable activities from being authorised, should be issued.

Helen Picton
Regulatory Services

20th March 2024

APPENDIX A

Site Map



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Title

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Ordnance Survey AC0000816513 (2023).

APPENDIX B

Pollution Control Objection Notice

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 15 March 2024 09:40
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: SR: 1100399 The Rockin Chair TENS Application - 29th of March to 1st of April 2024

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,

In reference to the TENS application for the above premises received on the 14th of March 2024, it is neighbourhood services position to object to the application with the following representations:

On the 7th of February 2024 a Premises License Variation Application was received where it was decided that under the 'prevention of public nuisance' the operating schedule did not suitably demonstrate measures that would overcome our concerns. It was advised that the intensification of licensable activity at a premises in close proximity to residential properties was likely to cause disturbance especially in the early hours.

Following a previous TENS application received on the 2nd of February 2024 to allow regulated entertainment in the form of live and recorded music over the 17th and 18th of February. Complaints of disturbance were received from residents in the area, where during this event officers attended the area and witnessed loud music audible in the street at 23.15pm and again at 01.18am. Officers reported that noise levels emanating from the premises were high and could be heard over traffic, and further investigations are ongoing.

It is therefore my position to advise you that under the licensing objective '*prevention of public nuisance*', neighbourhood services will be objecting to this application.

Many Thanks

