

LICENSING SUB COMMITTEE

20 JANUARY 2017

Present: County Councillor Parry(Chairperson)
County Councillors Kelloway and Murphy

4 : DECLARATIONS OF INTEREST

No declarations of interest were received.

5 : APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - CAMEO CLUB, PLASNEWYDD

Applicant: Huw Davies, The Pontcanna Pub Company (Trading) Limited in respect of Cameo Club, 55 Wellfield Road, Roath, Cardiff, CF24 3PA.

Interested Parties: Councillor Sue Lent
Ms. Frances Dredge

Application

An application to vary the Premises Licence was received from The Pontcanna Pub Company (Trading) Limited in respect of Cameo Club, 55 Wellfield Road, Roath, Cardiff, CF24 3PA.

The current conditions attached to the Premises Licence:

1 In respect of the following licensable activities:

- Performance of live music (indoors)
- Performance of recorded music (indoors)
- Supply of alcohol for consumption ON and OFF the premises

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:

Sunday to Thursday: 08 00 to 00:00
Friday and Saturday: 08:00 to 00:30

No member of the public shall be admitted to or allowed to remain in the rear external area of the premises between the hours of 20:00 and 10:00 on any day.

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

- Performance of live music (indoors)
Sunday to Thursday: 08 00 to 00:00
Friday and Saturday: 08:00 to 00:30

- Performance of recorded music (indoors)
Sunday to Thursday: 08 00 to 00:00
Friday and Saturday: 08:00 to 00:30
- Supply of alcohol for consumption ON and OFF the premises
Sunday to Thursday: 08 00 to 23:30
Friday and Saturday: 08:00 to 00:00

4. The following application for variation was made.

To amend the condition relating to the rear external area of the premises to allow it to remain open to the public from 09:30 to 21:00 hours (currently 10:00 to 20:00 hours).

Interested Parties Representations

Committee heard from Ms Dredge, a resident who lives less than 10 metres away from the Cameo Club that she was surprised to be at committee again as it was less than 2 years since the judgement was made on the current licensing hours. Ms Dredge stated that she has to live with noise from the Cameo Club for 10 hours a day, particularly during the summer months, and the disturbance affects her and others very badly; especially those families with young children and those who work shift patterns or work at home. Ms Dredge added that the residents accepted the decision of the subcommittee and lived with the hours that had been granted; she pleaded that the balance was not tipped any further by extending those hours.

Councillor Sue Lent addressed the committee, stating that less than 2 years ago the applicant had been determined that the hours would only be until 20.00pm; she reiterated the affect that the noise and disturbance has on shift workers and families with young children; not only from the noise from the outside terrace but also from bottle deliveries and collections.

The applicant stated that he was surprised by the objections received as he considered that he had a good cordial relationship with the residents and neighbours. He stated that they all have his direct contact number and none of them had ever rang him to raise a complaint regarding the outdoor terrace, whereas they have done so regarding the bottle collection; he noted that the issue with the times of the bottle collection had been resolved.

Responding to comments that there would be no point in complaining about noise on the terrace as nothing could be done about it, Mr Davies stated that he has CCTV, he has never breached his license conditions, and has never received a complaint about the noise. He added that he lives 400m from the premises, employs 21 local staff and has support from many of the residents and neighbours.

Committee Members asked questions regarding the level of noise and what it was like to live with; Ms Dredge stated that it was a constant drone of glasses and voices, which became raised as more alcohol was consumed. She stated that she cannot have her windows open, use the rooms at the front of her house or hear the TV very

well in the summer months; she added that she cannot park outside her house to unload shopping if there is a delivery and cannot have a lie in on the weekend due to bottles being collected.

Responding to a question as to why she has not raised a complaint with Noise Pollution Control, Ms Dredge stated that she is living with the decision that has been made, and was unaware that she could raise a complaint once the license had been granted.

Applicants Representation.

Mr Davies stated that he has been a licensee since 1999; he owns the Cameo Club in Pontcanna and has premises in the Millennium Centre. He stated that when applying for the license in Wellfield Road, the Licensing Sub Committee had given licensing hours in line with Planning until 20.00pm; he had now had a successful planning application in until 21.00pm, he had originally wanted this to be until 21.30pm but he had altered this after a request from a neighbour.

He stated that there had been no objections raised by responsible authorities; he added that residents were well aware that any issues could be raised with Noise Pollution as they had used this route when there had been a problem with the Kitchen extractor equipment and a silencer had to be fitted.

Mr Davies said that he tries to be proactive with residents and attends Councillors surgeries and has given his direct number to residents. He reiterated that he has never breached his license, there is no music played on the terrace, he has CCTV and the area is strictly managed.

He stated that the request for the hours to be extended until 21.00pm was in line with other premises on Wellfield Road and others have later licenses.

Previous issues with timings of bins collections had been resolved by changing contractor.

Mr Davies explained the problems they have with not being able to take food orders after 7.15pm, as these orders could not always be processed by 8pm.

Summing Up

Interested parties stated that they are living with the current arrangements and that an extension of hours would be a step too far. The hours as they stand and the levels of noise and disturbance experienced already cause great stress on residents and they requested that the status quo remains to allow residents some reprieve in the summer months after 20.00pm.

The applicant stated that he had worked with residents to solve any problems that had been raised with him and that if any issues arose with noise from the terrace then he would do the same.

RESOLVED – That the Sub-Committee having considered all the information and in accordance with the requirements of the Licensing Act 2003, the Section 182

Guidance and the Licensing Authority's own Statement of Licensing Policy the Sub-Committee refused the application.