



County Hall
Cardiff
CF10 4UW
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Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 5 OCTOBER 2018, 10.00 AM
Venue	ROOM I AND J, CITY HALL - CITY HALL
Membership	Councillor Mackie (Chair) Councillors Ford and Wood

1 **Declarations of Interest**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 **Application for the Variation of a Premises Licence – Snails, Beulah Road** *(Pages 3 - 18)*

3 **Application for the Review of a Premises Licence - Quay Street News, Quay Street** *(Pages 19 - 38)*

4 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services

Date: Monday, 1 October 2018

Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

**LICENSING SUB-COMMITTEE: 5th October 2018
Report of the Head of Regulatory Services**

Application for Premises Licence - Variation

Licence No: CCCP01616

Name of Premises: Snails, 6/8 Beulah Road, Rhiwbina, Cardiff, CF14 6LX

Ward: Rhiwbina

1. Application

1.1 An application for variation of a Premises Licence has been received from Rupert Sykes in respect of Snails, 6/8 Beulah Road, Rhiwbina, Cardiff, CF14 6LX.

1.2 The applicant has applied to amend the licensable hours as follows:

i) To extend opening hours to 23:30 hours Monday to Sunday.

ii) To extend the hours permitted for the sale of alcohol and to allow off sales as follows:

Monday to Sunday: 08:00 to 23:00

New Years Eve: 08:00 until the start of permitted hours on 1st January

1.3 To remove regulated entertainment from the licence.

1.4 To amend condition (3) to allow use of the external area until 21:00 hours.

1.5 To remove condition (2) which restricts alcohol sales to persons taking table meals.

2. Promotion of Licensing Objectives.

2.1 A copy of the operating schedule submitted with the application is attached.

3. Relevant Representations

3.1 A representation has been received from South Wales Police, a copy of which is attached.

3.2 A representation has been received from the Noise Pollution team, a copy of which is attached. The conditions suggested by them have been agreed by the applicant and therefore the representation has been withdrawn.

3.3 A representation has been received from the local ward Councillors. A copy of the objections is attached.

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 Services

20 September 2018

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Condition 2(2)

- I have enclosed the premises licence
 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.

1. No alcohol supplied to persons not seated. 2. Alcohol supplied by waiter/waitress service
3. Introduction of CCTV

b) The prevention of crime and disorder

Police advice will be sought regarding the installation and siting of CCTV.
Requirement of an incident book to record where any incidents of crime and disorder has occurred and any sales of alcohol have been refused.
Adequate staff training regarding the sale of alcohol.

c) Public safety

All Fire certificates to be kept up to date appliances regularly serviced.
There is a ramp at the premise which links the ground floor to an upper level area and the garden. No stairs.

d) The prevention of public nuisance

Disposal of waste is kept outside the premises.
Notices to be displayed reminding patrons to respect the needs of local residents by leaving the premises and surrounding area quietly.

e) The protection of children from harm

Barker, Kirstie

From: [REDACTED]
Sent: 05 September 2018 09:45
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Snails - 6-8 Beulah Rd, Rhiwbina
Attachments: Letter from CI Signed.pdf; Letter from CI.doc

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

Good morning.

Please see attached SWP reps for Snails variation application.
The conditions requested reflect those offered by the applicant in the application, as well as those agreed during consultation.
Word copy included for your convenience.


Kind regards

John



PC 946
John Crowther 
Swyddog Trwyddedu / Licensing officer.
Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police
URS y Dwyrain / Eastern BCU
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station
Stryd James / James Street
Bae Caerdydd / Cardiff Bay
CF10 5EW

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.



Licensing Department,
Cardiff Bay Police Station,
James Street,
Cardiff.
CF10 5EW
05 September 2018

Rupert Sykes,
Snails,
6-8 Beulah Road,
Rhiwbina,
Cardiff,
CF14 6LS

APPLICATION TO VARY A PREMISES LICENCE UNDER THE LICENSING ACT 2003.
SNAILS, 6-8 BEULAH ROAD, RHIWBINA, CARDIFF, CF14 6LS

Dear Mr Sykes,

I have caused enquiries to be made into this application and make the following representation that I wish to be considered when deciding on the licensable activity and conditions for this licence.

We therefore ask that the Licensing Committee hear the representation made by the police when determining the grant of this application.

Should the applicants agree to comply with the representation made to meet the Licensing Objectives before a hearing is held then please accept that the police will automatically withdraw their request for a hearing with the Licensing Committee.

POLICE REPRESENTATION

1. This premises licence shall remain in force only so long as the premise is operated by Rupert Sykes and/or Fran Sykes.

2. A CCTV system shall be installed to an agreed standard as approved by South Wales Police. It will be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits and any outside area used by patrons. The images will be stored for a minimum period of 31 days and will carry date and time markings.

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.

Prif Gwnstabl **Matt Jukes QPM, MA(Oxon)MSc.** Chief Constable

The images will be produced to a police employee in a readily playable format 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. Signs will alert patrons to the use of CCTV at the premises.

3. An incident book shall be kept at the premises. Any incident of crime or disorder witnessed by staff or any incident reported by customers is to be noted in the log. The following information shall be recorded in relation to each incident:
- a. Date and time of the incident.
 - b. Name of person making the report.
 - c. Names of the parties involved (if known) or description of the parties (in as much detail as possible).
 - d. Nature of the incident.
 - e. Any action taken thereafter.
 - f. Visits from Emergency Service personnel.

The book shall have sequentially numbered pages. Staff shall be trained in relation to their responsibility to complete an incident report. Sight of incident reports will be made available to South Wales Police on request.

4. Windows and doors shall be kept closed at all times after 21:00 hrs daily, except for entry and/or exit purposes.
5. There shall be no external audio speakers of any description used at the premises.
6. There shall be no music at the premises after 23:00 hrs daily.
7. Alcohol supplied for consumption on-premises shall only be supplied to persons who are seated; such service shall be made by waiter/waitress.
8. Alcoholic beverages shall not be removed from the premises unless in sealed containers.
9. There shall be no consumption of alcoholic beverage at the external front of the premises.
10. Alcohol sold or supplied between the hours of 08:00–11:00 hrs for consumption on premises shall only be made to persons partaking of a table meal.
11. All customer-focussed staff shall receive training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. The DPS shall keep records of such training for a period of at least 12 months.

AND

To amend condition 2(5) to read "There will be clear and legible signage displayed which requests that patrons leave the premise and the area in a quiet and respectful manner, so as not to inconvenience or disturb residents or nearby businesses".

To amend condition 2(4) to read "...between 21:00 and 08:00 hrs"

If the applicant does not agree with the afore-mentioned representations, the police objections will be based on the following;

The prevention of crime and disorder
The prevention of public nuisance

Additional evidence to support the notice of objection will be presented at any subsequent Licensing Committee hearing. This evidence will be expanded on verbally, written, statistical or CCTV evidence.

If you require any further information please contact PC 946, John Crowther, at Cardiff Bay police station, Licensing Department on 101(South Wales) ext. 34-950.

Yours sincerely,
J Jones
Chief Inspector

 A/CI 1232
PP
P/S 11/12/5

Barker, Kirstie

From: Thayer, Simon J [REDACTED]
Sent: 10 September 2018 12:15
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: [REDACTED]
Subject: FW: SR: 634769 - LICENCE VARIATION, SNAILS DELI LTD., 6-8, BEULAH ROAD, RHIWBINA, CARDIFF, CF14 6RQ

Comments back from the Licence applicant.

They have agreed to my conditions and have therefore overcome my objection.

With regards,.



Mr Simon Thayer
Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg
Phone | Ffôn: 03001236696
e-mail / e-bost: [REDACTED]

The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.



From: [REDACTED]
Sent: 10 September 2018 11:29
To: Thayer, Simon J
Subject: Re: SR: 634769 - LICENCE VARIATION, SNAILS DELI LTD., 6-8, BEULAH ROAD, RHIWBINA, CARDIFF, CF14 6RQ

Dear Mr Thayer,

Both my husband I agree to your revised version, for our application.
We thank you again, for coming to visit us and listening.
Yours sincerely,

Mr & Mrs R. Sykes

On 10 Sep 2018, at 11:05, Thayer, Simon J <[REDACTED]> wrote:

Comments relating to the Licence variation.

With regards,

<image001.png> **Mr Simon Thayer**
Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg
Phone | Ffôn: 03001236696
e-mail / e-bost: [REDACTED]

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Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

<image002.png><image003.png><image004.png><image005.png><image006.png>

<634769__SRSEP031-CardiffCouncilRepresentationFormWORD_20180910100228.pdf>



Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications

Details of person or body making representation

Your Name:	Simon Thayer
Your Address:	City of Cardiff Council, City Hall, Cathays Park, Cardiff CF10 3ND
Phone Number:	03001236696
E-mail:	[REDACTED]

Details of premises representation is about

Name and Address of Premises:	Snails Delicatessen, 6 - 8, Beulah Road, Rhiwbina, Cardiff, CF14 6LX
Application Number: (if known)	634769

Please tick one or more of the licensing objectives that your representation relates to:

Prevention of crime and disorder	<input type="checkbox"/>	Yes
Public Safety	<input type="checkbox"/>	Yes
Prevention of public nuisance	<input checked="" type="checkbox"/>	Yes
Protection of children from harm	<input type="checkbox"/>	Yes

Please summarise your concerns about this application:

I would wish to object to this application for a variation to a premises licence under the "Prevention of Public Nuisance" objective.

I have no issues with any of the proposed variations except for:

The limitation on the use of the external dining area to the rear of the premises be varied from 19:30 to 21:00.

My objection would be overcome should the applicant agree (and in conversations with Ms Fran Sykes it has been indicated they would) to the following conditions:

1. Hours for use of the external dining area to the rear of the premises be limited to:
Sunday to Thursday 08:00 to 19:30
Friday to Saturday 08:00 to 21:00
2. The door to the external dining area to the rear of the premises must be kept closed, when any entertainment in the form of live music is played indoors.
3. A notice will be displayed on the door to the rear external area stating that it must not be opened, other than in an emergency, between the hours:
Sunday to Thursday 19:30 to 08:00
Friday to Saturday 21:00 to 08:00

Please give further details of why you believe this application will have an adverse effect on the licensing objectives:

I believe there is the potential for the licensing objective "Prevention of Public Nuisance" not to be met.

The potential noise from the patrons utilising the external area until 21:00 seven days a week could impact upon the nearby residential accommodation.

This is an intensification of the existing use of the external area which is currently restricted to:

08:00 to 19:30 seven days a week.

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website.

By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section, City of Cardiff Council, Room 203 City Hall, Cardiff CF10 3ND

By E-mail:

licensing@cardiff.gov.uk

Barker, Kirstie

From: Robson, Adrian (Cllr)
Sent: 09 September 2018 19:36
To: Barker, Kirstie
Cc: Griffiths, Paul (PPE); Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Cowan, Jayne (Cllr); Owen, Oliver (Cllr)
Subject: Variation - Snails - 6-8 Beulah Road
Attachments: Snails Variation of Licence.docx

Hello Kirstie,

Please find attached submission from Jayne, Oliver and I regarding the Snails Licence variation.

With best wishes,

Adrian

Adrian Robson

**Councillor for Rhiwbina and Pantmawr
Cynghorydd dros Rhiwbeina a Pantmawr**

**Leader of the Opposition
Arweinydd yr Wrthblaid**

**Cardiff County Council
Cyngor Sir Caerdydd**

arobson@cardiff.gov.uk / arobson@caerdydd.gov.uk

Twitter: @adrian1robson

We would like to submit the following response in relation to Mr Rupert Sykes' application for a variation of a premises licence for Snails, 6-8 Beulah Road, Rhiwbina, Cardiff, CF14 6LX.

We are aware that neighbours who live in very close proximity to the business have ongoing concerns regarding variations 1,2,3 and 4 of the proposed variation to the existing licence, due to the likely increase in noise disturbance this would cause them and we would therefore urge the Council to disallow these variances to the current licence.

In terms of the four tests of licencing:

- 1) It is thought that the variation will make minimal difference to the level of **crime and disorder** in and adjacent to the premises.
- 2) There is a strong concern regarding the **prevention of public nuisance**. When the original licensing application was submitted, there were concerns about the application and how it would affect neighbours to the rear as well as the residential unit adjacent to Snails. The Annex 2 condition that "The external dining area to the rear of the premises shall not be open to the public from 1930 hrs to 0800hrs" was added by the licensing sub-committee following representations from neighbours. The position has not changed and neighbours are deeply concerned that the removal of this condition would increase public nuisance.

In addition, it should be noted that in relation the neighbouring unit to 4 Beulah Road, a planning inspector considered that an appeal for a change of use to an A3 wine tasting/wine shop should be dismissed.

In his report of 27th February 2015 (Appeal Ref: APP/Z6815/A/14/2229891), the inspector stated: *"6. The properties across the road from the appeal site are in close proximity to its entrance. There is accommodation above the appeal premises and there also appears to be residential accommodation above the next door property and commercial properties across the road. The living conditions of the residents of these properties are likely to be harmed by the additional noise and disturbance from the comings and goings and clients lingering outside the premises as a result of this proximity.*

7. There is already some development within this area that could contribute to noise during the evening and night time. However, any noise and disturbance from the appeal premises during the proposed hours would be over and above those existing and would be likely to cause additional harm. Moreover, it is likely that the appeal property would become a focal point for additional activity during the evening hours, thus prolonging any existing harm."

Whilst acknowledging that these comments relate to a planning appeal at a neighbouring property, we believe that they are salient to the public nuisance concerns this licence variation application generates.

We also note that the variation is for off-sale alcohol until 23:00. This would need the management to carefully police those wanting to purchase off-sale alcohol and the sub-committee needs to be certain appropriate procedures are in place.

- 3) In relation to **public safety** we would request the licencing sub-committee seek assurances that limits on the number of people can be maintained with this variation.
- 4) On the issue of the **protection of children from harm**, there is a risk that the extension of hours for the sale of alcohol to 23:00 may increase the exposure of children a different atmosphere from that which is generated by diners.

However, we would not object to point 5 of the proposed variation of the licence which would allow the business to serve alcohol as per the current unextended hours to those taking and not taking table meals. We would ask that the sub-committee seek assurance that this would not be detrimental to neighbouring properties as a public nuisance or increase any risk to children.

Cllr Jayne Cowan, Cllr Oliver Owen and Cllr Adrian Robson,
Rhiwbina and Pantmawr



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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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 5th October 2018

Report of the Head of Regulatory Services

Application for the Review of a Premises Licence

Application No: CCCP01300

Name of Premises: Quay Street News, 16 Quay Street, Cardiff, CF10 1DZ

1. Application

1.1 An application for a Premises Licence - Review, has been received in respect of the Premises Licence held by Mr Waqas Ahmed Naveed for Quay Street News, 16 Quay Street, Cardiff, CF10 1DZ.

1.2 The Licence Holder is permitted by the licence to provide the following:

(1) In respect of the following licensable activities:

The supply of alcohol for consumption off the premises

(2) Unless otherwise indicated the premises may be open to the public and licensable activities permitted during the following hours:

Monday to Sunday: 08:00 to 23:00

2. Details of the Application for Review.

2.1 An application for Review has been received from South Wales Police. A copy of the application is enclosed with the report. The grounds for the review, as stated by South Wales Police are as follows:

“The premises is an off licence. It stocks and sells low priced, high strength lager, cider and beer. Cans of high strength alcohol are split from four packs and sold individually. This alcohol is sold to street drinkers, drunk customers and problem drinkers. These people whilst under the influence of this alcohol drink in the street, cause a public nuisance, urinate, defecate and vomit in the street and in doorways, commit crime and become violent.

The premises are a magnet for problem drinkers as it is a source of high strength cheap alcohol. This results in a detrimental effect on local businesses in Quay Street and its surrounding areas. These businesses endure this detriment on a daily basis with many calls to the Police to attend.

Each of the four licensing objectives are put at risk due to the display for sale and actual sale of alcohol at Quay Street News”.

3. Relevant Representations

The application for review has been advertised on the premises as required by the legislation.

A representation has been received from Alliance House Properties Limited, the lease holder for the building.

A representation has been received from the Cardiff & Vale University Health Board.

A representation has been received from Cardiff Against Business Crime, FOR Cardiff.

Copies of these representations are attached to the report.

4. Legal Considerations.

4.1 Any 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 take no action.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) To exclude a licensable activity from the scope of the licence.
- d) Remove the Designated Premises Supervisor.
- e) Suspend the Premises Licence for a period not exceeding three months.
- f) Revoke the Premises Licence.

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. Recommendation.

It is recommended that the application for Review be considered and determined on its merits.

**Dave Holland
Regulatory & Supporting Services**

20 September 2018

Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Superintendent Stephen MURRAY.....

(Insert name of applicant)

**apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description QUAY STREET NEWS Unit 3, Alliance House,, 17 Quay Street,	
Post town Cardiff	Post code (if known) CF10 1DZ

Name of premises licence holder or club holding club premises certificate (if known) Waqas Ahmed NAVEED

Number of premises licence or club premises certificate (if known) CCCP01300
--

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Superintendent Stephen MURRAY Cardiff Bay Police station, James Street, Cardiff CF10 5EW
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

The premises is an off licence.

It stocks and sells low priced, high strength lager, cider and beer. Cans of high strength alcohol are split from four packs and sold individually.

This alcohol is sold to street drinkers, drunk customers and problem drinkers.

These people whilst under the influence of this alcohol drink in the street, cause a public nuisance, Urinate, defecate and vomit in the street and in doorways, commit crime and become violent.

The premises are a magnet for problem drinkers as it is a source of high strength cheap alcohol.

This results in a detrimental effect on local businesses in Quay Street and its surrounding areas.

These businesses endure this detriment on a daily basis with many calls to the Police to attend.

Each of the four licensing objectives are put at risk due to the display for sale and actual sale of alcohol at Quay Street News.

Please provide as much information as possible to support the application (please read guidance note 3)

In May 2018 Cardiff Police began to have concerns over the level of incidents connected to cheap high strength alcohol sold at Quay Street News. The Police discovered that the previous owner and designated premises supervisor had sold the premises to Mr. NAVEED on May 1st 2018 and had ceased all connection with the business. There was no designated premises supervisor in place. Following a number of Police contacts with the premises operators on 6th June 2018 Mr NAVEED became the designated premises supervisor.

On 18th June 2018 Police Licensing Officers observed a clearly drunk man come out of Quay Street News carrying cans of alcohol. The male was stopped and it was ascertained that he had just bought the alcohol in the shop.

This breach of licensing law was dealt with by a verbal and written warning being given to Mr NAVEED.

Mr NAVEED was informed that his offer of high strength alcohol at low prices was attracting problematic customers and contributing to detrimental effects on the city centre.

On 6th August 2018 Uniform Police Officers observed a group of drunk and quarrelsome street drinkers in High Street near to its junction with Quay Street. It was ascertained that the high strength, cheap alcohol in their possession had been bought in Quay Street News. Officers brought this to the attention of Mr. NAVEED.

On the afternoon 10th August 2018 Mr. NAVEED left his shop without locking it. His 14 year old nephew was left in the shop. Street drinkers entered and started to help themselves to high strength alcohol which they started to consume in the shop. They left taking more alcohol with them. Four of them, two men and two women then went to the Castle grounds where they undressed and had sex in view of the public. This resulted in photographs of indecent behaviour appearing on line and in the South Wales Echo. Complaints regarding this drunken behaviour have been made to the Police. The source of the alcohol is clearly from of Quay Street News.

Police investigation of this incident revealed that the cctv in the shop is not of a good standard and does not cover all of the shop. This is a breach of the premises licence condition.

Problematic street drinkers continue to be attracted to the shop with a group of six causing a disturbance outside at 2.45 pm on 14th July 2018.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate x
- I understand that if I do not comply with the above requirements my application will be rejected x

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature S. Murray SUPT 1597

Date 15th August 2018

Capacity Superintendent of Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Tony BOWLEY Police Licensing Cardiff Bay Police Station	
Post town Cardiff	Post Code CF10 5EW
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) [REDACTED]	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Barker, Kirstie

From: [REDACTED]
Sent: 11 September 2018 12:34
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Application for a review of the Premise Licence at Quay Street News
Attachments: Signed representation letter.pdf

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Dear Sirs,

Re: Application for a review of the Premise Licence at Quay Street News

Further to our earlier email (below) please find attached a copy of the signed letter containing our representations.

Yours faithfully

Linda Jones

*Director
Alliance House Properties Limited
Alliance House
18/19 High Street
Cardiff
CF10 1PT
Contact telephone [REDACTED]*

From: enquiries
Sent: 11 September 2018 12:24
To: licensing@cardiff.gov.uk
Subject: Application for a review of the Premise Licence at Quay Street News

Dear Sirs,

Re: Application for a review of the Premise Licence at Quay Street News

Please find attached letter containing representations to be considered by the Licensing Committee in connection with the review of the premises licence at the Newsagent premises in Quay Street, Cardiff.

*Linda Jones
Director*

1300

Our Reference:

LAJ

Please ask for:

Miss L Jones

E-mail:

enquiries@alliancehouse.co.uk

Mobile Contact Number:



**Cardiff County Council
Licensing Section
City Hall
Cardiff
CF10 3ND**

By email only to licensing@cardiff.gov.uk

11th September 2018

Dear Sirs,

Re: Application for a review of the Premise Licence ("Review") at Quay Street News ("Newsagent")

We hold the Head Lease of the building known as Alliance House on the corner of Quay Street and High Street, Cardiff. The premise consist of the retail units on the ground floor (Royal British Legion Pop- In Shop, Quay Street Sandwich Bar, Dentist Surgery and the Newsagent), together with the office space in the tower block (Loosemores Solicitors and Royal British Legion).

We are the landlord to all the above tenants of the building and the directors of this company have held a Head Lease of the building for over 25 years. We therefore know the area well and our comments below are based on the first-hand experience of the three directors of this company, who have all worked daily in the building for the greater part of those 25 years.

We have read the grounds for the Review as set out on the Council's website. We wish to make the following points in relation to the social problems in Quay Street and surrounding area:

1. We do not agree with the inference that the sale of alcohol from the Newsagents has created the social problems (including anti-social behaviour) all too often evident in the City centre in general or the Quay Street area in particular. Sadly, begging, rough-sleeping and anti-social behaviour have been a feature of life in this part of the City centre for very many years and long before the premise was first used (in part) for the sale of alcohol. Previous tenants of the unit included a sports shop and music shop and all (along with every other business in the area) experienced social problems as part of business "life" in this part of the City.
2. However, the scale of the problem increased markedly when the Central Bus Station area was closed for redevelopment. The long standing social problems manifest in that part of the City moved elsewhere and the Quay Street area was badly affected, not least because the area has a high number of shop doorways (for resting and sleeping) and is a pedestrianize area with relatively high footfall (begging). This change (three plus years ago) was evident to the entire business community in and around Quay Street.
3. Along with many businesses in the area, we engaged in correspondence and meetings with the Council and the police about the heightened problem. Various initiatives were suggested. For our own

Registered office: Alliance House, 18/19 High Street, Cardiff CF10 1PT
Switchboard: 02920 224433 Fax: 02920 803100

A company registered in England and Wales - Company Registration Number 08804188

part, we installed railings (at a cost of more than £2,500.00) to the window ledges of the Royal British Legion's shop (Quay Street side) to deter anyone sitting on, or congregating by, those windows. The initiative worked but, of course, did not solve the problem; it merely moved elsewhere – those with social issues now tend to congregate on the public benches in High Street.

4. We do not contest that the retail sale of alcohol does, on occasions, contribute towards anti-social behaviour (which we oppose in all circumstances). However, we contest any inference in the submission contained in the Review document (and by others?) that the Newsagent in Quay Street is the sole cause of such alcohol related problems or that the Newsagent is any more responsible than other retailers who sell alcohol, including Tesco, Sainsbury's, SPAR and Nisa (who all sell alcohol within 500 yards of the Newsagent's shop). Also, as the Council will be aware, there is high A3 use in the area with many public houses, restaurants and cafes holding various liquor licences. It would, we submit, be grossly unfair to single out one retailer without irrefutable proof that its selling practices make a disproportionate, and unacceptable, contribution to the problem. Has the Council been provided with such statistical information, whether by the South Wales Police or others?

5. The newsagent in Quay Street is one of a declining number of independent traders in the centre of Cardiff. He is the only independent seller of newspapers in that part of the City. His business (in accordance with the usage clause in our Lease to him) must comprise a mix (in the main) of sales of newspapers and magazines, sweets and general confectionary items, cold takeaway food and drinks together with tobacco and alcohol. He has only held the Lease since 1st May 2018, having bought the business as a going concern from the previous tenant. We have worked with him in these inaugural months to assist him with getting to grips with running the business and we note that in comments the tenant has reportedly made to the Council, he has explained how he has learned to deal with those who he suspects of being unfit to purchase alcohol (including the use of a breathalyser device).

6. In our view the tenant is hardworking, honest and sincere in his wish to make the business prosper, including full compliance with the terms of the Licence and, beyond that, always trying to ensure he and his staff are socially responsible in the way alcohol is sold from the shop. However, we do not think his endeavour will succeed if the Licence is curtailed or withdrawn. The responsible and lawful sale of alcohol from the shop is vital to the continued existence of the newsagent's business. Without it, we fear the business may well close. Of course, as landlords, we don't want to see this happen but we assume the Council does not want yet another shuttered retail unit in the City centre (our experience is that it will take 12 months minimum to find a new tenant).

In conclusion, we urge the Council to view the anti-social behaviour issues in the High Street/St Mary's Street/Quay Street area in the widest possible context. We invite the Council to conclude that changing or removing the Newsagent's Premise Licence will not solve these problems. We question whether there is any evidence that sales of alcohol from the Newsagent are any more responsible for anti-social behaviour than sales made from the many other sources of alcohol in the same part of the City centre. Just because there are clearly social problems manifest in the area, does not mean the Newsagent's business (being the closest to one of the main problem areas) is the cause (let alone the sole or main influencing factor) of the alcohol related nature of these problems. Finally, we ask the Council to support the Newsagent staying in business by allowing him to continue to sell alcohol from the shop as at present (i.e. as part of his business), thereby supporting the mix of small and diverse businesses in the City centre which gives Cardiff (and particularly the Castle Quarter) such a distinctive character.

Yours

Linda
Director

Alliance House Properties Limited

Barker, Kirstie

From: Cheryl Williams (Public Health Wales) <[REDACTED]>
Sent: 11 September 2018 16:19
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Quay Street News review
Attachments: Quay Street News Review Letter FINAL signed.pdf
Importance: High

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Hi,

Please find attached a representation from Cardiff and Vale University Health Board regarding the review of the license of Quay Street News.

Many thanks,

Cheryl

Cheryl Williams

Prif Arbenigwr Hyrwyddiad Iechyd, Iechyd Cyhoeddus Cymru, Tim Iechyd Cyhoeddus Caerdydd a'r Fro, Global Link, Dunleavy Drive, Caerdydd, CF11 0SN

Ymarferydd Hyrwyddiad Iechyd wedi'u gofrestru gyda UKPHR: PR0076

Principal Health Promotion Specialist, Public Health Wales, Cardiff & Vale Public Health Team, Global Link, Dunleavy Drive, Cardiff, CF11 0SN

UKPHR Registered Public Health Practitioner: PR0076

[REDACTED]
Rhyngrwyd/Internet: www.iechydcyhoedduscymru.wales.nhs.uk / www.publichealthwales.org

Mewn rwyd/Intranet: www.publichealthwales.nhs.uk

Twitter: @IechydCyhoeddus / @PublicHealthW

Facebook: Iechyd Cyhoeddus Cymru / Public Health Wales

Rydym yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg
We welcome correspondence in Welsh or English



NHS
GIG

Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board



GIG
NHS

Iechyd Cyhoeddus
Cymru
Public Health
Wales

11th September 2018

Re: Review of the premises licence under the Licensing Act 2003.

Quay Street News, Quay Street, Cardiff. CF10 1DZ.

Dear Miss Hartrey,

In accordance with Cardiff and Vale University Health Board's (UHB) role as a responsible authority I can confirm that the UHB has concerns regarding the license for:

Quay Street News, Quay Street, Cardiff, CF10 1DZ.

Of prime concern is the availability of high strength, low cost alcohol in the premises. These types of alcohol products which include high strength lager, beer and cider are known to attract some of the most vulnerable people in our population, including people who are homeless, people who sleep rough and street drinkers. The sale of low cost, high strength alcohol can often exacerbate the personal, social and health problems of these vulnerable people due to the resulting intoxication, and the UHB believes that by having these products available for sale, the premises is not promoting the licensing objective of Public Safety.

The relationship between excessive alcohol consumption and alcohol-related illness and disease, as well as accidents and injuries, is well understood. People who consume large amounts of alcohol regularly are at a higher risk of developing alcohol-related illness and disease, than those who consume alcohol within the recommended weekly limits of no more than 14 units per week. In Wales, it is estimated that excessive alcohol consumption results in 55,000 alcohol-related hospital admissions per year, at an annual cost of over £150m to the Welsh NHS. There is a disproportionate amount of people from our poorest communities who are most affected by alcohol-related illness and disease, and the UHB supports any action to help reduce the burden of alcohol on individuals and on local health services.

The City of Cardiff Statement of Licensing Policy 2016-21 recognises the problems caused by street drinking, which can lead to concerns about public safety, and highlights the need for "careful consideration" of licenses in the areas where street drinking is problematic, such as the city centre. The UHB supports all action to reduce problematic street drinking. The Welsh Government recently took important steps to support tackling this issue by introducing The Public Health (Minimum Price for Alcohol) (Wales) Bill, which aims to reduce this exact type of 'problem' drinking. Although the Bill will not be implemented until the summer of 2019, the UHB fully supports the move to make high strength alcohol products less affordable, and therefore less attractive to purchase. The UHB believes that there are additional opportunities for responsible authorities to tackle the issues around problematic street drinking, by applying conditions to licenses that ensure high strength, low cost alcohol drinks are not available to purchase in off licenses. This is likely to be a particularly effective approach in off licenses whose practice has led to concerns, such as the premises in question.

Of secondary concern is the information regarding the public nuisance in the surrounding area, associated with the intoxication of the customers of the premises. The UHB works in



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Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board



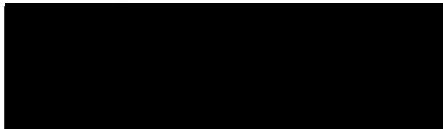
GIG
NHS

Iechyd Cyhoeddus
Cymru
Public Health
Wales

close partnership with organisations across Cardiff to ensure that the city is an attractive, safe and enjoyable place for people to live, work and visit. The type of public nuisance associated with the customers of the premises only leads the UHB to further question the responsibility of the premises around sales of alcohol, particularly sales to already intoxicated people.

In summary, the UHB believes that there is an opportunity through the current review to apply conditions to the license that will support the premises to promote the licensing objectives of Public Safety and Prevention of Public Nuisance. The UHB supports a condition that will prevent the sales of high strength lager, beer and cider in the premises. Although premium lager, beer and cider is generally considered to be 5%, the UHB does acknowledge that some products of beer are available for sale at up to 5.4%. Therefore, the UHB would support a condition to prevent sales of lager, beer and cider products above 5.4%.

Yours sincerely,



Cheryl Williams,
Principal Health Promotion Specialist,
Cardiff and Vale Local Public Health Team,
Cardiff and Vale University Health Board / Public Health Wales
Global Link,
Dunleavy Drive,
Cardiff,
CF11 0SN
Tel: 02921 832110

Barker, Kirstie

From: [REDACTED]
Sent: 12 September 2018 12:41
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: [REDACTED]
Subject: Review Quay Street News Cardiff
Attachments: IsQuayStNews.docx

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Dear Sir or Madam,

I am aware of the review of the premise licence for Quay Street News, Quay Street Cardiff in respect of high strength alcohol sales to the public and wish to make representation in this matter in regard to the licensing objective of the prevention of public nuisance.

Please find a statement attached and I ask that may be allowed to address the Licensing Committee in any hearing regarding the premises.

Many thanks

Ian Tumelty

Business Crime Reduction Manager
Cardiff Against Business Crime, FOR Cardiff

M: [REDACTED]
Suite 13, Level 1, MotorPoint Arena, Mary Anne Street, Cardiff CF10 2EN
www.cardiffabc.com



CityNet
CABBC
Cardiff Against Business Crime



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(200)

Ian Michael TUMELTY

Postal address: Cardiff Against Business Crime, FOR Cardiff, Suite 13, level 1, MotorPoint Arena, Mary Anne Street, CARDIFF CF10 2EN.

I am the above-named person and I am providing this statement in relation to a review of a premise license under the Licensing ACT 2003 in respect of the premises known as Quay Street News, Quay Street Cardiff.

I am the Business Crime Reduction Manager with 'Cardiff Against Business Crime', a business crime reduction partnership that is hosted within the FOR Cardiff Business Improvement District. This is a not-for-profit organisation that exists solely to serve our membership which consists of over 500 retail and licensed premises in Cardiff City Centre.

The aims and objectives of the business crime partnership include the intention to reduce fear of crime and disorder as well as the effects of fear of crime and disorder; to reduce members' losses caused by crime; reduce the effect of anti-social behaviour on the persons employed by members; to create a safe and secure environment for customers, staff and visitors; and to contribute to the economic viability and prosperity of the area.

I am aware that there are significant issues within the city centre in relation to anti-social street drinking. I have witnessed this on many occasions whilst visiting and liaising with our members in the city centre and I have also received feedback and complaints from members on this issue.

On the 6th August 2018 in my capacity as Business Crime Manager, I attended a problem-solving meeting of the Quay Street Traders Group, where anti-social street drinking was an agenda item and was expressed as a matter of concern by those present.

Anti-social street drinking causes harassment and distress to both members of the partnership and to members of the public who visit Cardiff for both leisure and working purposes. Members of the public will actively avoid areas where street drinkers are and, this, in turn, affects business and can leave some areas heavily littered with debris street drinkers leave behind.

As a Capital City and as one of the foremost retail and leisure destinations in the United Kingdom, it's imperative that all users of the city feel confident that they can go about their business in the city centre without having to witness or experiencing harassment alarm or distress in encountering anti-social street drinkers. Addressing the problem will enhance the experience and appearance of the city and will attract visitors back for future visits.

The most successful cities are those that offer a high quality of life and any continuing acts of anti-social street drinking are looked upon as having a negative impact on people and businesses.

The public perception of the city is distorted when there are instances of anti-social drinking and related aggressive and disorderly behaviour as it causes distress to other persons who may experience this behaviour within their hearing or sight. This changes what should be a good experience into one that affects their day to day business and can leave them feeling vulnerable and harassed.



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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