

LICENSING SUB COMMITTEE

23 AUGUST 2019

Present: Councillor Mackie(Chairperson)
Councillors Goddard and Jacobsen

1 : DECLARATIONS OF INTEREST

No declarations of interest were received.

2 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - WALES MILLENNIUM CENTRE

Applicants: Mark Symcox, DPS
Kelly Evans and Steve Morris, WMC

Responsible Authority: Sophia Koprowski, Neighbourhood Services

Interested Others David Jenkins, Valerie Jenkins, Ann Brady

The Application

An application for the Grant of a Premises Licence was received from
«Licensee_Title» «Licensee_Name»Wales Millennium Centre in respect of the Wales
Millennium Centre, Bute Place, Cardiff.

The applicant has applied for the following:

- (1) In respect of the following licensable activities:
- (i) The sale by retail of alcohol for consumption on and off the premises
 - (ii) The provision of regulated entertainment in the form of plays (indoors), films (indoors and outdoors), live music (indoors and outdoors), recorded music (indoors and outdoors), performances of dance (indoors and outdoors) and anything of a similar description (indoors and outdoors)
 - (iii) The provision of late night refreshment (indoors and outdoors)

At the commencement of the hearing the Sub Committee and all present were advised that the applicants had reached agreement with South Wales Police and had accepted 24 conditions on the premises licence. The applicant has also amended the plan of the proposed licensable area. The application would therefore be amended to reflect those conditions. South Wales Police agreed to withdraw their representation.

Responsible Authority Representations

Sophia Koprowski addressed the Sub Committee. Members were advised that the conditions and the revised plan agreed between the applicant and South Wales Police had effectively allayed the concerns of Pollution Control.

Other Person Representations

Mr David Jenkins addressed the Sub Committee. Mr Jenkins stated that he was an audiologist with some post graduate qualifications in the field. Mr Jenkins stated that he was unclear what the Wales Millennium Centre (WMC) were seeking. However, residents would like to see some controls in place to mitigate against the possibility of noise nuisance being caused.

Mr Jenkins stated that there are World Health Organisation guidelines governing the levels of noise permitted in a residential area. There were 72 residences in the Quayside building and 32 in the Ocean Buildings, along with others in the area. Mr Jenkins suggested that the WMC was therefore located in a residential area.

The acceptable noise levels should therefore be 55dbs during the day and 45dbs during the night. Mr Jenkins asked whether WMC would be prepared to accept a condition on the premises licence which set limits on the noise levels so that residents may have assurance. He considered that noise levels should be no louder than the levels for normal conversation. If the condition was accepted it would be enforceable and residents would have some protection. The condition would also allow WMC to monitor noise levels.

Mr Jenkins stated that he had lived in the area for 10 years and residents were regularly 'plagued' by noise nuisance. Mr Jenkins was asked whether any of the noise nuisance problems were associated with activities at the WMC. Mr Jenkins and Ms Brady stated that activities in the Roal Dahl Plas and the basin regularly create noise nuisance for residents. The area is circular in shape and has had reflective surfaces and noise does not dissipate readily.

Ms Brady stated that she did not agree to the off sales of alcohol at the WMC as the premises was primarily a cultural centre not an off licence. Mr Brady considered that off sales were not warranted.

Mrs Valerie Jenkins summarised the concerns of residents which included stress from sleep deprivation, the impression given to tourists, devaluation of property prices, noise nuisance, litter, criminal activity, parking and congestion.

Applicants Representations

Mark Symcox presented the application. Mr Symcox stated that he believed residents have misunderstood the intention of the application. There were currently 3 different premises licences at WMC. The application was seeking to amalgamate those premises licences into a single licence and also provide a modest extension of the terminal hour by 30 minutes.

Most objections have been addressed by default following the agreement between WMC and South Wales Police. All activities in the external area would cease at 2300 hours. Mr Symcox stated that he was not an expert in sound but he would challenge

the statements made by a local resident. The WMC is not located in a residential area. The area has a mixed commercial use and there are many bars and restaurants.

The WMC has always provided off sales without incident. The WMC acts as both a business and a charity and adheres to all regulatory requirements.

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Summing Up

Mr Jenkins requested guidelines governing noise levels to be set that would offer some sort of protection to local residents.

Mr Symcox stated that residents' concerns should be addressed by the conditions accepted by the applicant. There would be no additional noise created as a result of the application.

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, GRANTED the premises licence subject to the conditions agreed between the applicant and South Wales Police.

3 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - BREW MONSTER, HIGH STREET

Applicant: Glenn White

Responsible Authority: Jon Marchant, South Wales Police
Rhys Morgan, Neighbourhood Services

The Application

An application for the Grant of a Premises Licence was received from Brew Monster «Licensee_Title» «Licensee_Name» Bars (Cardiff) Limited in respect of Brew Monster, 31-32 High Street, Cardiff

The applicant applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail of alcohol for consumption on and off the premises
- (ii) The provision of late night refreshment (indoors)

(2) Description of Premises (as stated by applicant):

“The venue comprises approximately 850 square foot of ground floor space, fronting High Street that will be used as a bar/casual dining restaurant.”

(3) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non standard timings:

Monday to Sunday: 11:00 to 00:00 hours
Non Standard Timings:
Christmas Eve: 11:00 to 03:00 hours
New Years Eve: 11:00 to 03:00 hours

(4) To provide licensable activities during the following hours:

(i) The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 11:00 to 23:30 hours
Non Standard Timings:
Christmas Eve: 11:00 to 02:30 hours
New Years Eve: 11:00 to 02:30 hours

(ii) The provision of late night refreshment (indoors)

Monday to Sunday: 11:00 to 23:30 hours
Non Standard Timings:
Christmas Eve: 11:00 to 02:30 hours
New Years Eve: 11:00 to 02:30 hours

Responsible Authority Representations

Jon Marchant stated that the premises were located within the Cumulative Impact Zone and falls within the ‘red’ category of premises. There may potentially be a negative impact on crime and disorder as a result. The applicant has accepted all of the conditions set out in the written representations from South Wales Police and these would go some way to addressing any concerns regarding the operation of the premises.

Rhys Morgan addressed the Sub Committee. Members were advised that the proposed premises would operate as a bar, with a substantial food offering. Some additional conditions have been accepted which would move the premises towards the amber rating, such as 70% of the floorspace being tables and chairs. However, the premises would be a public house not a restaurant.

As the premises was located in the Cumulative Impact policy area it falls for the applicant to demonstrate that there would be no additional crime and disorder or public nuisance.

Applicants Representations

Glenn White presented the application. Members were advised that the applicants were a Welsh microbrewery who had been trading for 2 years. Their first premises opened in Barry. That establishment is community-led and provides high quality craft beers and ciders. The application was seeking to replicate this in Cardiff and provide an opportunity to showcase their produces to a wider market.

As there was competition within the craft beers market in Cardiff, the applicant was also seeking to provide a high quality food offering. Prices would be set at a premium and the premises would operate restricted hours. Mr White considered that the premises would provide a positive addition to the City Centre.

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, GRANTED the premises licence subject to the conditions agreed between the applicant and South Wales Police.

4 : URGENT ITEMS (IF ANY)

The meeting terminated at Time Not Specified