



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, 8 NOVEMBER 2019, 10.00 AM
Venue	ROOM I AND J, CITY HALL - CITY HALL
Membership	Councillor Mackie (Chair) Councillors Asghar Ali 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 Grant of a Premises Licence - Vermut, Guildhall Place** *(Pages 3 - 14)*

3 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services
Date: Monday, 4 November 2019
Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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LICENSING SUB-COMMITTEE: 8 NOVEMBER 2019

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 041930

Name of Premises: Vermut, 2 Guildhall Place, Cardiff, CF10 1EB

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Curado Bar Limited in respect of Vermut, 2 Guildhall Place, Cardiff, CF10 1EB.

1.2 The applicant has applied for the following:

(1) In respect of 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):

“This would be the first sherry/vermut bar in Wales. These small bars are very popular in Spain, especially Barcelona. These types of small sherry bars are attached to Spanish tapas bars in London which are proving extremely popular. Sherry and Vermouth are seen in Spain as aperitifs, the Spanish say that they open the appetite. Many Spanish will have a sherry or vermouth prior to any meal. Sherry and Vermouth are also considered as an end of meal drink so in essence they open and close a good meal”.

(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: 07:00 to 00:30 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: 10:00 to 00:00 hours
- (ii) The provision of late night refreshment (indoors)
Monday to Sunday: 23:00 to 00:30 hours

1.3 A site plan of the premises can be found in *Appendix A*.

1.4 A map showing the location of the premises can be found in *Appendix B*.

2. Promotion of Licensing Objectives.

2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in *Appendix C*.

3. Relevant Representations

3.1 A representation was received from South Wales Police in respect of this application. A copy of the Police representation can be found in *Appendix D*.

3.2 A representation was received from the Senior Licensing Enforcement Officer in respect of this application. A copy of the representation can be found in *Appendix E*.

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

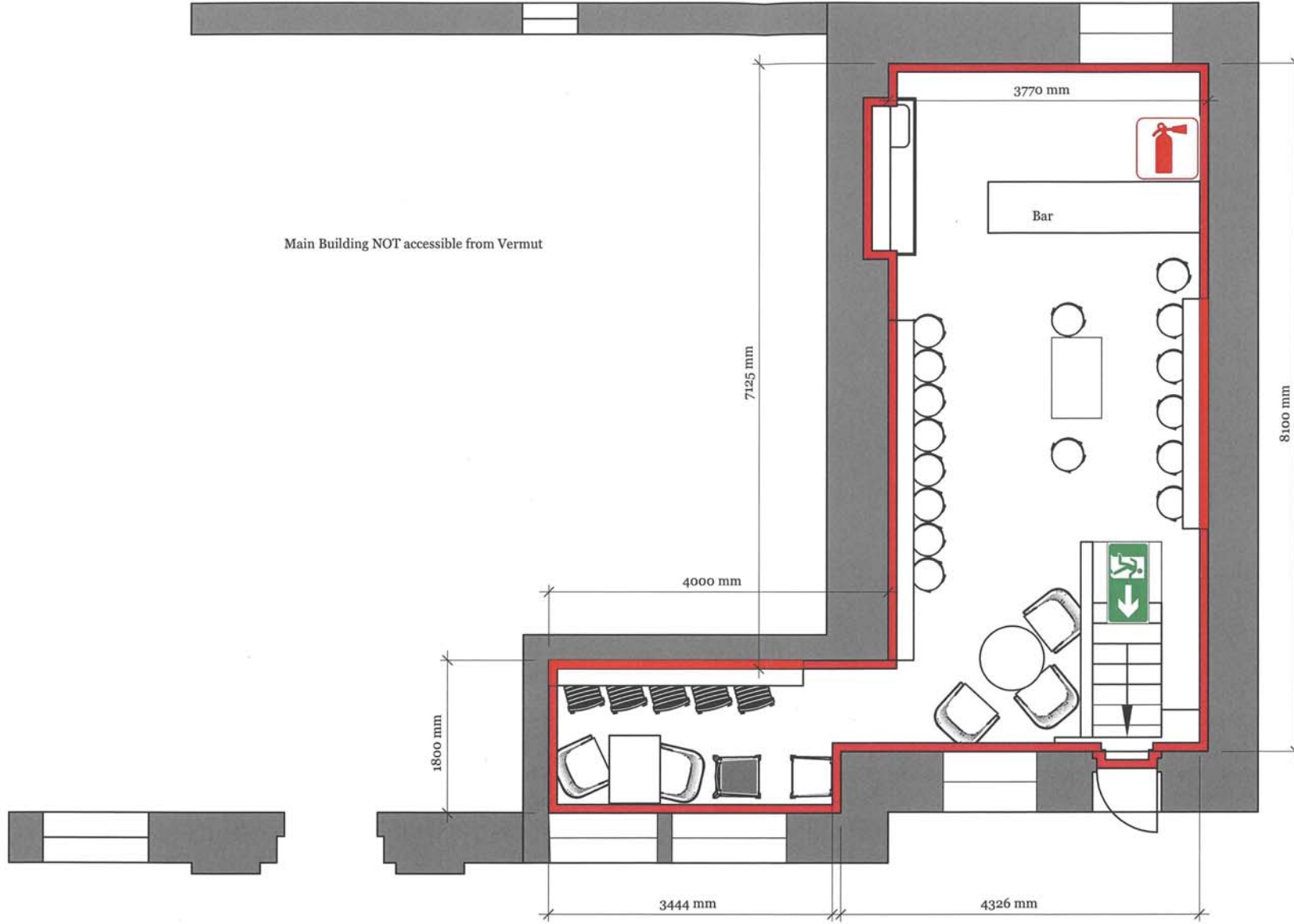
- a) To grant the application.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) Reject the whole or part of the application.

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.

APPENDIX A



Fanco Technical Services
 unit 10 Garngoch Workshops
 phoenix way,
 Garngoch Industrial Estate
 Swansea
 SA4 9WF

SCALE
 1:50 @A3

Paul Grimwood
 & Shumana Palit
 Curado Bar
 2 Guildhall Place
 Cardiff
 CF10 1EB

PROJECT
 Vermut

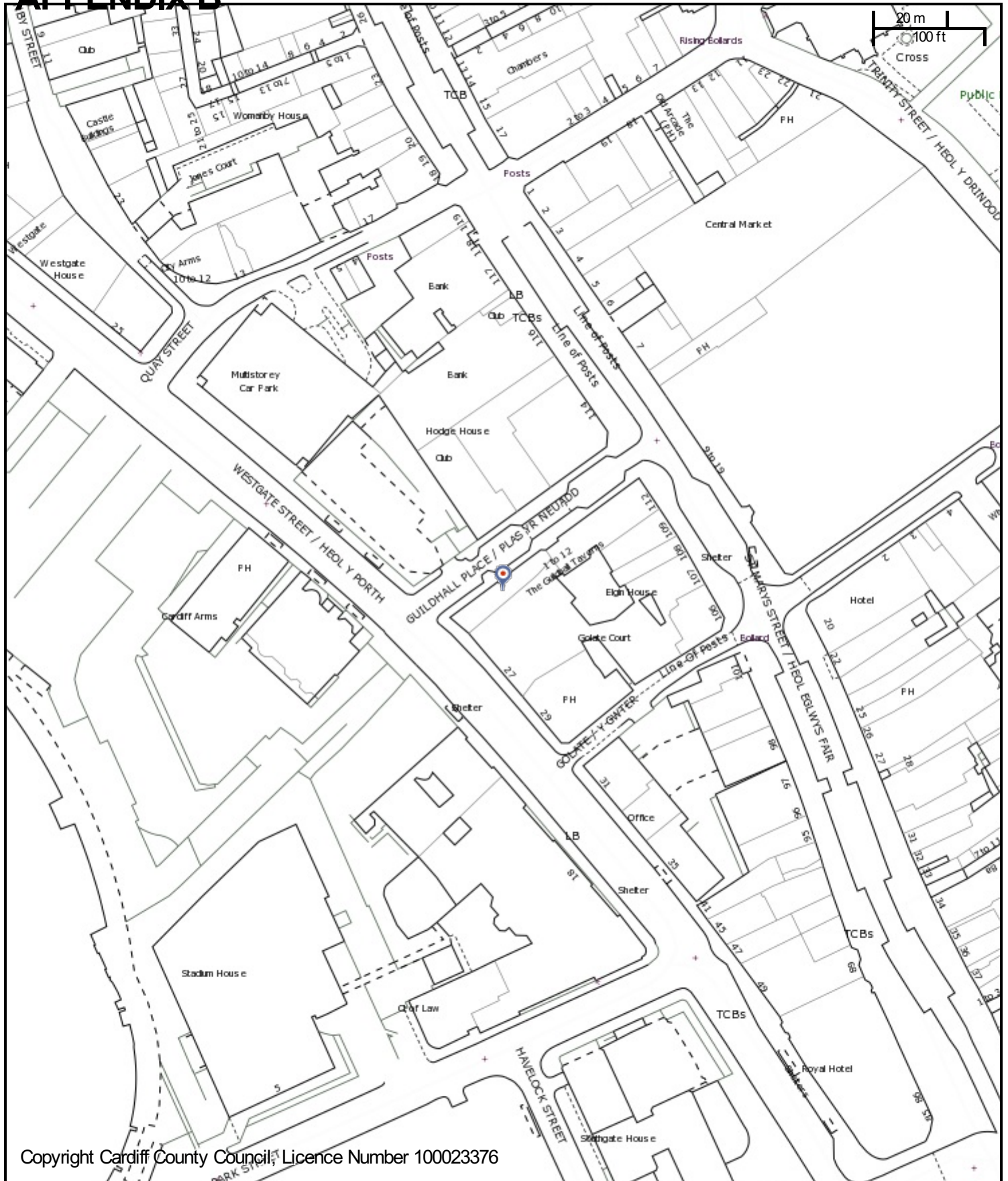
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 EF

ISSUE
 1st August 2019

DESCRIPTION
 Proposed Layout



APPENDIX B



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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Ordnance Survey 100023376 (2014).

APPENDIX C

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please see attached operating schedule of conditions document.

b) The prevention of crime and disorder

Please see attached operating schedule of conditions document.

c) Public safety

Please see attached operating schedule of conditions document.

d) The prevention of public nuisance

Please see attached operating schedule of conditions document.

e) The protection of children from harm

Please see attached operating schedule of conditions document.

APPENDIX C

cont'd

Vermut, 41 Charles Street, Cardiff CF10 2GB

Proposed Conditions

General – all four licensing objectives

The full menu will be available throughout the trading day (subject to a permitted wind-down period before the terminal hour of service).

A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

All staff shall be suitably trained for their job function for the premises the training shall be written into a programme of ongoing review and will be made available to a responsible authority on reasonable request.

Prevention of crime and disorder

CCTV shall be installed to a standard agreed with the South Wales Police. It will be maintained and operated at all times that the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets), including entrances and exits and any outside areas used by customers. Images shall be kept for a minimum of 31 days. The images shall be produced to an authorized police employee in a readily accessible format upon reasonable request (within 24 hours). There will be sufficient staff training to facilitate such a request.

On days classified as 'major event days' by the South Wales Police, all drinks will be dispensed into plastic vessels, with the exceptions being hot drinks (ceramics) and wine, champagne and cocktails, if served with a table meal to seated patrons, unless otherwise agreed with the police, in writing, on request made no less than 14 days before such event.

On major event days in Cardiff City Centre, such as sporting events in the Principality Stadium, an SIA registered member of door staff (employed at a ratio of 1:100) will be on duty, when alcohol is offered for sale, no less than 3 hours before the commencement of the event, until close, unless otherwise agreed with the police, in writing, on request made no less than 14 days before such event.

On major event days in Cardiff City Centre, such as sporting events in the Principality Stadium, the premises will not obstruct the thoroughfare of Guildhall Place or Westgate Street with tables, chairs, planters or similar items.

On major event days there will be no beers, lagers or ciders for sale for consumption off the premises. The applicant is to write to the South Wales Police Licensing department 14 days in advance of any major event day in which the prohibition on the sale of beers, lagers or ciders off the premises is to be lifted for that particular event.

When there are large private events at the premises, such as invitation only parties, a member of door staff will be on duty to supervise entry (if the event is for more than 50 persons).

To be a member of Pubwatch or related scheme.

A log for all incidents is to be kept and maintained. This log must be available to Police or Council Officers on request. Relevant offences will be reported to Police in good time.

APPENDIX C cont'd

Public Safety

Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.

Prevention of Public Nuisance

A refuse store of sufficient size shall be provided

Late night refreshment is restricted to consumption on the premises.

The Premises Licence Holder or nominated person shall ensure that suitable signage is positioned at exits to request the co-operation of patrons, in particular to make as little noise as possible when leaving the premises. Patrons will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.

Protection of children from harm

All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage and shall be aware of how to seek ID from anyone who appears to be underage.

All staff training on the issue of underage sales to be documented and made available to responsible authorities upon request.

Persons under the age of 18 shall only be admitted onto the premises in the company of an adult.

A challenge 21 policy is employed whereby those who appear to be under the age of 21 and are attempting to purchase alcohol will be asked to provide identification.

The only type of identification that will be accepted is a photo driving licence, passport, PASS (Proof of Age Standards Scheme) or accredited Military identification cards. Staff will be trained in this policy and records will be kept.

There shall be no adult entertainment, services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

There will not be any lap dancing, striptease or other similar adult entertainment allowed on the premises.

APPENDIX D

From:

Subject: Police Representations made in Respect of Vermut.

Date: 11 October 2019 13:14:26

Attachments: [20191011131703222.pdf](#)

*** 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. ***

To whom it may concern, please find attached representations made by South Wales Police in respect of the above application.


South Wales Police object to the granting of the application as applied for on the basis of the prevention of crime and disorder in that the premises sits within the area as defined by Cardiff City council as being that subject to their Cumulative Impact Policy.


For your consideration.

Rob Gunstone.

Pc 3487

Police Licensing Department.

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.

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.

Unauthorised use or disclosure of this email may be unlawful.

View our confidentiality statement at <https://www.south-wales.police.uk/en/email-confidentiality-statement/>

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/datganiad-cyfrinachedd-e-bost/>



SWYDDOGOL – OFFICIAL

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

11th October 2019

Vermut.
41 Charles Street.
Cardiff.
CF10 2GB

**APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003.
VERMUT. 41 CHARLES STREET. CARDIFF CF10 2GB.**

To whom it may concern,

I have caused enquiries to be made into this application. The premises sits within the area as defined by Cardiff City Council as being that covered by their Culmalative Impact Policy. As such, South Wales Police object to the granting of new premises licence as applied for under the following licensing objectives, namely;

The Prevention of Crime and Disorder.

It is therefore incumbent on the applicant to demonstrate to the Council Licensing Sub-committee that the applicant will put in place sufficient measures to ensure that there will be no additional impact made by the premises on the area.

However, should the Licensing sub-committee be so disposed to grant the application as requested, then be advised that South Wales Police make the following representations on order to support and promote the following licensing objectives;

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.

Namely;

The Prevention of Crime and Disorder.

POLICE REPRESENTATIONS.

The applicant has submitted a number of proposed conditions. South Wales Police request to amend the following conditions as proposed;

1. **'On major event days in Cardiff City Centre, such as sporting events in the Principality Stadium, an SIA registered member of door staff { employed at a ratio of 1:100} will be on duty, when alcohol is offered for sale, no less than 3 hours before the commencement of the event until close, unless otherwise agreed with the Police, in writing, on request made no less than 14 days before such event.'**

Amend to;

- On those days designated by South Wales Police as Major Event days in the Cardiff City Centre, SIA registered door supervisors will be employed at the premises from either 4pm that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises. There will be a minimum of one SIA registered door supervisor employed on the above days.
2. **To be a member of Pubwatch or related scheme.**

Amend to ;

- The Designated Premises Supervisor will be an active member of the Cardiff Licensee's Forum for so long as the forum remains in existence.
3. **A log for all incidents is to be kept and maintained. This log must be available to Police or Council Officers on request. Relevany offences will be reported to Police in good time.**

Amend to :

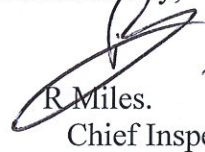
- An incident book shall be kept at the premises and maintained on site for a period of twelve months. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:
 - All crimes reported to the venue
 - Any complaints 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.

In addition, South Wales Police request the following conditions be added to the premises licence;

1. A register of door supervisors shall be kept at the premises. The register shall show the full name, address, company, SIA registration number and licence expiry date of each Door Supervisor with signed acknowledgement of start and end duty times from each Door Supervisor. The register shall be kept by the DPS for a minimum of 12 months and will be made available to a police employee upon request.

2. When SIA registered door supervisors are employed at the premises they will utilise a minimum of one body worn video device. Any such device will be capable of recording both audio recordings and visual images. The recordings will be kept for a minimum of 31 days and will 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.

Yours faithfully,


R Miles.
Chief Inspector.

1.011337

COPY TO:

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

APPENDIX E

From: [Morgan, Rhys](#)
To: [Barker, Kirstie](#)
Subject: RE: Licensing Act 2003 - Vermut - New Premises Licence Application
Date: 11 September 2019 08:27:16
Attachments: [image003.png](#)

Morning Kirstie,

Licensing Act 2003: Application for the grant of a Premises Licence – Vermut, Guildhall Place.

In regard to the above application to grant premises license, I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

A Cumulative impact Policy has been adopted for the City Centre area of Cardiff. The Licensing Authority has adopted the policy due to high levels of alcohol related crime and disorder, in the interests of public safety and the avoidance of nuisance.

The policy creates a presumption that new applications for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives.

The premises detailed above falls within the boundary of the Cumulative Impact Zone and therefore an objection is submitted in respect to the following Licensing Objectives.

The prevention of crime and disorder.
The prevention of public nuisance.

There has been some detail in the application and within the operating schedule for how the promotion of the licensing objectives will be undertaken within cumulative impact policy along with the prevention of crime and disorder and Public Nuisance. However the premise currently still falls within the red classification under the statement of licensing policy as not all additional measures have been met, Consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Cumulative Impact Policy.

You will need to demonstrate to the Licensing Sub-Committee that there will be no negative cumulative impact on one or more of the licensing objectives if the Premises Licence were to be granted.

Kind regards

Rhys Morgan

Licensing Section / Adran Drwyddedu

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Telephone | Ffôn 02920 871123



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