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Cardiff
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AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	WEDNESDAY, 12 AUGUST 2020, 10.00 AM
Venue	REMOTE MEETING VIA MS TEAMS
Membership	Councillor Mackie (Chair) Councillors Bowen-Thomson and Kelloway

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 - Greek Village, Caroline Street** *(Pages 3 - 12)*

3 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services
Date: Thursday, 6 August 2020
Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 12 August 2020

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 053332

Name of Premises: Greek Village, 21 Caroline Street, Cardiff, CF10 1FG

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Souvlike Ltd in respect of Greek Village, 21 Caroline Street, Cardiff, CF10 1FG.

1.2 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

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

"The premises trades as a sit in and takeaway 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 23:30

(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 23:00

1.3 A site map showing the premises and a plan of that premises can be found in **Appendix A**.

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 B**.

3. Relevant Representations

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

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

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.

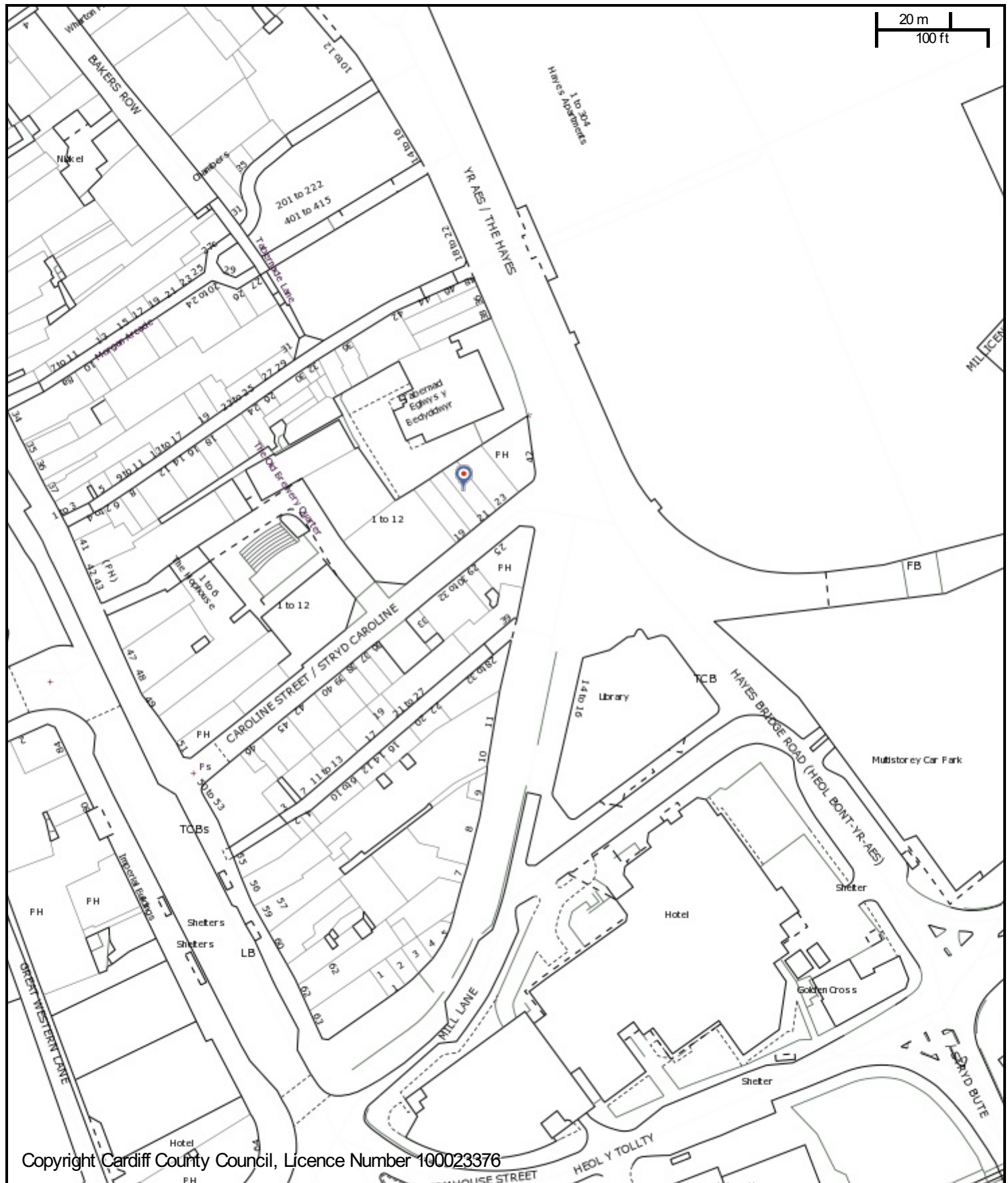
- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (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.

Dave Holland
Regulatory Services

23 July 2020



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CHIEF EXECUTIVE

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Cardiff Council



Title

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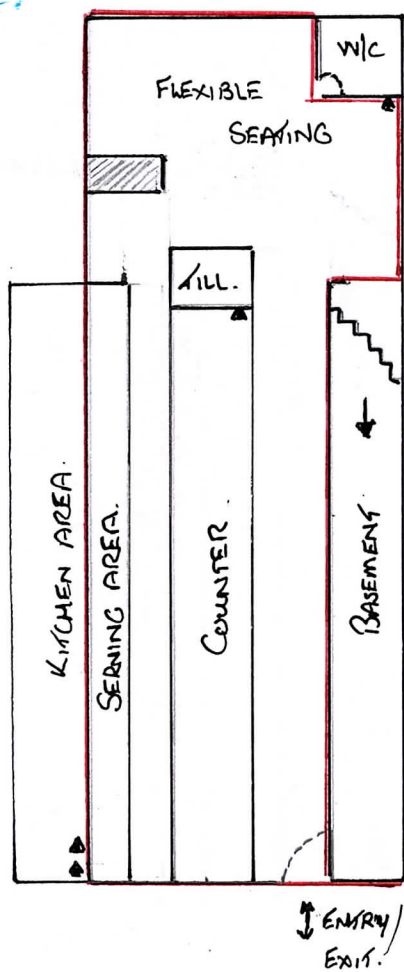
Date: 23/7/2020 at 9:37 AM

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SOUNLIKE LTD
21 CAROLINE STREET
CARDIFF
CF10 1FG.

- LICENSABLE AREA.
- FIRE EXTINGUISHER.

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. The premises will close 30 minutes after the licensing activities have ceased, to allow customers to finish their drinks and food and leave in a quiet and orderly manner.

b) The prevention of crime and disorder

CCTV will be used at the premises, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority.

The correct time and date will be generated onto both the recording and the real time image screen.

If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay.

The Licensing Authority and the Police shall be informed when faults are rectified.

The premises licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises.

An incident record will be kept in a bound book, as will all refusals for the sale of alcohol. These books will be made available to the police and officer from the council on request.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size.

An on-site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.

d) The prevention of public nuisance

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for any neighbouring residential properties, when leaving late in the evening.

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Challenge 25 POS will be on display in the store. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

Barker, Kirstie

From: 13 July 2020 08:53
Sent: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
To:
Subject: Premise Licence app; Souvlike
Attachments: CI Souvlike signed.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 fygythiadau, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

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.

Good Morning,

Please find attached representations made by South Wales Police in respect of the application for a premises licence at Souvlike, Caroline Street, Cardiff.

Yours sincerely

Claire Dewhurst



Claire-Louise Dewhurst

Swyddog Trwyddeduy Heddlu / Police 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.

/SWPolice @SWPolice @SWPolice /SWPTV

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.

Do you need to speak to police but don't require



Licensing Department,
Cardiff Bay Police Station,
James Street,
Cardiff
CF10 5EW

9th July 2020

1

APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003
SOUVLIKE, 21 CAROLINE STREET, CARDIFF CF10 1FG

Dear Mr Gibson,

I have caused enquiries to be made into this application and make the following representation;

South Wales Police wish to object to the grant of this application under the Licensing Objectives;
Prevention of Crime and Disorder
Protection of Children from Harm, as well as the Cardiff City Council Cumulative Impact Policy 2016-2021.

Should the committee be of a mind to grant this application, we ask that conditions are attached to the premises licence as listed below;

CONDITIONS

To amend hours applied for;

Hours open to the public Monday – Sunday 11:00 – 23:00

Supply of alcohol Monday – Sunday 11:00 – 22:30

Prevention of Crime and Disorder

1) A CCTV system shall be installed to a standard agreed with South Wales Police. It shall be maintained and operated at all times the premises are open to the public. The system shall cover all internal areas to which the public have access (excluding toilets), including entrances and exits. The images shall be kept for a minimum of 31 days and the images shall be produced to a Police employee in a readily playable format immediately 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.

2) 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 a police employee, and will record the following:

All crimes reported to the venue

Any complaints received (of a Criminal or Licensing nature)

Any incidents of disorder

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.

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.

3) On days considered to be major events in the City Centre i.e. sporting events or pop concerts in the Principality Stadium, all drinks are to be dispensed in non-glass vessels.

4) Signs will be placed at the exit requesting customers to leave quietly due to the local proximity of residential accommodation within the area.

5) Alcohol will only be served to persons as an ancillary to food.

6) All off sales of alcohol will be served in non-glass vessels.

7) The sale of alcohol for consumption off the premises will be limited to an area agreed with the Cardiff Council's Highway department; this area to close by 21:00 hours each day.

8) If the premises operates beyond 23:00 hours then a minimum of One SIA door registered door staff will be employed on the premises from 23:00 hours to close. A record of door staff employed at the premises shall be kept. It shall keep a record of the name and SIA number of staff. It will detain the date and time each member of staff commenced their duty and the time they finished. The record will hold details for at least one year and be made available to authorised members of South Wales Police upon request.

Protection of children from harm

9) No unaccompanied children will be permitted in the licensed restaurant area after 21:00hrs.

Additional evidence to support the notice of objection will be presented at any subsequent hearing before the Licensing sub Committee. This evidence will be pertinent to the location of the premises and will consist of written, statistical or CCTV evidence. If you require any further information please contact Police Licensing Officer Claire Dewhurst at Cardiff Bay police station, Licensing Department on _____ or by email @ _____

Yours sincerely



M. Conquer
Chief Inspector

Barker, Kirstie

From: Morgan, Rhys
Sent: 14 July 2020 16:06
To: Barker, Kirstie
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - SouvLike, 21 Caroline Street, Cardiff, CF10 1FG

Good Afternoon Kirstie,

Please find representation from the licensing authority below.

Licensing Act 2003: Application for the grant of a Premises Licence -

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.

The operating schedule contains sparse information on how the premises intend to promote the licensing objectives with little consideration to the potential cumulative impact. Consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Statement of Licensing Policy and Cumulative Impact Policy. Reliance on operating without incident alone would ignore the purpose of cumulative impact policies, which are not intended to address individual problems at the premises themselves but problems in the wider area. The Operating schedule makes reference to the premises being a restaurant however it is noted that no additional measure in relation to the sale of alcohol under the Statement of Licensing Policy found in the table on page 47 in Chapter 8 of the 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

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