



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

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	TUESDAY, 29 JUNE 2021, 10.00 AM
Venue	REMOTE MEETING VIA MS TEAMS
Membership	Councillor Mackie (Chair) Councillors Asghar Ali and Lancaster

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 - Social Eats, Salisbury Road** *(Pages 3 - 24)*

3 **Application for the Grant of a Premises Licence - Bacareto, Church Street** *(Pages 25 - 44)*

4 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services
Date: Wednesday, 23 June 2021
Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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If you make a representation to the meeting you will be deemed to have consented to being filmed and/or recorded.

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 29 June 2021

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 061705

Name of Premises: Social Eats, 20 Salisbury Road, Cathays, Cardiff, CF24 4AD

Ward: Cathays

1. Application

- 1.1 An application for the Grant of a Premises Licence has been received from Laura Archbold and Michael Robbins in respect of Social Eats, 20 Salisbury Road, Cathays, Cardiff, CF24 4AD.
- 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):

“Coffee shop and Café”
 - (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 Saturday: 10:00 to 23:00 hours
Sunday: 10:00 to 22:00 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 Saturday: 11:00 to 23:00 hours
Sunday: 11:00 to 22:00 hours
- 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. A copy of the representation is attached as **Appendix C**.

- 3.2 A representation has been received from Pollution Control. A copy of the representation is attached as **Appendix D**.
- 3.4 A representation has been received from Licensing Enforcement. A copy of the representation is attached as **Appendix E**.
- 3.5 A representation has been received from other persons (a local resident). A copy of the representation is attached as **Appendix F**.

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

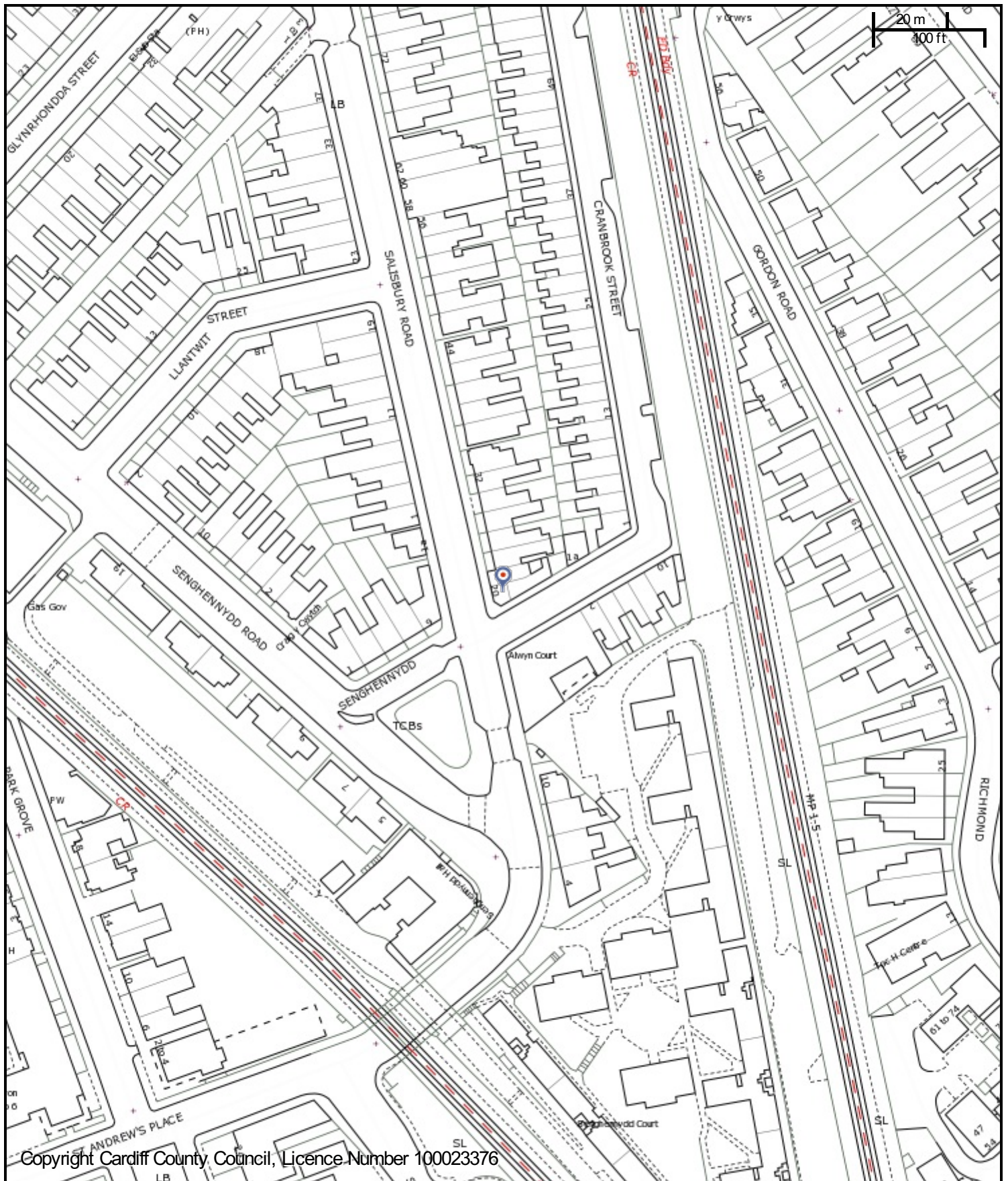
- 5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

14th June 2021

APPENDIX A

Site Map & Plan



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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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Date: 14/6/2021 at 9:31 AM

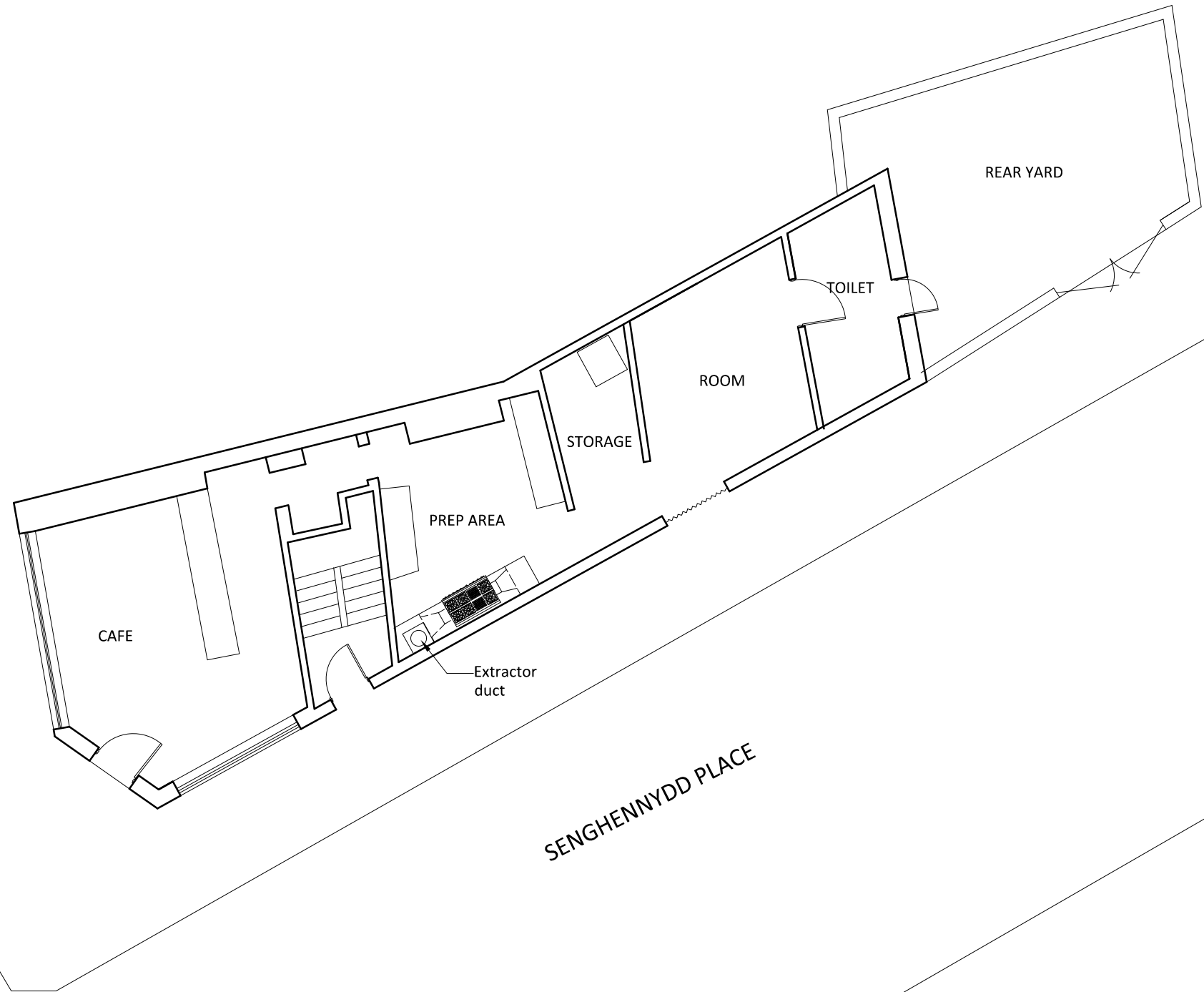
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SALISBURY ROAD



EXISTING PLAN

<small>© This drawing is copyright. Do not Scale. Contractor to check all dimensions on site and to report any discrepancies directly to the SO.</small>			 SK DESIGNS <small>SK DESIGNS</small> <small>58B, Clewwater Way, Lakeside, Cardiff, CF23 6DJ</small> <small>Tel: 029 20 761 950</small> <small>Fax: 029 20 761 950</small> <small>Email: info@skdesigns.org.uk</small>
Date: APRIL 2021			
Project: 18-20 SALISBURY ROAD			
Client:			
Description: EXISTING PLAN	Job No:	Scale: 1:100 ON A3	
	Dwg No: 101	Drawn By: NZ	

APPENDIX B

Operating Schedule

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)

Intend to have a few cocktails and wine for wine tasting.
Provide security.
Ask for ID
Refuse entry if drunk and disorderly.

b) The prevention of crime and disorder

Monitor Consumption and refuse to serve anyone who is drunk and disorderly

c) Public safety

Serve until 11pm

d) The prevention of public nuisance

As above

e) The protection of children from harm

Do not allow under age, always ask for ID

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 June 2021 19:15
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);

Application for a new premises Licence- Social Eats 20 Salisbury Road.
Attachments: Headed Paper- Social Eats 20 Salisbury Road.docx

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

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

To whom it may concern.

Please find attached representations made by South Wales Police in respect of the application for a premises licence at 20 Salisbury Road Cathays Cardiff. CF24 4AD.

South Wales Police object to the grant of the application as applied on the basis that to grant the application as presented would lead to the undermining of the following licensing objectives, namely;

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance.

The Protection of Children from Harm.

In addition, the conducting of Unauthorised Licensable activity at the premises during the consultation period is noted.

Your sincerely,

Rob Gunstone 

Cwnstabl yr Heddlu 3487 / Police Constable 3487.

URhS Caerdydd a'r Fro

Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Telffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

Gwefan: www.heddlu-de-cymru.police.uk

Cardiff & Vale BCU

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

Telephone: 01656 869211

In an emergency always dial **999**
for non-emergencies dial **101**

Website: www.south-wales.police.uk

SWYDDOGOL – OFFICIAL

Police Licensing Department
Cardiff Bay Police station.

James Street,
Cardiff.
CF10 5EW.

3rd June 2021.

Social Eats.
20 Salisbury Road
Cathays
Cardiff.
CF24 4AD

**APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003.
20 SALISBURY ROAD, CATHAYS, CARDIFF. CF24 4AD**

To whom it may concern,

I have caused enquiries to be made regarding this application. The premises has previously traded as a sandwich shop and eatery located at the junction of Salisbury Road and Cranbrook Street which sits within a predominately residential area.

The applicant requests the following licensable activity;

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

Monday to Saturday: 11:00 to 23:00.

Sunday: 11:00 to 22:00

Contained within the application, the applicant describes the nature of the business as Follows; "Coffee shop and Cafe"

The applicant has paid scant regard to those measures which would support and promote the licensing objectives. Those measures offered by the applicant and contained within the application are as follows;



MEASURES OFFERED BY THE APPLICANT.

General;

Intend to have a few cocktails and wine for wine tasting.

Provide security.

Ask for ID.

Refuse entry if drunk and disorderly.

Prevention of Crime and Disorder.

Monitor Consumption and refuse to serve anyone who is drunk and disorderly

Public Safety.

Serve until 11pm

The Prevention of Public Nuisance.

As above.

The Protection of Children from Harm.

Do not allow under age, always ask for ID.

POLICE REPRESENTATIONS.

Whilst the above are noted, there are no meaningful measures offered by the applicant, which would promote and uphold the licensing objectives, namely;

The Prevention of Crime and Disorder.

Public Safety

The Prevention of Public Nuisance.

The Protection of Children from Harm.

In addition, South Wales Police are advised that the applicant has conducted licensable activity ahead of the grant of the premises licence as applied for and without the provision of a temporary event notice to cover such licensable activity for the period in question. As such, this licensable activity was unauthorized.



Therefore, South Wales Police object to the grant of the premises licence as applied for in the belief that to do so would lead to the undermining of the above listed licensing objectives.

However, should the Council Licensing Committee be so disposed to grant the application then South Wales Police request that the following conditions be attached to the premises licence;

PROPOSED CONDITIONS.

1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall 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 external areas associated with the premises. The images will be kept for a minimum of 31 days and 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 at all times. It shall be made available on request to a police employee, and will record the following:

- All crimes reported to the venue
- All ejections of patrons
- Any incidents of disorder
- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service
- Any faults in the CCTV system

3. The premises will operate the 'Challenge 25' Policy. This policy will be brought to customers' attention through point of sale material at the checkout wherever alcohol is displayed for sale, including the display of appropriate signage. The only forms of identification recognised are photographic identification cards, such as driving licence or passport, PASS card or military identification card.

4. At least 70% of the public space within the licensable area of the premises will be occupied by tables and chairs.

5. SIA registered door staff shall be employed at the premises in accordance with a written risk assessment carried out by the DPS. A copy of the risk assessment will be maintained for 12 months and be made available to the Police immediately upon request.



6. The Premises shall maintain a register (which may be in hardcopy or digital form) of all SIA licensed door supervisors on duty at the premises which will include the following details:-

- a) The SIA registration number and name of the door supervisor;
- b) Date and time when the door supervisor commenced and finished a period of duty with a signed acknowledgement by that person;
- c) If the door supervisor is not an employee of the Premises Licence holder, the name of the person, company or agency by whom that person is employed or through whom the services of that person is engaged;
- d) the register should be kept on the premises and made available for inspection upon request by an authorised officer of the Council or a Police Officer

7. When SIA registered door supervisors are employed at the premises they will utilise at least 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 available 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.

8. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby premises. In the absence of SIA registered door supervisors, the designated premises supervisor or a suitable staff member will monitor patrons leaving at the closing time.

9. The Designated Premises Supervisor or a Personal Licence holder shall be present at all times that alcohol is offered for sale.

10. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.

11. Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

12. Use of any delineated external area will cease at 21:00hrs daily.

13. Patrons will not be permitted to gather in Cranbrook Street.

In addition, South Wales Police seek a reduction in the hours requested for the sale of alcohol as follows;

Monday to Saturday:	11:00 to 22:30.
Sunday:	11:00 to 21:30

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.



J. Lewis.

A/Chief Inspector.

**COPY TO:
Dan Cook.
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND**

SWYDDOGOL – OFFICIAL

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.



APPENDIX D

Pollution Control Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: James, Sian (SRS)
Sent: 03 June 2021 15:24
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Cc: Barker, Kirstie; Cook, Daniel
Subject: Licensing Act 2003: Application for the grant of a Premises Licence - 20 Salisbury Road, Cathays, Cardiff, CF24 4DY

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Laura Archbold (applicant), Michael Robbins (applicant) and Licensing Authority,

I, representing a responsible authority (Environmental Health), wish to **object** to the above licensing application for the sale of alcohol (consumption on and off the premises) on the grounds that the application does not promote the licensing objectives of **"The prevention of public nuisance"**.

Shared Regulatory Services are currently investigating in excess of ten noise complaints made by residents close to 20 Salisbury Road regarding rowdy behaviour arising from the premises. I note that the applicants do not address how they intend to promote the licensing objective of "The prevention of public nuisance" within the application (see section "M"). I also have concerns that the external rear yard and other external areas in this residential area is intended to be used up until 23:00hrs ,Monday- Saturday and 22:00hours on a Sunday which is likely to cause unnecessary nuisance to nearby residents. Cardiff Licensing Policy states that

- *"Operators should take particular care to ensure that customers using external drinking areas, smoking areas or the pavement outside, do not cause unnecessary nuisance to local residents. It is suggested that the terminal hour for external areas that are in close proximity to residential properties does not exceed 21:00hrs."*
- *"Careful consideration should also be given to determining suitable external areas for smoking. Ideally designated smoking areas should be sited at the furthest distance from residential properties and cigarette bins should be provided. Furthermore operators should also ensure as far as possible that large numbers of their customer do not block pavements, thereby causing pedestrians to step out into the roadway"*

Yours Sincerely,

Sian James



Sian James Team Manager

Gwasanaethau Rheoliadol a Rennir/ Shared Regulatory Services

Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg

Bridgend, Cardiff and the Vale of Glamorgan

[e-bost/e-mail /:](#)

APPENDIX E

Licensing Enforcement Representation

Barker, Kirstie

From: Morgan, Rhys
Sent: 03 June 2021 17:09
To: Barker, Kirstie; Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Cook, Daniel; Hotchkiss, Neil
Subject: FW: Social Eats Salisbury Road

Good Afternoon Kirstie,

In light of the information present below, the Licensing Authority would wish to object to the above application under the grounds of Prevention of Crime and Disorder. Information came to light from the public that alcohol was on display and following a visit to the premises prior to the completion of the application process it was clear alcohol had been sold without having a licence in place to do so, during the visit it was not clear this was an intentional breach or by mistake and misinterpretation of the licensing process.

It is the Authorities Enforcement decision that the committee should hear the application and have due consideration for the review the applications operating schedule to ensure the objectives are not undermined.

It is also evident that no Temporary Event Notice had been applied for in order to consent the sale of alcohol over the bank holiday or today.

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 |



From: Hotchkiss, Neil
Sent: Thursday, 3 June 2021, 14:21
To: Barker, Kirstie J
Subject: Social Eats Salisbury Road

Hi Kirstie,

I have to bring to your attention the fact that alcohol sales have taken place at the above premises BEFORE any licence has been granted. The consultation period ends at 2359 hrs today. I have social media Info and a number of complainants. I attended and spoke to Laura Archbold. She readily admitted alcohol sales to me but stated she was under the impression she had a "grace" period allowing this. I have advised her there is likely to be a hearing to consider the grant. I have made a full pocket book entry re the visit.

APPENDIX F

Other Persons Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 June 2021 11:48
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Social Eats Alcohol license

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Good morning,

I can confirm that I would like to log my previous email as a representation in respect of this application.

Regards,

a

-----Original Message-----

From:

Sent: 01 June 2021 21:22

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
<licensing@cardiff.gov.uk>

Subject: Social Eats Alcohol license

Dear Sir/Madam,

I am writing to urge you to revoke 20 Salisbury Road's alcohol license.

I am a neighbour (on Cranbrook Street) and I fear that Social Eats continuing to serve alcohol would create an unliveable environment for myself and all surrounding houses.

They started serving alcohol within the last week and the noise produced over the weekend of the 29th of May was astonishing.

There was no attempt to keep the noise level low, and in fact, the staff were encouraging loud and unsavoury behavior. Additionally, they were ignoring the Welsh Government's COVID

guidelines. There were no masks worn by the staff who were dotting between tables, and there was extremely loud music with staff encouraging patrons to dance communally and sing along. They had all the windows open, causing the music to echo throughout the surrounding area, which is almost entirely residential.

Yours sincerely,

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 29 June 2021

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 061923

Name of Premises: Bacareto, 13 Church Street, Cardiff, CF10 1BG

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Bacareto Ltd in respect of Bacareto, 13 Church Street, Cardiff, CF10 1BG.

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.
- (ii) The provision of regulated entertainment in the form of films (indoors), live music (indoors and outdoors) and recorded music (indoors and outdoors).
- (iii) The provision of late night refreshment (indoors and outdoors).

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

“13 Church Street is a 3-storey terraced premises. The ground floor and part of the first floor is a cafe/bar unit, part of the first floor is a shop unit, and the top floor is private offices. We will be supplying alcohol for consumption on the premises and the outside front seating area, consistent with other licensed premises on the street (pavement cafe license is being applied for separately). We also wish to provide off-sales of alcohol to takeaway from the premises either in takeaway containers or bottles of wine and beer”.

(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 Wednesday: 08:00 to 00:00 hours
Thursday to Saturday: 08:00 to 01:00 hours
Christmas Eve: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00
Sunday preceding a Bank Holiday: 08:00 to 01:00 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 Wednesday: 08:00 to 00:00 hours
Thursday to Saturday: 08:00 to 01:00 hours
Christmas Eve: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00
Sunday preceding a Bank Holiday: 08:00 to 01:00 hours

- (ii) The provision of regulated entertainment in the form of films (indoors), live music (indoors and outdoors) and recorded music (indoors and outdoors):

Monday to Wednesday: 08:00 to 00:00 hours
Thursday to Saturday: 08:00 to 01:00 hours
Christmas Eve: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00
Sunday preceding a Bank Holiday: 08:00 to 01:00 hours

- (iii) The provision of late night refreshment (indoors and outdoors):

Monday to Wednesday: 23:00 to 00:00 hours
Thursday to Saturday: 23:00 to 01:00 hours
Christmas Eve: 23:00 to 01:00 hours
New Year's Eve: 23:00 to 02:00
Sunday preceding a Bank Holiday: 23:00 to 01:00 hours

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

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**.

Relevant Representations

- 3.1 A representation has been received from South Wales Police. A copy of the representation is attached as **Appendix C**.
- 3.2 A representation has been received from Pollution Control. A copy of the representation is attached as **Appendix D**.
- 3.4 A representation has been received from Licensing Enforcement. A copy of the representation is attached as **Appendix E**.

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**

14th June 2021

APPENDIX A

Site Map & Plan



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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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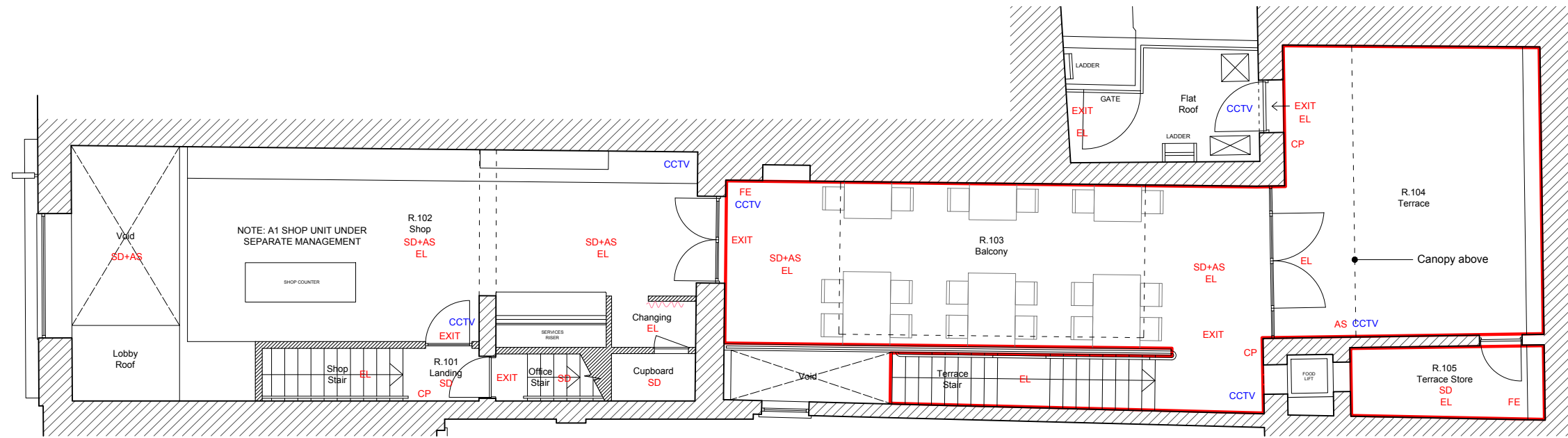
Date: 14/6/2021 at 10:24 AM

Coordinates:

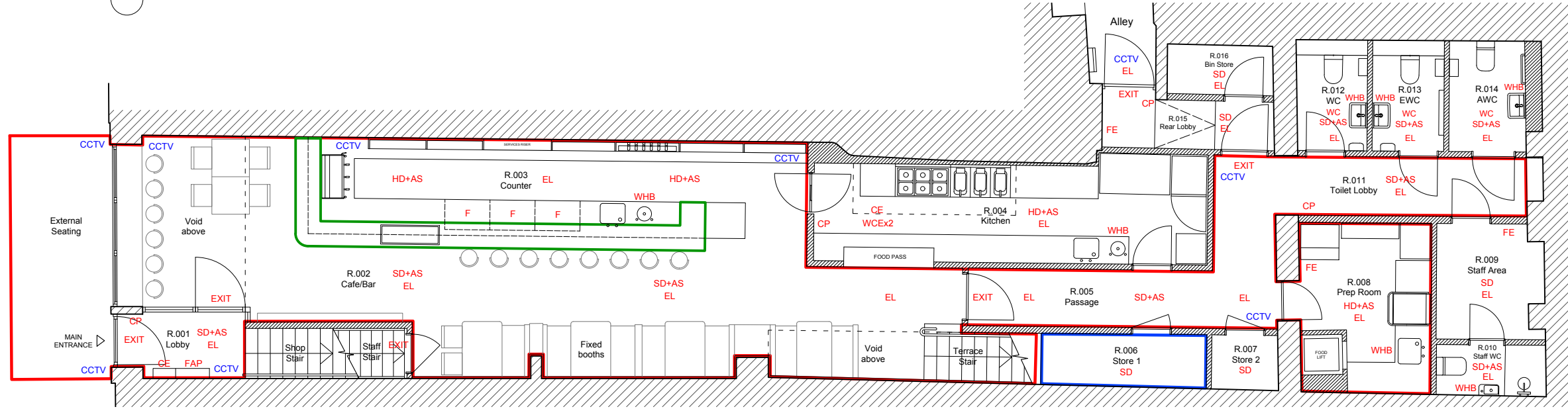
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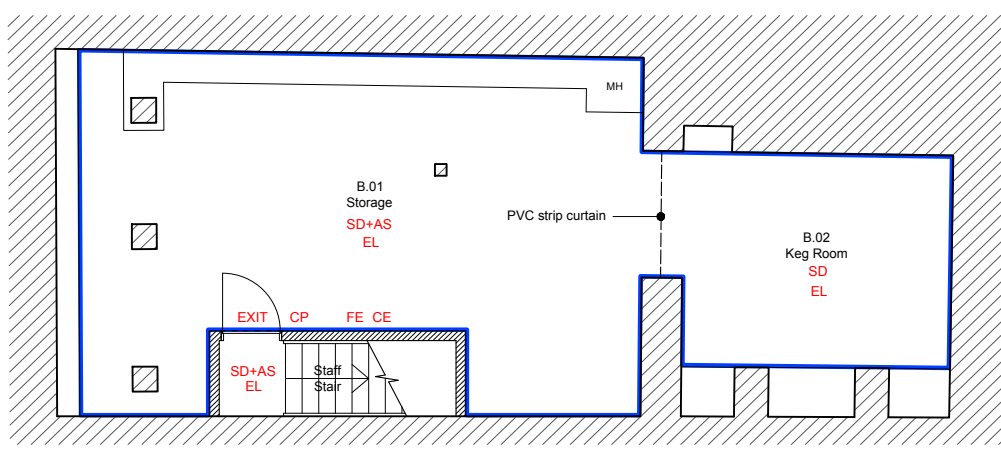
Ordnance Survey 100023376 (2014).



01 FIRST FLOOR PLAN



02 GROUND FLOOR PLAN



03 BASEMENT PLAN

- KEY**
- Licensed Area
 - Storage Area (Alcohol)
 - Main Point of Sale (Alcohol)
 - EXIT Illuminated Exit Sign
 - EL Emergency Lighting
 - CP Call Point
 - SD Smoke Detector
 - HD Heat Detector
 - AS Alarm Sounder/Beacon Base
 - CE Carbon Dioxide Extinguisher
 - WE Water Extinguisher
 - WCE Wet Chemical Extinguisher
 - FAP Fire Alarm Panel
 - WC Toilet
 - WHB Wash Hand Basin
 - F Alcohol Fridge
 - CCTV CCTV IP dome camera



A3

NOTES
Do not scale from this drawing. Dimensions are in millimetres unless noted otherwise. All dimensions and levels to be checked on site and any discrepancies notified to the architect. This drawing to be read in conjunction with other relevant drawings and documents. This drawing is copyright and is not to be reproduced without prior consent.
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REVISION	DATE	DESCRIPTION

KEY

DRAWING TITLE Premises Plans		
PROJECT/SITE 13 Church Street, Cardiff CF10 1BG	CLIENT Maximum Respect Property Ltd	
SCALE 1:100 at A3	DRAWING STATUS INFORMATION	FIRST ISSUED 06.05.21

NIALL GALLACHER ARCHITECT Niall Gallacher Ltd, Host, 658 High Road, London E10 6JP T:+44(0)7917132550 E:info@niallgallacher.co.uk	
DRAWING NUMBER 412/P/300	REVISION -

APPENDIX B

Operating Schedule

Continued from previous page...

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

The promotion of the licensing objectives will be written into all relevant company policies and procedures.
A CCTV system will be installed and operational at all times.
Staff will be trained to be able to adhere to the objectives and be aware of conditions in relation to the premises license and their responsibilities in relation to it.
The Designated Premises Supervisor will have overall responsibility for implementing and managing these objectives.

b) The prevention of crime and disorder

A CCTV system will be installed and footage retained for a minimum of 28 days. It will cover all publicly accessible areas of premises, excluding toilets. Warning notices to the public that CCTV is in operation on the premises will be displayed.
Playback and recordings will be available to the police on request.
Any incidents will be recorded in the Incident Book - e.g. all refusals of sale of alcohol, anyone asked to leave the premises, anyone found to be acting illegally as well as issues that may affect this such as faults with CCTV system etc
Indoor and outdoor areas of the premises are well lit.

c) Public safety

We will be insured for the public to be in our premises.
A public risk assessment will be carried out and reviewed every 6 months.
Staff will be trained to keep the public safe in line with our company policies and procedures.
Staff serving alcohol will be trained in their role, aware of licensing law and conditions of our license.
We will not run any irresponsible drinks promotions.
Tap water available for free on counter at all times.
We will regularly clear empty glasses and bottles to prevent breakages.
Taxi numbers will be available and we can call taxis for customers if they wish.
We will have one First Aider on site at all times.
We will have a fire safety policy and alarm system installed and maintained.

d) The prevention of public nuisance

We are not in a residential area.
We will take care and consideration as to customers consumption of alcohol. Staff will patrol and supervise the premises to ensure correct conduct of customers.
We will control noise levels of any activity in the building.

e) The protection of children from harm

We will have a child protection policy.
We will age challenge those attempting to purchase alcohol who we feel may be underage.
We will have a proof of age policy and signs for 'no ID no sale'.
Will be vigilant on anyone attempting to buy for anyone underage.
Refusals for sale will be recorded in the incident book.
Staff serving alcohol will be aware of licensing law and trained in their role and understand their responsibilities - this training will be reviewed and refreshed every 6 months.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 10 June 2021 16:14
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: Bacareto, 13 Church Street, Cardiff.
Attachments: Headed Paper- Bacareto 13 Church Street..docx

***** 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, meddylwch 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.

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 grant of the application as applied for under the provisions of Cardiff City Council Cumulative Impact Police and request that this matter be heard before Cardiff City Council Licensing Committee in order to determine the grant of the application.

Yours sincerely;

Rob Gunstone 

Cwnstabl yr Heddlu 3487 / Police Constable 3487.
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

 /SWPolice  @SWPolice  @SWPolice  /SWPTV

**Ymateb nad yw'n
Argyfwng\ Non-
Emergency Response**

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch?
Gallwch roi gwybod am fater drwy ein gwefan south-wales.police.uk, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod

am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website south-wales.police.uk, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

URhS Caerdydd a'r Fro
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Telffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**
Gwefan: www.heddlu-de-cymru.police.uk

Cardiff & Vale BCU
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

SWYDDOGOL – OFFICIAL

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

9th June 2021

Bacareto.
13 Church Street,
Cardiff
CF10 1BG

**APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003
BARCARETO. 13 CHURCH STREET, CARDIFF CF14 1DL**

To whom it may concern,

I have caused enquiries to be made into this application. The premises is located on Church Street in Cardiff City centre and sits amongst a number of other hospitality venues. It has previously been utilised as a Chinese Restaurant and most recently that of a bookmakers and extends over three storeys. The proposed use of the premises will be that of a café/bar to the ground floor and part of the first floor which will accommodate a small terraced area which is open to the elements to the rear of the property.

The Application.

Within the application, the premises and its proposed use is described as follows;

“13 Church Street is a 3-storey terraced premises. The ground floor and part of the first floor is a cafe/bar unit, part of the first floor is a shop unit, and the top floor is private offices. We will be supplying alcohol for consumption on the premises and the outside front seating area, consistent with other licensed premises on the street (pavement cafe license is being applied for separately). We also wish to provide off-sales of alcohol to takeaway from the premises either in takeaway containers or bottles of wine and beer”

The applicant has requested permissions to conduct the following licensable activity;



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

Sunday to Wednesday: 08:00 to 00:00
Thursday to Saturday: 08:00 to 01:00
Christmas Eve & Bank Holiday Sunday: 08:00 to 01:00
New Year's Eve: 08:00 to 02:00

Exhibition of films (indoors), live music (indoors & outdoors) and recorded music (indoors & outdoors):

Sunday to Wednesday: 08:00 to 00:00
Thursday to Saturday: 08:00 to 01:00
Christmas Eve & Bank Holiday Sundays: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00

Provision of late night refreshment (indoors & outdoors):

Sunday to Wednesday: 23:00 to 00:00
Thursday to Saturday: 23:00 to 01:00
Christmas Eve & Bank Holiday Sundays: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00

The opening hours of the premises as per the application are as follows;

Sunday to Wednesday: 23:00 to 00:00
Thursday to Saturday: 23:00 to 01:00

Measures offered by the applicant in support of the application.

General.

The promotion of the licensing objectives will be written into all relevant company policies and procedures.

A CCTV system will be installed and operational at all times.

Staff will be trained to be able to adhere to the objectives and be aware of conditions in relation to the premises license and their responsibilities in relation to it.

The Designated Premises Supervisor will have overall responsibility for implementing and managing these objectives.

The Prevention of Crime and Disorder.

A CCTV system will be installed and footage retained for a minimum of 28 days. It will cover all publicly accessible areas of premises, excluding toilets. Warning notices to the public that CCTV is in operation on the premises will be displayed. Playback and recordings will be available to the police on request.



Any incidents will be recorded in the Incident Book - e.g. all refusals of sale of alcohol, anyone asked to leave the premises, anyone found to be acting illegally as well as issues that may affect this such as faults with CCTV system etc
Indoor and outdoor areas of the premises are well lit.

Public Safety.

We will be insured for the public to be in our premises.
A public risk assessment will be carried out and reviewed every 6 months.
Staff will be trained to keep the public safe in line with our company policies and procedures.
Staff serving alcohol will be trained in their role, aware of licensing law and conditions of our license.
We will not run any irresponsible drinks promotions.
Tap water available for free on counter at all times.
We will regularly clear empty glasses and bottles to prevent breakages.
Taxi numbers will be available and we can call taxis for customers if they wish.
We will have one First Aider on site at all times.
We will have a fire safety policy and alarm system installed and maintained.

The Prevention of Public Nuisance.

We are not in a residential area.
We will take care and consideration as to customers consumption of alcohol. Staff will patrol and supervise the premises to ensure correct conduct of customers.
We will control noise levels of any activity in the building.

The Protection of Children from Harm.

We will have a child protection policy.
We will age challenge those attempting to purchase alcohol who we feel may be underage.
We will have a proof of age policy and signs for 'no ID no sale'.
Will be vigilant on anyone attempting to buy for anyone underage.
Refusals for sale will be recorded in the incident book.
Staff serving alcohol will be aware of licensing law and trained in their role and understand their responsibilities - this training will be reviewed and refreshed every 6 months.

Police Representations.

Whilst the above measures as offered by the applicant are acknowledged, South Wales Police object to the grant of the application as applied for under the provisions of the Cardiff City Council Cumulative Impact Policy. Therefore South Wales Police request that this application is heard before the Cardiff City Council Licensing committee. Following this hearing, should the Licensing Committee be so disposed to grant the application, then South Wales Police request that the following conditions are added to the premises licence;



1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall 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. It will cover the external front of the premises used by patrons. The images will be kept for a minimum period of 31 days. 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.
2. An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police employee. This book will record the following:
 - All crimes reported at the venue
 - All refusals of sales of alcohol
 - Any ejections of patrons
 - Any disorder on the premises
 - Any visit by representatives of a relevant authorities
 - Any failure of the CCTV system.
3. On those days when licensable activity is to be conducted past 00:00, there will be a minimum of two SIA registered door supervisors employed at the premises from 21:00hrs until closure of the premises. Should the numbers of patrons at the premises exceed 100, then an additional SIA registered door supervisor will be employed.
4. On those days designated by South Wales Police as Major Event days in the 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 two SIA registered door supervisors employed on the above days. Should the numbers of patrons at the premises exceed 100, then an additional SIA registered door supervisor will be employed.
5. At all other times, SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the DPS. A copy of the risk assessment will be maintained for 12 months and be made available to the Police immediately upon request.
6. A register of door supervisors will be kept at the premises. The Register shall contain the full name and SIA registration number of each door supervisor, stating the 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 on request.



7. When SIA registered door supervisors are employed at the premises they will utilise at least 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 available 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.
8. On those occasions when SIA registered door supervisors are employed at the premises, the DPS will ensure that an adequate system for measuring the number of patrons in the premise is used by such as clicker devices. Numbers of patrons on the premises will be recorded hourly in the door supervisor log book.
9. The premises shall adopt the use of a radio system which is monitored by the Local Authority and South Wales Police.
10. The Designated Premises Supervisor or a Personal Licence holder shall be present at all times that alcohol is offered for sale.
11. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.
12. Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.
13. At least 70% of the public space will be occupied by tables and chairs at all times.
14. The Designated Premises Supervisor shall be a member of the Cardiff Licensees Forum and will attend meetings in person or by sending a suitable proxy.
15. On days considered to be major events in the City Centre area such as sporting events at the Principality Stadium , all alcohol shall be sold in non-glass containers.
16. The premises will operate a Challenge 25 policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the PASS mark hologram.

Yours faithfully,

M. Conquer

Chief Inspector.



APPENDIX D

Pollution Control Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Jenkins, Tomos
Sent: 07 June 2021 11:48
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Licensing Act 2003 - Bacareto, 13 Church Street, Cardiff CF10 1BG
Attachments: Bacareto Grant. 521.pdf; New Premises - Bacareto, 13 Church Street, Cardiff CF10 1BG.pdf; DPS Consent Form. 521.doc; Bacareto Plan.521.pdf

Importance: High

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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, meddylwch 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.

Amy

As discussed, reference activity 2 on the New Premises Public Notice attached

Exhibition of films (indoors), live music (indoors & outdoors) and recorded music (indoors & outdoors):

Sunday to Wednesday: 08:00 to 00:00

Thursday to Saturday: 08:00 to 01:00

Christmas Eve & Bank Holiday Sundays: 08:00 to 01:00 hours

New Year's Eve: 08:00 to 02:00

The only matter of concern is the provision of Live Music outdoors and recorded music outdoors. In essence, this would permit you to have live band/DJ operate until 0100 hours in the area marked Terrace R.104 and Balcony R.1023 which even in a central location would prove extremely difficult to manage, and so I would seek to draw this time earlier.

Similarly, just picking up on something you said a moment ago if there is a resident landlord who shares a party wall to your premises (or any residential for that matter) to permit Live Music internal of a new premises this is subject to a Live Music test ensuring the walls are designed and adequately sound proofed etc use e.g live bands, DJs etc. Just reviewing your website as it details you have ambition to promote such performances which is positive, just need to be sure between us this is well considered and so promotes the Public Nuisance objectives. Are there particular rooms you plan to use for performances, are these the same rooms that are party to the resident?

In essence, a Live Music Test would review:

Is the building fabric suitable;

Sound Insulation between the commercial units and the residential party wall;

Noise breakout from windows; access and egress doors – look at double door entry systems on both access and egress entrances

detailed description of works required to ensure there is no noise breakout

Look at independent noise limiters for rooms.

Context for the time of day you are seeking to stop such performances eg. 0100 hours.

Although I am content on all other matters on the Licence Application this is something that may cause issue, can you come back to me on the above and advise.

Many thanks



Mr Tomos Jenkins

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

e-mail / e-bost:

APPENDIX E

Licensing Enforcement Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Sampson, Jay
Sent: 11 June 2021 15:38
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Evans, Kirsty
Subject: RE: Licensing Act 2003 - Bacareto, 13 Church Street, Cardiff CF10 1BG

Hello,

In relation to the above application to grant of a Premises Licence at Bacareto, 13 Church Street, Cardiff. I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

An objection is submitted in respect to the following Licensing Objectives:

- The Prevention of Public Nuisance.

Specifically with regard to:

- The playing of recorded music outside until 00:00
- Live Music until 00:00 Monday to Thursday and 01:00 Thursday to Sunday outdoors. However goes on to say any outdoor performance will end at 00:00.
- Off sales of Alcohol.
- Hot food won't be served until terminal hour in comparison to Alcohol sales, making it primarily a 'Wet' led premises.

The premises is located in an area that is subject to a Cumulative Impact Policy, and the timings and proposed Operating Schedule within the application would class this premises within the 'red' category in Table 1 of the Cumulative Impact Policy (CIP).

The 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 rebuttable 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 Area and therefore, whilst the applicant has offered a number of conditions in relation to how the premises intend to promote the licensing objectives, there is little consideration to the potential cumulative impact given the proposed location of the premises.

The application therefore falls within the CIP and in my opinion the application does not rebut this presumption.

The applicant 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.