

LICENSING SUB COMMITTEE

23 JULY 2021

Present: Councillor Mackie(Chairperson)
Councillors Sattar, Goddard and Lancaster

4 : DECLARATIONS OF INTEREST

Cllr Mackie declared a personal interest in the Urgent Item – TEN United Reformed Church as she knows the Pastor.

5 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - GROUND BAKERY, PONTCANNA STREET

Present

Applicants: Lois Thomas and Becky North - Ground Bakery
Rob Lewis (with applicants)

The Application

An application for the Grant of a Premises Licence has been received from TFSLET Ltd in respect of Ground Bakery, 15 Pontcanna Street, Cardiff, CF11 9HQ.

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 premise will be operating as a bakery/café. We will be offering breakfast, brunch and lunch to patrons & would like to offer a very small alcoholic beverage list to run alongside this”.

(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:

Sunday to Thursday: 08:00 to 17:00 Friday and Saturday: 08:00 to 22:00

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

(i) The sale by retail of alcohol for consumption on and off the premises: Sunday to Thursday: 08:00 to 17:00 Friday and Saturday: 08:00 to 22:00

The Applicant

The applicant advised the subcommittee that the business had been open for almost four weeks, it was a bakery at the back of the premises and seating for 16 guests

inside with a counter. The business offers breakfast and brunch from 09.00, with the brunch option available until 15.00 and the business closes at 17.00.

The applicant advised that they wished to serve alcohol as an ancillary to a meal, with no take away option. The alcohol choices would be minimal and restricted to Prosecco/Champagne, Wine and a couple of Cocktails to compliment an afternoon tea option.

The applicant advised that their Planning allows opening until 22.00 Monday to Saturday, they currently have no intention to use this fully but as the business evolves they may want to consider opening as a Pasta Bar for one evening per week to increase turnover, alcohol as an ancillary to a meal would help this; the capacity of 16 covers would remain the same.

The applicant advised that they have no intention to operate the business as a late night venue and they do not operate their full licensing hours at their other premises.

The Chairperson invited questions.

Responding to questions, the applicant clarified that they would not be selling any beers or ciders and the offer would be wine, champagne, cocktails.

Members asked about the representation from neighbours with regard to there being no designated smoking area or taxi waiting area. The applicant understood the concerns and noted that they have the same issues at their other premises. The stated that they would encourage people to move along the street, staff would be vigilantly monitoring the outside area every 5-15 mins, which could also be seen through the glass front window; there were also posters asking customers to respect the neighbours and leave quietly. The applicant added that they do not want any negativity with the neighbours, they have a 10 year lease at this premises and a 15 year lease at their other premises so it was in their best interest to have a positive relationship with the neighbours.

Members noted that the neighbours had suggested a 21.30 last orders and customers leave by 22.00, asking if this would be an issue. The applicant explained that it wouldn't be as Planning states that all people must be off the premises by 22.00; last orders will be called at 20.45/21.00 to allow time to clear away and all people from the premises by 22.00.

The applicant added that they understood all the concerns but they were trying to add value to the area; they took over the Cameo Club 18 months ago and have had no issues or a single complaint from neighbours or the Council; this business is much smaller and they are confident they can run it in the same manner with their track record.

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 application.

The subcommittee heard from the applicant and listened to all the evidence and submissions and considered the written material. They also considered the Licensing Act 2003, the Section 182 Guidance and its own Statement of Licensing Policy.

The subcommittee also considered the written representations made by local residents and considered all written representations made to subcommittee.

The subcommittee noted that the applicant accepted the proposed conditions of South Wales Police in Appendix C of the report prior to the meeting, and during the meeting the applicant indicated that they would not have an issue with reducing the cut off time they can sell alcohol by 30 minutes to 21:30 hours on Friday and Saturdays.

After carefully considering the submissions to the meeting and the written material, the subcommittee felt that proposals within the application do not have the potential to undermine the licensing objectives.

The subcommittee therefore resolved to grant the application, subject to a reduction in the cut off time for the sale of alcohol by 30 minutes to 21:30 hours on Friday and Saturdays.

6 : URGENT ITEMS (IF ANY)

An Urgent Item was received in respect of a TEN – United Reformed Church.

Cllr Mackie declared a personal interest in this item as she knows the Pastor, therefore she withdrew from the meeting and Councillor Goddard took the Chair with Councillor Lancaster joining the subcommittee.

Present

Applicants: Mr Martin Jones – United Reformed Church

Responsible Authorities: PC Rob Gunstone, South Wales Police

The Application

A Temporary Event Notification (TEN) was received on 15 July 2021 from: Martin Jones for authorisation of a temporary event at: United Reformed Church and adjacent carpark, Windsor Place, Cardiff CF10 3BZ.

The notification is in respect of an event due to take place between:

Friday 27 August 2021 and Sunday 29 August 2021

The timings of the event are:

Friday 27 August 2021 12:00 hours to 00:00 hours Saturday 28 August 2021 12:00 hours to 00:30 hours Saturday 29 August 2021 12:00 hours to 00:00 hours

(1). The notification is to allow the following licensable activities:

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

(2). The nature of the event has been described as:

“It is to provide a small pride weekend for customers of Main Stage Bar & to raise money for the United Reformed Church to assist in running & maintenance costs”

(3). The maximum number of persons attending the event in accordance with the temporary event notice is 499.

(4.) An Event Management Plan was submitted by the ‘premises user’ alongside the temporary event notice, this can be found in Appendix B of the report.

Responsible Authority Submission

PC Gunstone outlined the key points from the application. He explained that the South Wales Police objection is made due to concerns held by South Wales Police that the holding of the event as presented in the application and supporting documentation would lead to the undermining of the following Licensing Objectives, namely; The Prevention of Crime and Disorder. Public Safety. The Prevention of Public Nuisance. In addition, South Wales Police hold concerns regarding the management of numbers of patrons attending the event in accordance with Sec 7.35 of the Revised Guidance issued under Sec 182 of the Licensing Act 2003.

PC Gunstone outlined the main areas of concern as follows. There was concern over the management of numbers, people spilling out onto the street and there being no road closures in place; the DPS would be responsible for managing and organising 5 bars in total; Clarification was needed over the roles of the Staff/Marshalls/Security Staff; the total of 499 was to include staff and customers; Clarification on terminology used with regard to the queue system; Clarification on the type, measures and maximum purchase of alcohol; Clarification of the timings of the event and the minimum age permitted at the event; Confirmation that plastic vessels would be used; Clarification on entry and exit points, toilet arrangements; Concern over people gathering outside and a potential street party happening.

The Chairperson invited questions.

Members asked it was reasonable to ask for a maximum drinks policy at events such as this. PC Gunstone explained that it was not a large event but South Wales Police would like a maximum of 4 drinks per customer per purchase.

Members asked if the numbers would be the same for the three days and were advised they would be although footfall in the area could potentially be higher, which could impact on traffic flow. PC Gunstone added that there are other licensed premises in the area and there was a potential for street drinking that the Organiser would not be able to mitigate.

Organisers Submission

Mr Jones addressed the subcommittee and responded to the concerns of South Wales Police as follows:

A queue system would be in place that would hold a minimum of 120 people, contained within the Church grounds so no people would be on a public footpath.

In revised event plans with PC Gunstone and Cardiff Council, the event would now be for 300 people maximum including all staff.

On the Friday the event would take place inside the Church with nothing in the car park, this would be for 250 people maximum, with tickets at £20 each; 200 tickets for sale in advance and 50 available on the door. (The ticketing numbers for Saturday and Sunday would be 300 maximum).

SIA security would be responsible for ensuring people do not gather outside. Marshalls are staff and the Runners will support the staff with toilet cleaning and bringing more plastic vessels etc.

It was clarified that on Friday there would be 1 SIA at the entrance and 1 at the exit; 2 roaming the inside and checking the outside. On Saturday and Sunday there would be 6 SIA on duty.

There would be a minimum entry age of 18 with challenge 25 in operation. The intention was that SIA carry out ID checks at the door, then the customer is issued with a card that proves their ID has been checked, they can present this card at the bar when purchasing alcohol.

For safer dispersal there would now only be one exit and one entrance. Exiting would be through the Church with SIA ensuring that people do not gather outside. There is student accommodation next door and they have not objected to the event.

Staff will not serve customers if they are intoxicated, they will offer water and will assist them out.

Last Orders will now be called at 23.00 on all three nights.

Clickers will be used to count people in and out, SIA staff will radio the figures to each other every 5 minutes and record the figures to ensure numbers are adhered to. One in and one out has been removed from the event plan so there will be no potential overcrowding.

Toilets have been moved to where the SIA staff are based, there are also toilets inside the Church for use. Runners and Bar Staff will carry out toilet checks every 30 minutes.

Alcohol will be sold in plastic vessels; Beer, Lager and Sprints will be sold; measures will be 25ml single and 50 ml double; 3 or 4 draft options will be available.

With regard to maximum purchase, Mr Jones considered that 6 drinks would be consistent with 6 people per table; he had met with SAGE advisory with regard to Covid assessments. If needed there would be table service and ordering by app

options, if this was no longer required he still intended to have tables of 6 and table service on offer as well as customers being able to go to the bar for drinks.

The Chairperson invited questions.

Members sought clarity on roles. Mr Jones advised that Runners will support the staff and Marshalls will assist the customers. Members asked if they would be easily identifiable and Mr Jones explained that they would be in Hi-Vis so people can approach them.

Members clarified that there would be 4 SIA's on duty on Friday and 6 SIA's on duty on Saturday and Sunday.

Members asked if exit and re-entry would be allowed. Mr Jones advised that advance purchased tickets would allow this but not tickets purchased on the day. Friday night is a show so people will stay and drinks will only be served in the intervals.

Members asked what entertainment was being provided over the three days. Mr Jones explained that Friday night was a Drag Show, Saturday was DJ's and Sunday was a mixture of Comedians, Drag Acts and a Band.

Members asked if the reduced number of 300 would be enforceable. Mr Jones offered to submit this in writing by email if required.

Members asked if alcohol would be allowed outside the Church grounds. Mr Jones stated that he wanted to keep alcohol within the Church grounds as he doesn't want people taking drinks over to other bars etc. There would be no off sales.

Members sought clarification on barriers and queuing. Mr Jones advised that there would be 'Disney' style queues running up and down, with no obstruction to the public footpath.

Members asked if the back entrance would be used. Mr Jones stated the courtyard would be used, this area is fenced with no access to the footpath. The fencing has been agreed with Noise Pollution Control.

PC Gunstone sought clarification on the times that SIA staff would be on duty. Mr Jones advised that they would be on duty from open to close.

PC Gunstone had concerns over the issuing of an ID card and would still want bar staff to Challenge 25, he also stated that he would prefer wristbands over cards. Mr Jones was happy to take this advice on board.

PC Gunstone had concerns over the maximum purchase as he considered it important that people have more contact with bar staff who can then determine if people are intoxicated. He was happy to discuss this further with Mr Jones outside of the meeting.

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 application.

The subcommittee heard the representations from South Wales Police Licensing and the organiser of the proposed event, and considered the Licensing Act 2003, the Section 182 Guidance and its own Statement of Licensing Policy.

The subcommittee also considered all written representations made, including the event management plan submitted by the organiser.

After carefully considering the submissions to the meeting and the written material, the subcommittee felt that the planned event, if organised as planned, would not undermine the licensing objectives.

The subcommittee noted that during the meeting the organiser agreed to amend the event with South Wales Police, the agreed amendments are as follows:

- On Friday the event takes place within the church only. There will be a maximum 250 occupants, there will be 4 SIA doors supervisors on duty. The entertainment will end at 22:00 hours and the event will end no later than 23:00 hours
- On Saturday and Sunday, there will be 6 SIA door supervisors on duty. There will be a maximum of 300 in attendance. Alcohol sales will cease at 23:00 and the people will be required to leave no later than 23:30 hours.
- There will be on-sales only for the entire event
- All SIA supervisors will be on duty from the start and finish of the event.
- The event will start no earlier than 16:00 hours on Friday and 18:00 hours on Saturday and Sunday
- There will be wristbands in use to show proof of age, these will be different colours on each day
- Only those aged 18 or over will be permitted to the event

Subject to the above agreements, the subcommittee resolved to not object to the temporary event taking place.

The meeting terminated at 12.55 pm