

LICENSING SUB COMMITTEE

17 SEPTEMBER 2021

Present: Councillor Mackie(Chairperson)
Councillors Derbyshire and Goddard

16 : DECLARATIONS OF INTEREST

No declarations of interest were received.

17 : APPLICATION FOR A PROVISIONAL STATEMENT - UNITS B-T, HIGH STREET ARCADE

Present:

Applicants: Mansford Group represented by Elliott Evans, Sam Harding, Jeremy Phillips QC, Matthew Phipps – TLT Solicitors, Phillip Morris – Property Agent, Owen Cahill – Property Agent, Jamie Yeoman - Architect, John Cottrell – Planning Consultant

Responsible Authorities: PC Rob Gunstone - South Wales Police,
Kirsty Evans - Licensing Enforcement, Lauren Idowu - Public Health Wales,
Samantha Page – Pollution Control

At the commencement of the hearing all parties present agreed that, in order to assist the management of the hearing and to avoid unnecessary repetition, the applications for units B to F would be heard 'en-bloc' as the application for each unit, and the representations received for each application, were the same. The applications for units A and T would be heard individually.

Applications

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit B, High Street Arcade, High Street, Cardiff, CF10 1QR.

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 recorded music (indoors). (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening

up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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: 07:00 to 00:30

Friday and Saturday: 07:00 to 01:30

Sunday preceding a Bank Holiday: 07:00 to 01:30

New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00

(ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30

(iii) The provision of late-night refreshment (indoors and outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30 Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit C, High Street Arcade, High Street, Cardiff, CF10 1QR.

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 recorded music (indoors). (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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: 07:00 to 00:30

Friday and Saturday: 07:00 to 01:30

Sunday preceding a Bank Holiday: 07:00 to 01:30

New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00

(ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30

(iii) The provision of late night refreshment (indoors and outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30 Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit D, High Street Arcade, High Street, Cardiff, CF10 1QR.

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 recorded music (indoors). (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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: 07:00 to 00:30 Friday and Saturday: 07:00 to 01:30 Sunday preceding a Bank Holiday: 07:00 to 01:30 New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00 (ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30 (iii) The provision of late night refreshment (indoors and

outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30
Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit F, High Street Arcade, High Street, Cardiff, CF10 1QR.

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 recorded music (indoors). (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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: 07:00 to 00:30 Friday and Saturday: 07:00 to 01:30 Sunday preceding a Bank Holiday: 07:00 to 01:30 New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00 (ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30 (iii) The provision of late night refreshment (indoors and outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30 Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit T, High Street Arcade, High Street, Cardiff, CF10 1QR. 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 recorded music (indoors). (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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:

- (i) Sunday to Thursday: 07:00 to 00:30
- (ii) Friday and Saturday: 07:00 to 01:30
- (iii) Sunday preceding a Bank Holiday: 07:00 to 01:30
- (iv) New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00
Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00
- (ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30

The provision of late night refreshment (indoors and outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30 Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

Applicant Representations

The Applicant outlined the key points of the application. Mansford Group is a high-level property developer formed in 1995, and acquired High Street and Duke Street Arcades in 2014. It has undertaken a number of mixed-use redevelopments in Cardiff. Cardiff is known for the number and quality of its Victorian and Edwardian arcades and the scheme is designed to enhance and underpin their value. The trend towards online shopping along with Covid has been a pressure on retail units, and the scheme aims to support retail units by bringing among them high level viable leisure activities. The character of High Street Arcade is very well preserved. In Paragraph 9.12 of the Heritage Impact Report it is stated that there are no proposals to change either the High Street or Duke Street entrances so the facades will remain as existing.

The Applicant stated that the courtyard will bring light and an outside feel into the area in keeping with the original concept of the arcades. The units adjoin Pasture,

also developed by Mansford Group, and the Applicant hopes to replicate the same style of high level leisure outlet. The Applicant believes they will be attractive to leading brands in the food and drink market. The Applicant has offices on site and will be taking a close interest in the units and will control the lessees' operations through the leases.

The Applicant pointed out that the Provisional Statement is a process under the Act to give in principle approval to a scheme in order to give a developer the confidence to proceed with more detailed applications. It gives Responsible Authorities and other parties an opportunity to present in principle objections if any exist.

The Applicant stated that the Authority's Cumulative Impact Policy allows for cases that fall outside its remit because of their exceptional nature, and that this is such a case. The Applicant stated that they fully understood the Responsible Authorities' position in relation to the Policy but hoped the Sub-committee would appreciate the exceptional nature of the application in relation to the quality, mix and collective nature of the applications.

The Applicant stated that they do not seek late hours either now or in the future. The leases will ensure that each tenant is responsible for their specific area of the courtyard.

The Applicant outlined the specific application for Unit B. The unit has a capacity of 40 on the ground floor and 28 on the first floor.

The Applicant referred to the Conditions agreed with South Wales Police and detailed below, in particular Conditions relating to the service of hot meals, use of open containers of alcohol in delineated areas, CCTV, major event days, door security, 6-monthly review of risk assessments, and register of door supervisors. Special Conditions relate to Units B, C and D only, and to Units B, D and E and Units F and T only.

The Applicant outlined the layout and configuration of the units and their different characteristics. Unit B opens onto the courtyard and has a capacity of 40 on the ground floor and 28 on the first floor. Unit D is a wraparound unit going into Duke Street Arcade and has a capacity of 48 on the ground floor and 40 on the first floor. Unit C has no requirement for food because it is too small to have compliant kitchen provision. It has capacity of 24 on the ground floor and 6 on the first floor. Unit F is a small unit between Units C and D, accessed from the Arcade, with capacity for 16 on the ground floor and 32 on the first floor. Unit T has a capacity of 24 on the ground floor and 12 on the first floor. The Applicant stated that the small size of the units was in keeping with the historical nature of the arcades.

Members sought clarification on the number of applications. The Applicant confirmed that they were applying for 7 Provisional Statements. Previous iterations of the scheme had varied between 6 and 8 units.

Members raised concerns about late night noise disturbance for local residents from the courtyard. The Applicant advised that there was previously a large nightclub on the site. There had been no objections to the planning application on the grounds of noise. A detailed acoustic report had been lodged and there was a planning condition

requiring the premises to be acoustically sealed. Members were advised that the courtyard is not designed or expected to be a place where there would be loud music, which would not be in keeping with the type of operation the units would attract, where customers from different businesses would be seated side by side. It is envisaged that the units would be open from the morning serving hot drinks and refreshments, throughout the day and into the evening. For the scale of investment in the development, to artificially curtail the hours could provide a disincentive for businesses to become involved. It is in the interests of the Applicants as lessors to ensure the operation is successful and to take action against lessees that were operating in an anti-social manner. Members were advised that the courtyard was a substantial factor in the scheme's attractiveness.

Members considered that the concern was less around music than the noise created by a large number of people late at night where alcohol was involved. Members were advised that the courtyard was not an open space where people would congregate, but a series of seated areas attached to the various units around the courtyard with people eating and drinking in a controlled environment. The design and configuration of the scheme is an important part of the acoustic treatment. Care has been taken to ensure that disturbance is minimised, but there is a level of acceptance in a city centre environment that people will be out and about and dining. Members indicated that they were concerned to ensure that acceptable background disturbance was not increased.

Members sought clarification on whether Unit C was expected to be a drinks-only operation. The Applicant advised that all units that were large enough to allow for kitchen operations were expected to provide a food service. It was hoped that smaller units would offer an appropriate food service commensurate with their size such as tapas. Members expressed that they were concerned to avoid vertical drinks-only operations. Members were advised that the Applicant was keen to ensure high level operations with a seated food and drink offering. Members were advised that only 2 out of the 7 units in the scheme were so small as to preclude the inclusion of a kitchen. The other 5 units all had an obligation to provide a food service. All units had a requirement to be 70% laid out for tables and chairs.

Members were advised that the units with access to the courtyard at ground floor level are B, C and D. Unit F has a first floor balcony opening onto the courtyard.

Members were advised that to make all alcohol sales ancillary to a table meal would be to create a different sort of scheme to that proposed. It might make the development unsustainable as a commercial operation. The physical constraints of the arcade preclude restaurant only operations. Some of the units are too small for kitchen operations. The units are intended as bar/restaurant operations.

Responsible Authority Representations

PC Rob Gunstone advised that South Wales Police hold an outright objection under the provisions of the Cumulative Impact Policy as outlined within the Cardiff City Council Statement of Licensing Policy 2020-2025, but should Members be minded to grant the applications the following conditions are needed to uphold the licensing objectives:

General

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

The premises shall operate as a bar/restaurant

Staff training - All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority. All training shall be refreshed at least every 12 months
Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).

There will be sufficient trained staff to facilitate the above.

Event Days - 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 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.

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.

Door security - SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.

On occasions when door security are provided at the premises the following conditions shall apply

- a) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.

Units B, C and D only - On those days designated by South Wales Police as major event days in the City Centre and Bay areas of Cardiff, no less than one SIA registered door supervisor 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.

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.

Incident Register - An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book - All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.

There will be no mobile alcohol sales persons of any sort.

The premises will operate a South Wales Police approved radio system

The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum

At least 70% of the public space is to be occupied by tables and chairs.

All meals are to be consumed at tables with non-disposable crockery.

All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Units B,D and E only - Hot meals will be readily available at the premises when open to the public until a period of no less than one hour prior to the closure of the premises

Unit F and T only : Substantial refreshment will be readily available at all times at the premises when open to the public until a period of no less than one hour prior to the closure of the premises

Public Safety

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

Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.

Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives. Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.

Music shall not be played at such a level that it is likely to cause a public nuisance. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

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.

A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18

All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.

Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;

Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.

No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

Members were advised that the capacity of the units had in part dictated the approach taken by South Wales Police. While some of the units are very small, the cumulative capacity of the 7 units is 420.

Lauren Idowu, representing the Executive Director of Public Health at Cardiff and Vale University Health Board, advised the Sub-Committee that Health Board wished to make representation under the Licensing Objectives of Preventing Public Nuisance, Prevention of Crime and Disorder and Public Safety. Members were advised that the Health Board considered that if granted the application would increase the availability of alcohol in Cardiff City Centre and contribute to a maintenance or likely increase in the incidence of anti-social behaviour, crime, and alcohol-related hospital and alcohol treatment centre admissions. Members were advised that reducing the availability of alcohol is key to reducing alcohol-related problems in the community. Ms Idowu referred to research data within the Health Board's written submission.

Samantha Page advised that Pollution Control were objecting under Public Nuisance in relation to the units opening onto the open courtyard or the open rear area of the proposed sites. Members were advised that there was little to indicate in the applications how the Applicant proposed to mitigate noise from music or customers. Local residents are located at 7a High Street facing onto the courtyard and Crown Court, 1 Duke Street. Pollution Control are concerned about the impact the development would have on residents as they are currently not subjected to high levels of noise in the city centre. Noise from music would be reflected from buildings and is likely to result in public nuisance. If Members are advised to grant the applications Pollution Control would ask that the following conditions be applied:

- That any regulated entertainment that is played from the premises must be played through a noise-limiting device
- The noise limiting device is to be installed by a suitably qualified sound engineer
- The limiting device must be set to a level which is agreed by the Local Authority Pollution Control Department to ensure that any music played from the venue must not cause the public nuisance

These conditions should be particularly imposed on Units B, C, D and F.

The Applicant observed that 7a High Street was some distance away from the courtyard area. Ms Page indicated that it was the opinion of Pollution Control that could be affected by the cumulative noise impact from the number of units opening out onto the courtyard and open space.

Members enquired as to whether there were ways to mitigate the impact of noise through the design and construction of the units. Members were advised that there

were Planning Conditions applying to the whole scheme stating that sound insulation scheme had to be submitted and approved by the Local Authority prior to the development's beneficial use.

Kirsty Evans advised the Licensing Authority has submitted a representation under the Licensing Objectives Prevention of Crime and Disorder and Prevention of Public Nuisance. The premises is located in an area which is subject to the Council's Cumulative Impact Policy and the proposed developments would fall within the red category of Table One. Since the Licensing Authority's written representation the Applicant has submitted additional information and has agreed a number of Conditions. Members were advised that the Licensing Authority's representation still stands. Members were advised that the presumption to refuse under the CIP is rebuttable. The Policy recognises that an area can be improved by new styles of business type such as food led or high-level establishments. Members were asked to consider whether the proposed developments would constitute such an improvement or negatively impact the CIP.

Summing Up

PC Gunstone advised that Members should satisfy themselves as to whether the applications were of an exceptional nature.

The Applicant advised that the Conditions agreed with South Wales Police were a practical way forward. Members were advised that alcohol-related problems were a serious issue for society, but the way to deal with that was not to resist or prevent good applications which treat alcohol in a responsible way in a proper environment. Such applications encourage a more responsible approach to alcohol and draw customers away from problem premises. Members were advised that it is difficult to predict the ways in which noise occurs. The applications have been studied carefully from a Planning and Land Use perspective and the appropriate controls are already in place. To impose further conditions in advance of evidence is not proportionate. Conditions could be imposed at a later date in the event of evidence of a nuisance. Members were advised that the CIP's recognition that an area could be improved by the introduction of new types of high end business fitted perfectly with the aims of the proposed developments. Members were invited to approve the applications on the basis of the Conditions.

RESOLVED in respect of Unit B:

The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.

- 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.

Door security –

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.
- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book -

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall

contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.

- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system
- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.
- All meals are to be consumed at tables with non-disposable crockery.
- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.
- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18
- All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

RESOLVED in respect of Unit C:

The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully

demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority. All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.

- 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.

Door security –

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.
- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book -

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for

inspection by a Police Officer or authorised officer of Cardiff City Council upon request.

- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system
- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.
- All meals are to be consumed at tables with non-disposable crockery.
- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.
- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be

under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18

- All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

RESOLVED in respect of Unit D:

The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.
- 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.

Door security –

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.
- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:
 - (i) All crimes reported at the venue
 - (ii) Any ejections of patrons
 - (iii) Any disorder on the premises
 - (iv) Any visit by representatives of a relevant authority or emergency service
 - (v) Any failure of the CCTV system.

Refusals book -

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.
- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system

- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.
- All meals are to be consumed at tables with non-disposable crockery.
- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.
- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18

- All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

RESOLVED in respect of Unit F:

The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.
- 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.

Door security –

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.
- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book -

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.
- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system
- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.

- All meals are to be consumed at tables with non-disposable crockery.
- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.
- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18
- All customer-focused bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be

conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.

- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

RESOLVED In respect of Unit T:

The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.
- 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.

Door security –

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police

and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.

- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book -

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.
- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system
- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.
- All meals are to be consumed at tables with non-disposable crockery.

- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.
- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18
- All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.

- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

18 : APPLICATION FOR A PROVISIONAL STATEMENT - UNIT A, HIGH STREET ARCADE

Applications

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit A, High Street Arcade, High Street, Cardiff, CF10 1QR.

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 recorded music (indoors).
 - (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract

some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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:

- (i) Sunday to Thursday: 07:00 to 00:30
- (ii) Friday and Saturday: 07:00 to 01:30
- (iii) Sunday preceding a Bank Holiday: 07:00 to 01:30
- (iv) New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00
Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00
- (ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30
- (iii) The provision of late night refreshment (indoors and outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30 Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

Applicant Representations

The Applicant outlined the key points of the application. Unit A is the smallest unit with a capacity of 26.

Responsible Authority Representations

PC Rob Gunstone advised that South Wales Police hold an outright objection under the provisions of the Cumulative Impact Policy as outlined within the Cardiff City Council Statement of Licensing Policy 2020-2025, but should Members be minded to grant the applications the following conditions are needed to uphold the licensing objectives:

General

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

The premises shall operate as a bar/restaurant

Staff training - All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority. All training shall be refreshed at least every 12 months
Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).

There will be sufficient trained staff to facilitate the above.

Event Days - 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 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.

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.

Door security - SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.

On occasions when door security are provided at the premises the following conditions shall apply

- a) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.

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.

Incident Register - An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book - All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.

There will be no mobile alcohol sales persons of any sort.

The premises will operate a South Wales Police approved radio system

The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum

At least 70% of the public space is to be occupied by tables and chairs.

All meals are to be consumed at tables with non-disposable crockery.

All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

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

Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.

Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives. Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.

Music shall not be played at such a level that it is likely to cause a public nuisance.

Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public. 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. A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18

All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.

Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally; Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.

No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

- The other Responsible Authority representatives had nothing to add to their earlier representations.

-

Summing Up

PC Gunstone advised that Members should satisfy themselves as to whether the applications were of an exceptional nature.

The Applicant advised that the Conditions agreed with South Wales Police were a practical way forward. Members were advised that alcohol-related problems were a serious issue for society, but the way to deal with that was not to resist or prevent good applications which treat alcohol in a responsible way in a proper environment. Such applications encourage a more responsible approach to alcohol and draw customers away from problem premises. Members were advised that it is difficult to predict the ways in which noise occurs. The applications have been studied carefully from a Planning and Land Use perspective and the appropriate controls are already in place. To impose further conditions in advance of evidence is not proportionate. Conditions could be imposed at a later date in the event of evidence of a nuisance. Members were advised that the CIP's recognition that an area could be improved by

the introduction of new types of high end business fitted perfectly with the aims of the proposed developments. Members were invited to approve the applications on the basis of the Conditions.

RESOLVED:

The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).

- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.
- 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.

Door security –

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.
- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:
 - (i) All crimes reported at the venue
 - (ii) Any ejections of patrons
 - (iii) Any disorder on the premises
 - (iv) Any visit by representatives of a relevant authority or emergency service
 - (v) Any failure of the CCTV system.

Refusals book -

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.
- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system
- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.
- All meals are to be consumed at tables with non-disposable crockery.
- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers

to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.

- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18
- All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

19 : APPLICATION FOR A PROVISIONAL STATEMENT - UNIT E, HIGH STREET ARCADE

Applications

An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit E, High Street Arcade, High Street, Cardiff, CF10 1QR.

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 recorded music (indoors). (iii) The provision of late night refreshment (indoors and outdoors).

(2) Description of Premises (as stated by applicant): "A new open-air courtyard in the heart of Cardiff's historic Castle Quarter. Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades. In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard. Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade. A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features. Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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: 07:00 to 00:30 Friday and Saturday: 07:00 to 01:30 Sunday preceding a Bank Holiday: 07:00 to 01:30 New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:00 (ii) The provision of regulated entertainment in the form of recorded music (indoors): Sunday to Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sunday preceding a Bank Holiday: 10:00 to 01:00 New Year's Eve: 10:00 to 02:30 (iii) The provision of late night refreshment (indoors and outdoors): Sunday to Thursday: 23:00 to 00:30 Friday and Saturday: 23:00 to 01:30 Sunday preceding a Bank Holiday: 23:00 to 01:30 New Year's Eve: 23:00 to 02:30

Applicant Representations

The Applicant outlined the details of the application. Unit E is intended to have more of a business or commercial use with an element of leisure, to provide an informal office environment for work, business meetings and relaxation under one roof. It has

a capacity of 124. Existing first floor offices within the Arcade will be integrated into the unit.

Responsible Authority Representations

PC Rob Gunstone advised that South Wales Police hold an outright objection under the provisions of the Cumulative Impact Policy as outlined within the Cardiff City Council Statement of Licensing Policy 2020-2025, but should Members be minded to grant the applications the following conditions are needed to uphold the licensing objectives:

General

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
The premises shall operate as a bar/restaurant

Staff training - All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority. All training shall be refreshed at least every 12 months
Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
There will be sufficient trained staff to facilitate the above.

Event Days - 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 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.

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.

Door security - SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request (b) The risk assessment shall be reviewed on a 6 monthly basis.

On occasions when door security are provided at the premises the following conditions shall apply

- a) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- (b) A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.

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.

Incident Register - An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:

- (i) All crimes reported at the venue
- (ii) Any ejections of patrons
- (iii) Any disorder on the premises
- (iv) Any visit by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system.

Refusals book - All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.

There will be no mobile alcohol sales persons of any sort.

The premises will operate a South Wales Police approved radio system

The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum

At least 70% of the public space is to be occupied by tables and chairs.

All meals are to be consumed at tables with non-disposable crockery.
All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.

Substantial refreshment will be readily available at all times at the premises when open to the public until a period of no less than one hour prior to the closure of the premises

Public Safety

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

Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.

Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives. Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.

Music shall not be played at such a level that it is likely to cause a public nuisance.

Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

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.

A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18

All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.

Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally; Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.

No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

The other Responsible Authority representatives had nothing to add to their earlier representations.

Summing Up

PC Gunstone advised that Members should satisfy themselves as to whether the applications were of an exceptional nature.

The Applicant advised that the Conditions agreed with South Wales Police were a practical way forward. Members were advised that alcohol-related problems were a serious issue for society, but the way to deal with that was not to resist or prevent good applications which treat alcohol in a responsible way in a proper environment. Such applications encourage a more responsible approach to alcohol and draw customers away from problem premises. Members were advised that it is difficult to predict the ways in which noise occurs. The applications have been studied carefully from a Planning and Land Use perspective and the appropriate controls are already in place. To impose further conditions in advance of evidence is not proportionate. Conditions could be imposed at a later date in the event of evidence of a nuisance. Members were advised that the CIP's recognition that an area could be improved by the introduction of new types of high end business fitted perfectly with the aims of the proposed developments. Members were invited to approve the applications on the basis of the Conditions.

RESOLVED: The Sub-Committee have heard from the applicant and listened to all the evidence and submissions and considered the written material. The Sub-Committee have also considered the Licensing Act 2003, the Section 182 Guidance and our own Statement of Licensing Policy.

The Sub-Committee have also heard the representations made by South Wales Police, the Local Health Board, Environmental Health Pollution Control, and the Licensing Authority. The Sub-Committee have also considered all written representations made to it.

The premises are located in an area covered by a Cumulative Impact Policy that creates the rebuttable presumption that any new or full variation applications for Premises Licences will be refused or limited unless the applicant can successfully demonstrate that granting the application will not add to the cumulative impact in the area. The Sub-Committee have agreed that the Cumulative Impact Policy would apply to this application.

The Sub-Committee note that, prior to the meeting, the Applicant agreed to the proposed conditions from South Wales Police, therefore, the revised Operating Schedule that incorporates the agreed police conditions is as follows:

General

- 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
- The premises shall operate as a bar/restaurant

Staff training -

- All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority All training shall be refreshed at least every 12 months
- Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

Prevention of Crime and Disorder CCTV

- A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal 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 shall 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 and at all other times as soon as reasonably practicable (subject to data protection legislation).
- There will be sufficient trained staff to facilitate the above.

Event Days -

- 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 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.
- 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.

Door security -

- SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises.
 - (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request
 - (b) The risk assessment shall be reviewed on a 6 monthly basis.
- On occasions when door security are provided at the premises the following conditions shall apply
- The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.
- A register of door supervisors shall be kept at the premises. The Register shall show 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 6 months and will be made available to a Police employee on request.
- 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.

Incident Register –

- An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:
 - (i) All crimes reported at the venue
 - (ii) Any ejections of patrons
 - (iii) Any disorder on the premises
 - (iv) Any visit by representatives of a relevant authority or emergency service
 - (v) Any failure of the CCTV system.

Refusals book –

- All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain: (a) Details of the time and date the refusal was made; (b) The identity of the staff member refusing the sale; (c) Any detail or description of the person refused and the reason why. (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.
- There will be no mobile alcohol sales persons of any sort.
- The premises will operate a South Wales Police approved radio system

- The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum
- At least 70% of the public space is to be occupied by tables and chairs.
- All meals are to be consumed at tables with non-disposable crockery.
- All food is to be served by waiter/waitress service with the only exception of a buffet style restaurant.
- Hot meals will be readily available at the premises when open to the public until a period of no less than one hour prior to the closure of the premises

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- Where any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives
- Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that **as far as practicable** customers behave in such a way as to promote the licensing objectives.
- Music shall not be played at such a level that it is likely to cause a public nuisance.
- Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.
- 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.
- A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

- The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
- At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18

- All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
- Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
- Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
- No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

After carefully considering all of the submissions today and the written material, the Sub-Committee are satisfied that there are conditions imposed on the proposed development in relation to Planning that will mitigate noise nuisance.

In light of the above, and due to the exceptional nature of the application, as outlined in the literature submitted to us, the Operating Schedule and the Applicant's submission today, the Sub-Committee feel that the Applicant has successfully demonstrated that this application would not add to the negative cumulative impact in the area, and this application will not negatively impact on the licensing objectives.

The Sub-Committee therefore resolve to grant the application, subject to the agreed conditions with South Wales Police outlined above.

20 : URGENT ITEMS (IF ANY)

No urgent items were received.

The meeting terminated at 3.30 pm