



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

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

AGENDA

Pwyllgor	IS-BWYLLGOR TRWYDDEDU
Dyddiad ac amser y cyfarfod	DYDD GWENER, 28 IONAWR 2022, 10.00 AM
Lleoliad	CYFARFOD O BELL TRWY MS TEAMS
Aelodaeth	Cynghorwyr Derbyshire, Jacobsen, Mackie a/ac Wood

1 **Datgan Buddiannau**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 **Cais am Drwydded Safle - Flight Club, St Mary Street** *(Tudalennau 3 - 32)*

3 **Cais am Amrywio Trwydded Safle - Black Salt, Whitchurch Road** *(Tudalennau 33 - 44)*

EGWYL 30 MUNUD O HYSBYS 12.30

4 **Cais am Amrywio Trwydded Safle - Three Elms, Whitchurch** *(Tudalennau 45 - 72)*

5 **Cais am Drwydded Safle Betio - Boyle Sports, Clifton Street** *(Tudalennau 73 - 82)*

6 **Materion Brys (os o gwbl)**

Davina Fiore

Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol

Dyddiad: Dydd Llun, 24 Ionawr 2022

Cyswllt: Graham Porter, 02920 873401, g.porter@caerdydd.gov.uk

Bydd y cyfarfod hwn yn cael ei recordio â'r bwriad o'i ddarlledu ar wefan y Cyngor yn ddiweddarach. Bydd y cyfarfod cyfan yn cael ei recordio, ac eithrio pan fo eitemau cyfrinachol neu eitemau a eithrir. Caiff copi o'r cyfarfod ei gadw yn unol â pholisi cadw data'r Cyngor. Os ydych yn gwneud sylw yn y cyfarfod hwn, ystyrir eich bod wedi cydsynio i gael eich ffilmio a/neu eich recordio.

Os oes gennych gwestiynau ynghylch gwe-ddarlledu cyfarfodydd, cysylltwch â'r Gwasanaethau Pwyllgorau trwy ffonio 02920 872020 neu e-bostio [Gwasanethau Democrataidd](#)

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 28 January 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 068678

Name of Premises: Flight Club, 3-4 St Mary Street, Cardiff, CF10 1AT

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Flight Club Darts Limited in respect of Flight Club, 3-4 St Mary Street, Cardiff, CF10 1AT.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail of alcohol for consumption on the premises.
- (ii) The provision of regulated entertainment in the form of indoor sports and recorded music (indoors).
- (iii) The provision of late night refreshment (indoors).

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

“Social entertainment venue providing competitive socialising in the form of darts together with ancillary bar and food offerings”.

(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 Wednesday: 09:00 to 00:30
Thursday to Saturday: 09:00 to 01:30
Sundays preceding a Bank Holiday: 09:00 to 01:30
New Year's Eve: 09:00 to 03:30

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

(i) The sale by retail of alcohol for consumption on the premises:

Sunday to Wednesday: 09:00 to 00:00
Thursday to Saturday: 09:00 to 01:00
Sundays preceding a Bank Holiday: 09:00 to 01:00
New Year's Eve: 09:00 to 03:00

(ii) The provision of regulated entertainment in the form of indoor sports and recorded music (indoors):

Sunday to Wednesday: 09:00 to 00:00
Thursday to Saturday: 09:00 to 01:00
Sundays preceding a Bank Holiday: 09:00 to 01:00
New Year's Eve: 09:00 to 03:00

- (iii) The provision of late night refreshment (indoors):
 - Sunday to Wednesday: 23:00 to 00:00
 - Thursday to Saturday: 23:00 to 01:00
 - Sundays preceding a Bank Holiday: 23:00 to 01:00
 - New Year's Eve: 23:00 to 03:00

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

2. Promotion of Licensing Objectives

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

3. Relevant Representations

3.1 A representation has been received from South Wales Police. A copy of the representation can be found attached as **Appendix C**.

3.2 A representation has been received from Shared Regulatory Services Pollution Control. A copy of the representation can be found attached as **Appendix D**.

3.3 A representation has been received from Licensing Enforcement. A copy of the representation can be found attached as **Appendix E**.

3.2 A representation has been received from local Ward Councillors and can be found attached as **Appendix F**.

4. Legal Considerations

4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives, which are:

- Prevention of crime and disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

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

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. Issues for Discussion

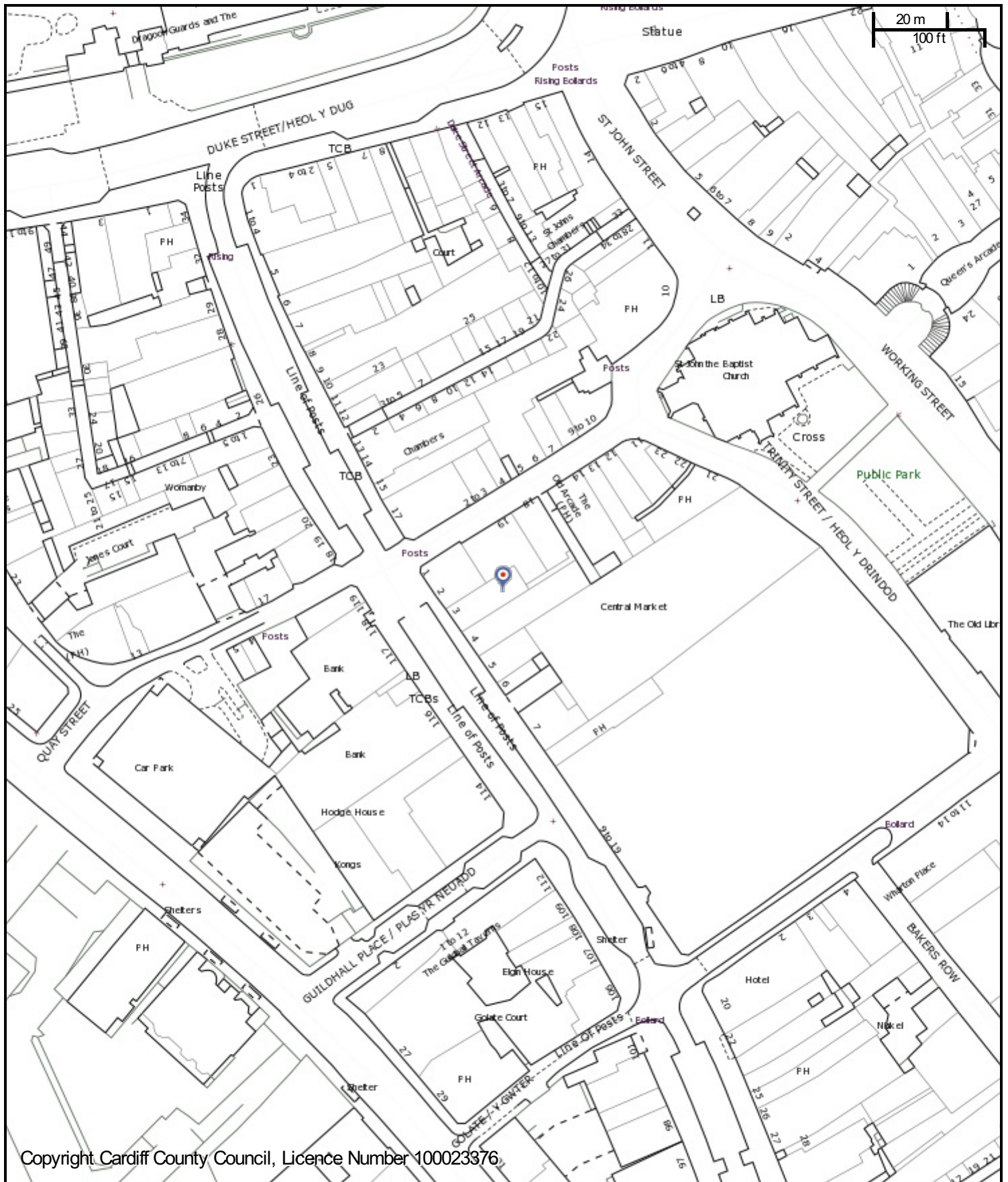
- 5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

**Dave Holland
Regulatory Services**

10th January 2022

APPENDIX A

Site Map & Plan



Copyright Cardiff County Council, Licence Number 100023376

CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council



Title

Scale: 1:1417

Date: 10/1/2022 at 9:57 AM

Coordinates:

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Ordnance Survey 100023376 (2014).

LICENSING KEY

- Licensed Premises Demise
- Areas for consumption of alcohol
- Areas for Storage of Alcohol
- Kitchen and staff only areas
- Toilet accommodation

- Non maintained emergency light fitting with battery back up
- Illuminated exit sign
- Fire Alarm Panel
- Smoke Detection
- Heat Detection
- Sounder
- Fire Alarm Call Point
- 30 minute fire door
- 60 minute fire door
- General fire notice
- Staff fire notice
- Fire door keep locked shut
- Push bar to open
- Fire door keep shut
- Self closer
- Push bar with N4 notice
- Fire blanket
- Carbon dioxide extinguisher 4.5KG
- Water extinguisher 9l capacity
- Foam extinguisher 9l capacity
- Dry powder extinguisher 10 KG
- Access / Egress

NOTE: All fire precautions design and installation is to adhere to the current British Standards.



1 PROPOSED GROUND FLOOR GA PLAN

Rev	Date	Description	Drawn	Checked

Amendments

Licensing

Europa Business Park,
 Unit S6, Building 67,
 Bird Hall Ln, Stockport
 SK3 0XA
 Tel: 0161 477 7709

PROJECT Flight Club Cardiff	
CLIENT Red Engine	
TITLE Ground Floor	
SCALE 1:100 @ A1	DATE Oct 2021
DRAWN BY LC	CHECKED BY
DRAWING No. 7479_251	REV -

Tudalen 8

LICENSING KEY

- Licensed Premises Demise
- Areas for consumption of alcohol
- Areas for Storage of Alcohol
- Kitchen and staff only areas
- Toilet accommodation

- Non maintained emergency light fitting with battery back up
- Illuminated exit sign
- Fire Alarm Panel
- Smoke Detection
- Heat Detection
- Sounder
- Fire Alarm Call Point
- 30 minute fire door
- 60 minute fire door
- General fire notice
- Staff fire notice
- Fire door keep locked shut
- Push bar to open
- Fire door keep shut
- Self closer
- Push bar with N4 notice
- Fire blanket
- Carbon dioxide extinguisher 4.5KG
- Water extinguisher 9l capacity
- Foam extinguisher 9l capacity
- Dry powder extinguisher 10 KG
- Access / Egress

NOTE: All fire precautions design and installation is to adhere to the current British Standards.



Tudalen 9

Rev	Date	Description	Drawn	Checked
Amendments				

Drawing Status

Licensing

Europa Business Park,
 Unit S6, Building 67,
 Bird Hall Ln, Stockport
 SK3 0XA
 Tel: 0161 477 7709

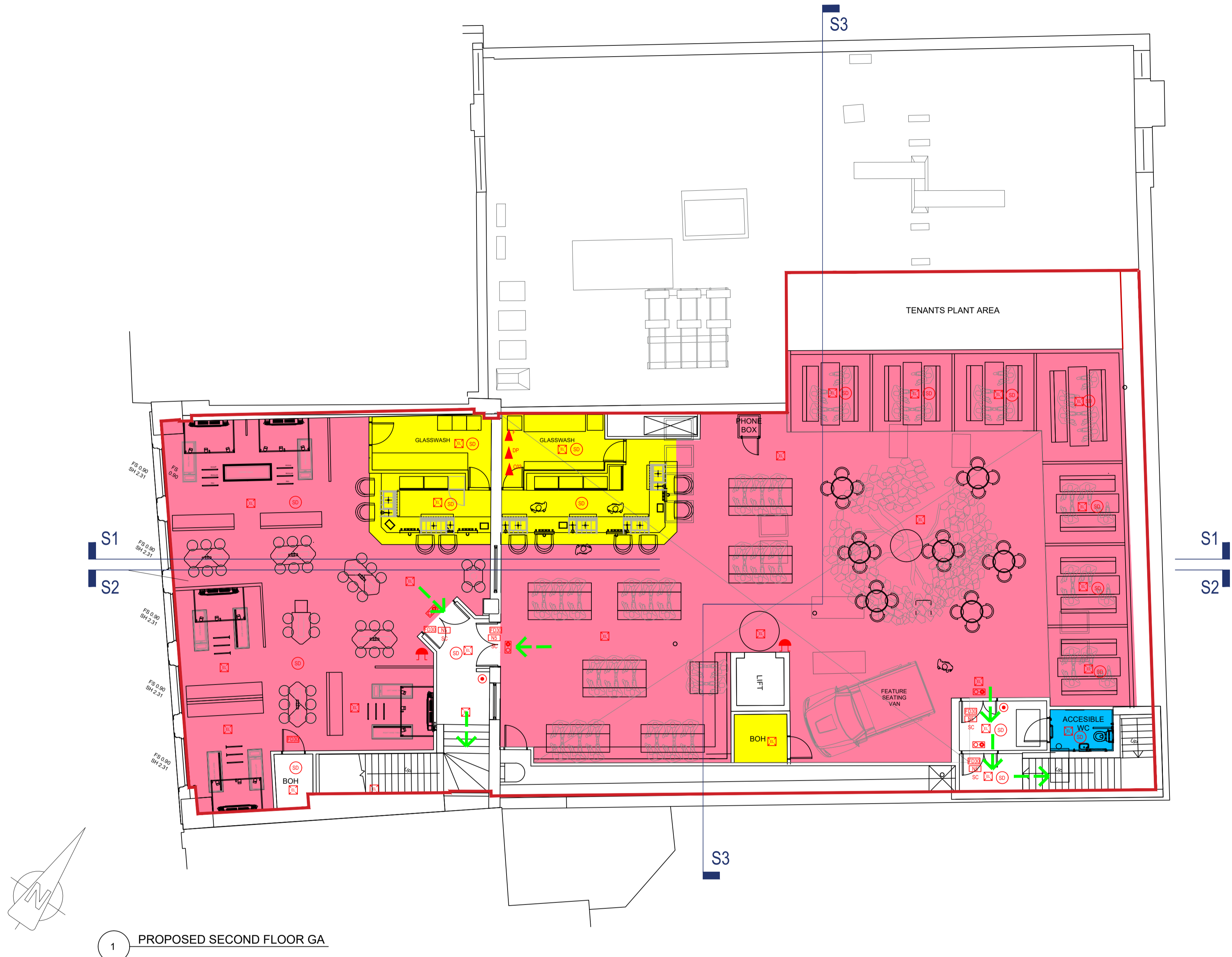
PROJECT Flight Club Cardiff	
CLIENT Red Engine	
TITLE First Floor	
SCALE 1:100 @ A1	DATE Oct 2021
DRAWN BY LC	CHECKED BY
DRAWING No. 7479_252	REV -

LICENSING KEY

- Licensed Premises Demise
- Areas for consumption of alcohol
- Areas for Storage of Alcohol
- Kitchen and staff only areas
- Toilet accommodation

- Non maintained emergency light fitting with battery back up
- Illuminated exit sign
- Fire Alarm Panel
- Smoke Detection
- Heat Detection
- Sounder
- Fire Alarm Call Point
- 30 minute fire door
- 60 minute fire door
- General fire notice
- Staff fire notice
- Fire door keep locked shut
- Push bar to open
- Fire door keep shut
- Self closer
- Push bar with N4 notice
- Fire blanket
- Carbon dioxide extinguisher 4.5KG
- Water extinguisher 9l capacity
- Foam extinguisher 9l capacity
- Dry powder extinguisher 10 KG
- Access / Egress

NOTE: All fire precautions design and installation is to adhere to the current British Standards.



1 PROPOSED SECOND FLOOR GA

Rev	Date	Description	Drawn	Checked
Amendments				

Drawing Status

Licensing

Europa Business Park,
Unit S6, Building 67,
Bird Hall Ln, Stockport
SK3 0XA
Tel: 0161 477 7709

PROJECT Flight Club Cardiff	
CLIENT Red Engine	
TITLE Second Floor	
SCALE 1:100 @ A1	DATE Oct 2021
DRAWN BY LC	CHECKED BY
DRAWING No. 7479_253	REV -

APPENDIX B

Operating Schedule

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

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

Please refer to the applicant's schedule of suggested conditions consistent with the promotion of the four licensing objectives.

b) The prevention of crime and disorder

Please refer to the applicant's schedule of suggested conditions consistent with the promotion of the four licensing objectives.

c) Public safety

Please refer to the applicant's schedule of suggested conditions consistent with the promotion of the four licensing objectives.

d) The prevention of public nuisance

Please refer to the applicant's schedule of suggested conditions consistent with the promotion of the four licensing objectives.

e) The protection of children from harm

Please refer to the applicant's schedule of suggested conditions consistent with the promotion of the four licensing objectives.

Flight Club Darts

3-4 St Mary's Street, Cardiff CF10 1AT

Applicant's schedule of suggested conditions

Schedule of Proposed Conditions

General (all Licensing Objectives)

- 1) There shall be a minimum of 8 darts oche's available at any time the premises is open to the public.

The Prevention of Crime and Disorder: CCTV

- 2) A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits and any external areas associated with the premises. The images will be kept for a minimum of 31 days and shall be produced to a police employee in a readily playable format immediately upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

Doorstaff:

- 3) SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the premises. 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. In addition:
- 4) The Premises License Holder will employ a minimum of three (3) SIA licensed door supervisors from 20:00 until premises closes on Thursday, Friday and Saturday nights and / or any nights when the licensable activities continue past midnight.
- 5) SIA registered door staff will ensure the dispersal of all patrons from the premises at the end of the trading day.
- 6) On those days designated by South Wales Police as major event days in the City Centre and Bay areas of Cardiff, no less than four (4) SIA registered door supervisors will be employed at the premises from either 16:00 that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises.
- 7) There shall be a minimum of one body worn camera device in use at the premises whenever SIA licensed door staff are on duty. The body worn devices shall be capable of recording video (images) and sound. Recorded images shall be stored for a minimum of 31 days and shall be produced to a police employee on the provision of satisfactory identification, in a readily playable format, immediately upon request when the premises are open to the public and at all other times as soon as reasonably possible subject to data protection legislation. There will be sufficient trained staff to facilitate the above.

- 8) SIA licensed door staff shall each carry an internal radio to allow communication between themselves and management.
- 9) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises.
- 10) 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.

Drug safe:

- 11) The premises shall operate a drug safe scheme. A dedicated register shall be kept in which any drugs deposited in the drug safe are recorded. This register shall be cross referenced with the incident book.

Cardiff City Centre:

- 12) The designated Premises Supervisor will be an active member of the Cardiff Licensees Forum.
- 13) The premises will operate a South Wales Police / Cardiff Council approved radio system

Vessels:

- 14) No customers shall be allowed to leave the premises while in possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

Contact:

- 15) A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open.

Mobile dispense:

- 16) Any mobile alcohol dispensers (shot sales) to be personal license qualified.

Dance Floor:

- 17) No dance floor to be available at the premises.

Incident Book:

- 18) An incident book will be kept and maintained at the premises at all times. 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
- 19) It shall be made available on request to a police officer.

Food:

- 20) Substantial refreshment (hot) 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.

Event Days:

- 21) On days classified as 'major event days' by South Wales Police, all drinks will be dispensed into non glass 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.

22) No live sports will be screened at the premises.

The prevention of public nuisance:

23) All areas that are occupied by patrons must have a designated member of staff for that level, during the hours that the premises are open to the public.

24) There will be no patrons permitted to drink on the highway outside of the premises.

25) 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.

The protection of children from harm:

26) At all times that the premises is operating under this licence, the Premises License 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 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. Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises. The premises licence holder shall arrange staff training in relation to underage sales.

27) 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)

28) No striptease, no nudity and all persons to be decently attired at all times.

29) No under 18's permitted in the premises after 20:00

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 20 December 2021 11:33
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Premises License Application Flight Club Darts
Attachments: Signed Flight Club Darts.pdf

***** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

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

Good morning,

Please find attached the premises licence application for Flight Club Darts. Licence contains South Wales Police objection and reasons. If you require any further information please do not hesitate to contact me.

Kind regards
Mike



4813 Michael Stone - 4813 Michael Stone

Adran Diogelwch Cymunedol | Community Safety Department

Urhs Caerdydd a'r Fro / Cardiff & Vale BCU

South Wales Police - Heddlu De Cymru



Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.south-wales.police.uk>, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

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

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

SWYDDOGOL - OFFICIAL

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

15th December 2021

Flight Club Darts Limited

**RE: Application for the grant of a premise licence, "Flight Club" , 3-4 St Mary Street,
Cardiff, CF10 1AT.**

I have caused enquiries to be made into this application and make the following representation that I wish to be considered when deciding on the licensable activity and conditions for this licence.

The applicant has applied for a premises licence to allow on premises consumption only with provision of regulated entertainment in the way of indoor sports (darts), recorded music and late night refreshments. The applicant is a Limited Company, was founded in 2015. They have now become an internationally renowned competitive socialising business, with venues in both England and the USA.

There will be no live sports screened at the premises and no dancefloor within.

The applicant has provided a number of measures to promote the licensing objectives which are both appropriate and proportionate.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



The applicant therefore applies to conduct the following licensable activity:

Supply of alcohol on premises only;

Sunday to Wednesday 11:00 – 00:00.

Thursday to Saturday 11:00 – 01:00.

Applicant also requesting varied times on the following days;

Until 03:00 the following morning on New Year's Eve.

An additional hour Sunday preceding a Bank Holiday.

Indoor Sporting Events; (darts) and Recorded Music;

Sunday to Wednesday 09:00 – 00:00.

Thursday to Saturday 09:00 – 01:00

Applicant also requesting varied times on the following days;

Until 03:00 the following morning on New Year's Eve.

An additional hour Sunday preceding a Bank Holiday.

Late night refreshments;

Sunday to Wednesday 23:00 – 00:00

Thursday to Saturday 23:00 – 01:00

Applicant also requesting varied times on the following days;

Until 03:00 the following morning on New Year's Eve.

An additional hour Sunday preceding a Bank Holiday.

Opening Hours;

Sunday to Wednesday 09:00 – 00:30.

Thursday to Saturday 09:00 – 01:30

Applicant also requesting varied times on the following days;

Until 03:30 the following morning on New Year's Eve.

An additional hour Sunday preceding a Bank Holiday.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.

Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Hours agreed for the sale of alcohol:

Sunday to Wednesday 11:00 – 00:00.

Thursday, Friday and Saturday 11:00 – 01:00.

Until 03:00 the following morning on New Year's Eve.

An additional hour Sunday preceding a Bank Holiday.

Measures offered by the applicant in support of the application:

General

- 1) There shall be a minimum of 8 darts oche's available at any time the premises is open to the public.

Prevention of Crime and Disorder

CCTV

- 2) A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits and any external areas associated with the premises. The images will be kept for a minimum of 31 days and shall be produced to a police employee in a readily playable format immediately upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

Doorstaff:

- 3) SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the premises. 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. In addition:

- 4) The premises License Holder will employ a minimum of three (3) SIA licensed door supervisors from 20:00 until premises closes on Thursday, Friday and Saturday nights and / or any nights when the licensable activities continue past midnight.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.

Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



5) SIA registered door staff will ensure the dispersal of all patrons from the premises at the end of the trading day.

6) On those days designated by South Wales Police as major event days in the City Centre and Bay areas of Cardiff, no less than four (4) SIA registered door supervisors will be employed at the premises from either 16:00 that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises.

7) There shall be a minimum of one body worn camera device in use at the premises whenever SIA licensed door staff are on duty. The body worn devices shall be capable of recording video (images) and sound. Recorded images shall be stored for a minimum of 31 days and shall be produced to a police employee on the provision of satisfactory identification in a readily playable format, immediately upon request when the premises are open to the public and at all other times as soon as reasonably possible subject to data protection legislation. There will be sufficient trained staff to facilitate the above.

8) SIA licensed door staff shall each carry an internal radio to allow communication between themselves and management.

9) The licensed door supervisors shall be employed solely for vetting, regulating. Controlling and supervising patrons whilst entering and whilst on the premises.

10) 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.

Drug Safe:

11) The premises shall operate a drug safe scheme. A dedicated register shall be kept in which any drugs deposited in the drug safe are recorded. This register shall be cross referenced with the incident book.

Cardiff City Centre:

12) The designated Premises Supervisor will be an active member of the Cardiff Licensees Forum.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



13) The premises will operate a South Wales Police / Cardiff Council approved radio system.

Vessels:

14) No customers shall be allowed to leave the premises while in possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

Contact:

15) A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open.

Mobile dispense:

16) Any mobile alcohol dispensers (shot sales) to be personal license qualified.

Dancefloor:

17) No dance floor to be available at the premises.

Incident Book:

18) An incident book will be kept and maintained at the premises at all times. 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 visits by representatives of a relevant authority or emergency service
- (v) Any failure of the CCTV system

19) It shall be made available on request to a police officer.

Food:

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



20) Substantial refreshment (hot) 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.

Event Days:

21) On days classified as "major event days" by South Wales Police, all drinks will be dispensed into non glass 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.

22) No live sports will be screened at the premises.

The Prevention of Public Nuisance

23) All areas that are occupied by patrons must have a designated member of staff for that level, during the hours that the premises are open to the public.

24) There will be no patrons permitted to drink on the highway outside of the premises.

25) 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.

The Protection of Children from Harm

26) At all times that the premises is operating under this licence, the Premises License 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. Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises. The premises License holder shall arrange staff training in relation to underage sales.

27) 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)

28) No striptease, no nudity and all persons to be decently attired at all times.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English.

Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



29) No under 18's permitted in the premises after 20:00

The applicant has offered a number of points that would seek to promote the licensing objectives and are both appropriate and proportionate to the application and will prevent incidents of crime and disorder from occurring.

POLICE REPRESENTATION

South Wales Police wish to object to the grant of this application under the Licensing Objectives;

Prevention of Crime and Disorder,

Public safety,

Prevention of Public Nuisance,

Protection of Children from Harm.

As well as the Cardiff City Council Cumulative Impact Policy 2016-2021.

However, should the committee be of mind to grant this application, we ask that the permitted activities and conditions are attached to the premises licence as listed above.

If you wish any further information then please contact Police Licensing Officer Michael Stone at the Cardiff Bay Police Station ☎

Yours faithfully,

M. Conquer C13883

M.CONQUER

Chief Inspector

15th December 2021



APPENDIX D

Pollution Control Representation

Barker, Kirstie

From: Green, Sophie
Sent: 03 January 2022 14:59
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Barker, Kirstie; Evans, Kirsty
Subject: Flight Club Application - 3 - 4 St Mary Street, Cathays, Cardiff, CF10 1AT

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

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

Good Afternoon,

I, representing a responsible authority (Environmental Health), wish to object to the above licensing application for the new premises noted above to allow the second floor external area to be used for consumption of alcohol on the grounds that the application does not promote the licensing objective of "The prevention of public nuisance".

I note that the applicants do not address how they intend to promote the licensing objective of "The prevention of public nuisance" within the application with regards to the external area situated on the second floor. The application only gives reference to 'regular monitoring by a member of staff' and 'asking patrons to leave quickly and quietly'. This does not demonstrate a clear preventative for the licensing objective of "The prevention of public nuisance" particularly with lack of reference to the proposed external area situated on the second floor. I am concerned that the application seeks to include outside eating and drinking with recorded music until terminal hour.

I have concerns that the external second floor roof terrace area is situated within near proximity to residents and is intended to be used up until 00:00hrs, Sunday - Wednesday and 01:00hrs Thursday - Saturday which is likely to cause unnecessary nuisance to nearby residents. Cardiff Licensing Policy states that

- "Operators should take particular care to ensure that customers using external drinking areas, smoking areas or the pavement outside, do not cause unnecessary nuisance to local residents. It is suggested that the terminal hour for external areas that are in close proximity to residential properties does not exceed 21:00hrs."
- "Careful consideration should also be given to determining suitable external areas for smoking. Ideally designated smoking areas should be sited at the furthest distance from residential properties and cigarette bins should be provided."

Yours Sincerely,

Sophie Green



Eleanor Sophie Green

Neighbourhood Services Officer

Swyddog Gwasanaethau Cymdogaeth

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

APPENDIX E

Licensing Enforcement representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Evans, Kirsty
Sent: 29 December 2021 16:01
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Matthew Phipps
Subject: LA (Enforcement) Representation - Flight Club, 3-4 St Mary Street - New Premises Licence Application

Hello,

Re: Flight Club, 3-4 St Mary Street, Cardiff CF10 1AT – New Premises Licence Application

I am writing to submit a representation on behalf of the Enforcement Section of the Licensing Authority in respect of the above application for Flight Club.

The Licensing Authority (Enforcement) believes that the application undermines the following licensing objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

Although the applicant has described the premises in the application form as a “*social entertainment venue providing competitive socialising in the form of darts together with ancillary bar and food offerings*”, the proposed conditions do not reflect an ancillary bar. As such, and with the premises being located in an area that is subject to the Council’ Cumulative Impact Policy (CIP) the application would fall within the ‘red’ category in Table 1 of the Cumulative Impact Policy (CIP).

The CIP has been adopted due to high levels of alcohol related crime and disorder in the interests of public safety and the avoidance of nuisance. The policy creates a rebuttable presumption that the application will be refused or subject to certain limitations, unless the applicant can successfully demonstrate the proposals will not add to the negative cumulative impact on one or more of the licensing objectives.

St Mary Street is a busy street, particularly during the early hours of the morning with high incidents of anti-social behaviour, I do not believe that the applicant’s proposals go far enough in demonstrating that this new business type will not add to the negative cumulative impact already experienced in this area. The Licensing Authority (Enforcement) therefore object to the applicant’s proposals and ask that the Licensing Sub-Committee determine the matter.

Kind regards,

Kirsty



Kirsty Evans | Licensing Policy Officer

Licensing Section / Adran Drwyddedu
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Phone | Ffon:
Email | Ebost:

[Follow us on Twitter / Dilynwch ni ar Twitter](#)

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we

APPENDIX F

Ward Councillors representation

Barker, Kirstie

From: Mackie, Norma (Cllr)
Sent: 23 December 2021 20:54
To: Barker, Kirstie
Subject: RE: Licensing Act 2003: New Premises: Flight Club, 3-4 St Mary Street, CF10 1AT.
Attachments: Licensing Objection 3 -4 St Marys Street.docx

Hi Kirstie,
Please find attached our objection to the above applications.
Regards

Norma

Cllr Norma Mackie and on behalf of Cllrs Weaver, Ahmed and Merry
Cynghorydd dros Cathays / Councillors for Cathays

RE: Licensing Act 2003: New Premises: Flight Club, 3-4 St Mary Street, CF10 1AT

I write on behalf of myself and Cllrs Chris Weaver, Ali Ahmed and Sarah Merry to note our concerns regarding the above applications.

As you will be aware St Mary Street sits in the Cumulative Impact Zone (CIZ) implemented by Cardiff Council to control the number of licenced alcohol premises in the zone with the aim to promote the Licensing objectives of:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance and :
- the protection of children from harm.

The Cumulative Impact Policy (CIP) which dictates the CIZ is in place because it is already recognised that there are problems related to alcohol consumption in that area, that has an impact on public safety and crime and drains the already overstretched police resources to control it.

It is difficult to see how changing the use of a premises from two shops to another very large drinking establishment on St Mary Street will promote these objectives.

While we recognise that benefit of ensuring the use of the buildings and creating employment, we ask you to consider what disadvantages this could bring.

It is difficult to see from the application whether users of the premises will only be allowed to attend the premises if they are playing darts and are then expected to leave once their session is over or whether they are able to stay on the site and drink until 12.30am or 1.30am dependant on the days of the week.

From the plans of the venue it looks as if about 12 people can gather around one dart board to drink and play darts and this is duplicated a number of times around the venue.

To us, this is aimed at attracting groups, such as hen and stag parties who, as we are aware, can create noise and anti-social behaviour as they exit the building.

The venue is also next door to the entrance to Cardiff Market where these groups could interact with shoppers and their children using the market, especially on a Saturday afternoon.

The Site offers drinking on 3 floors and possibly 4 floors if that is the reason for the roof terrace.

We also have concerns about the noise that might be emitted from this premises, especially from the roof terrace.

This area of St Mary Street is still largely retail with an area of good quality restaurants in the High Street and surrounding streets and is very different to the night life at the other end of St Mary Street. There are also a number of residential flats and a hotel in the area, all of whom are likely to be disturbed by noisy customers

It would be very disappointing if this area was disrupted and spoilt by the opening of such a large drinking establishment.

We ask that the subcommittee to reject these applications.

Regards

Norma Mackie

Cllr Norma Mackie and on behalf of Cllrs Chris Weaver, Ali Ahmed and Sarah Merry

Cathays and City Centre Councillors

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 28 January 2022

Report of the Head of Regulatory Services

Application to vary a Premises Licence

Application No: 068671

Name of Premises: Black Salt, 188 Whitchurch Road, Cardiff, CF14 3NB

Ward: Gabalfa

1. Application

1.1 An application to vary a Premises Licence has been received from STK House Limited in respect of Black Salt, 188 Whitchurch Road, Cardiff, CF14 3NB.

1.2 The current licensable activity and hours permitted are as follows:

- (i) The sale by retail of alcohol for consumption on the premises:
Monday to Sunday: 10:00 to 23:00

1.3 The application requests the following:

- (i) To amend the sale of alcohol for consumption on the premises and opening hours:
Monday to Sunday: 12:00 to 01:00

- (ii) To add the following licensable activities:

The provision of regulated entertainment in the form of live music:
Monday to Sunday: 18:00 to 01:00

The provision of regulated entertainment in the form of recorded music:
Monday to Sunday: 12:00 to 01:00

The provision of late night refreshment (indoors):
Monday to Sunday: 23:00 to 01:00

1.3 A site map showing the premises can be found in **Appendix A**.

2. Promotion of Licensing Objectives

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

3. Relevant Representations

3.1 A representation has been received from South Wales Police. A copy of the representation can be found attached as **Appendix C**.

3.2 A representation has been received from Shared Regulatory Services Pollution Control. A copy of the representation can be found attached as **Appendix D**.

4. Legal Considerations

4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives, which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

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

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. Issues for Discussion

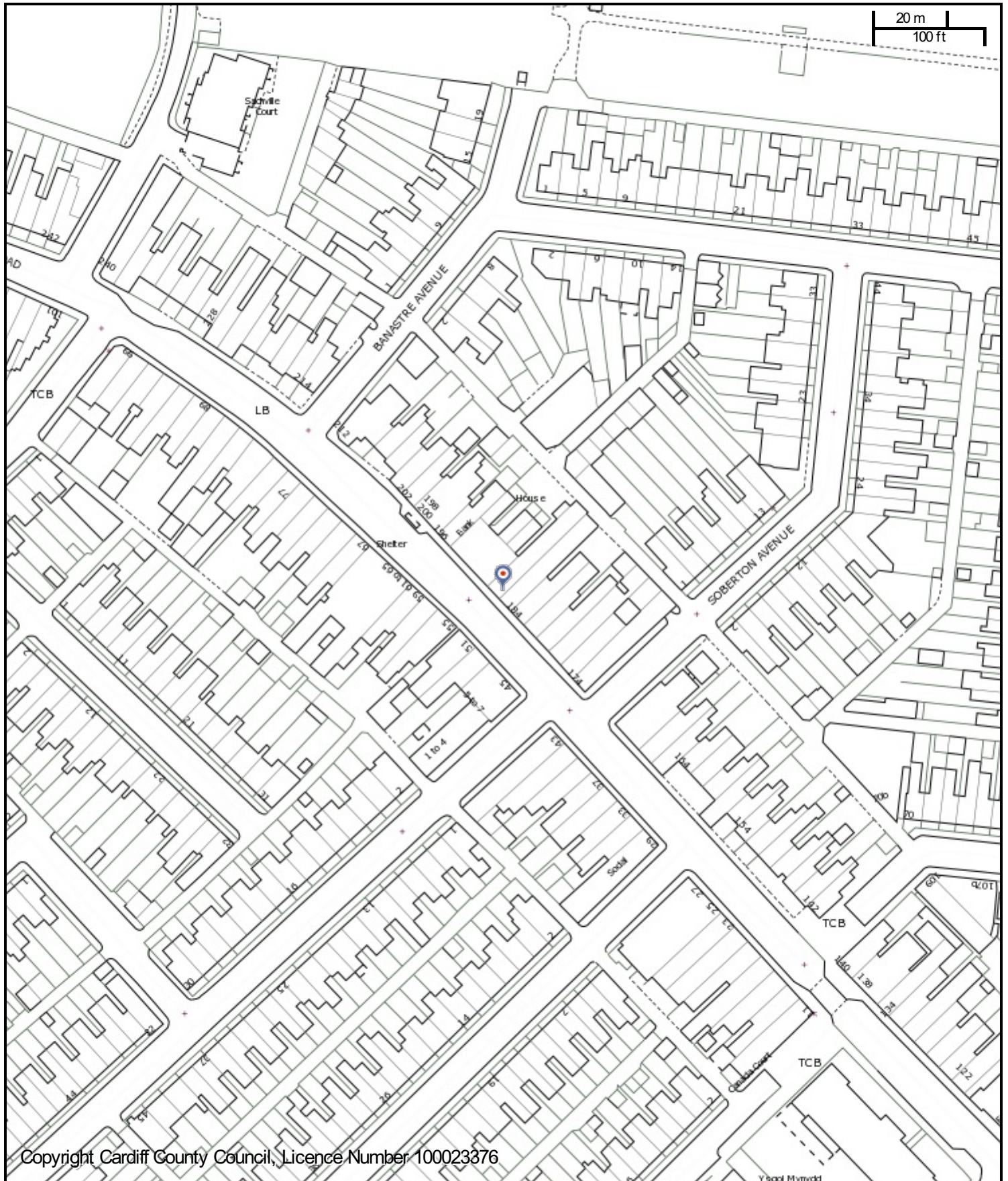
5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

10th January 2022

APPENDIX A

Site Map



CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council



Title

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Date: 10/1/2022 at 11:11 AM

Coordinates:

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APPENDIX B

Operating Schedule

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

We will ensure that all customers are safe and feel comfortable whilst ~~visiting~~ visiting our restaurant

b) The prevention of crime and disorder

All food and drink is served indoors in a family atmosphere

c) Public safety

All staff ~~are~~ are trained on health & safety and public safety is our utmost priority

d) The prevention of public nuisance

~~No~~ This is a family run restaurant and we will ensure that the family values are promoted by employing good staff and unnecessary gatherings will be avoided.

e) The protection of children from harm

Challenge 25 policy is used whilst serving alcohol and the staff are very family friendly

APPENDIX C

South Wales Police Representation

Barker, Kirstie

From: 16 December 2021 09:53
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: STK HOUSE LTD
Attachments: STK HOUSE LTD BLACK SALT VARIATION.docx

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Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

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

Good Afternoon,

Please find attached my recommendations for the application to vary the premises licence certificate CCCP02042

STK House Limited
Black Salt,
188 Whitchurch Road,
Cardiff,
CF14 3NB

Please can you confirm your agreement with the Cardiff Licensing team licensing@cardiff.gov.uk

If you do have any further queries do not hesitate to contact me directly.

Many Thanks, kind regards

Claire

Claire-Louise Dewhurst 
Swyddog Trwyddeddu Heddlu / Police Licensing Officer
Adran Drwyddedu / Licensing Department
Heddlu De Cymru / South Wales Police
URhs Caerdydd a'r Fro. / Cardiff & Vale BCU
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station

**URhS Caerdydd a'r Fro
Adran Drwyddedu**
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Teliffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

**Cardiff & Vale BCU
Licensing Department**
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**

STK House Limited
Black Salt,
188 Whitchurch Road,
Cardiff,
CF14 3NB

8th December 2021

APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
UNDER THE LICENSING ACT 2003.
STK HOUSE LTD, BLACK SALT, 188 WHITCHURCH ROAD, CARDIFF, CF14 3NB

Dear Mrs Azzopardi,

With regards to your proposed variation from the existing licence CCCP02042;

To amend the sale of alcohol for consumption on the premises:
Monday to Sunday: 12:00 to 01:00

To add the following licensable activities:
The provision of regulated entertainment in the form of live music:
Monday to Sunday: 18:00 to 01:00

The provision of regulated entertainment in the form of recorded music:
Monday to Sunday: 12:00 to 01:00

The provision of late-night refreshment (indoors):
Monday to Sunday: 23:00 to 01:00

I have caused enquires to be made into this application for the variation of premise licence CCCP02042.

South Wales Police object to the grant of this application under the Licensing Objectives;

Prevention of Crime and Disorder

Prevention of Public Nuisance

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Police Representation

South Wales Police object to the granting of the variation as applied for and make further presentations to the timings and to include further conditions:

The sale of alcohol for consumption on the premises
Sunday to Thursday 10:00 – 23:30
Friday to Saturday 10:00 - 00:00

The provision of regulated entertainment in the form of recorded music
Sunday to Thursday 23:00 – 23:30
Friday to Saturday 23:00 – 00:00

The provision of regulated entertainment in the form of live music shall not exceed beyond the deregulated hours of 23:00

The provision of late-night refreshment;
Sunday to Thursday 23:00 - 2330
Friday to Saturday 23:00 – 00:00

To include the additional;

- 1) When the Premises are open to the public past midnight on Fridays, Saturdays and those Sundays immediately prior to Bank holidays, SIA trained door supervisors will be employed from 22:00 until the premise closes.
- 2) A register of door supervisors shall be kept at the premises. The register shall show the full name, SIA registration number of each door supervisor and expiry date of their current SIA licence, stating the start and end duty times from each door supervisor. The register shall be kept by the DPS for a minimum of 12 months and will be made available to a police employee on request.
- 3) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

If the applicant agrees to the above recommendations made by South Wales Police then any objection will be withdrawn provided that the above recommendations and existing premise licence conditions are being adhered to.

Yours sincerely

J.Lewis
Acting Chief Inspector

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



APPENDIX D

Pollution Control Representation

Barker, Kirstie

From: Jenkins, Tomos
Sent: 07 December 2021 15:17
To:

Licensing Act 2003:Variation Application Black Salt, 188 Whitchurch Road,
Cardiff CF14 3NB.

Attachments: Black Salt 188 Whitchurch Road Variation Public Notice.d21.pdf

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EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

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

RE Licensing Act 2003:Variation Application Black Salt, 188 Whitchurch Road, Cardiff CF14 3NB.

Further to our telephone conversation yesterday afternoon, I have concerns over the application and the proposed times as per the attached public notice. It is the intention of this Responsible Authority to **object to the application under the Licence objective of Prevention of Public Nuisance**. However, I would agree to withdraw my objections if the following is agreed as discussed yesterday afternoon:

- The sale of alcohol shall not exceed 2330 hours Sunday – Thursday and, Friday – Saturday 0000 hours.
- The provision of late night refreshment shall not exceed 2330 Sunday – Thursday, Friday – Saturday 0000 hours.
- The provision of regulated entertainment in the form of recorded music shall not exceed beyond 2330 hours Monday – Sunday
- The provision of regulated entertainment in the form of live music shall not exceed beyond the deregulated 2300 hours Monday - Sunday

Should we not agree on the above proposed I will be send formal objections to the Licensing Authority. Please can you send any agreements to this email address after which time I will advise the Licensing Authority of our positions.

Yours sincerely,

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 28 January 2022

Report of the Head of Regulatory Services

Application to vary a Premises Licence

Application No: 068773

Name of Premises: Three Elms, Merthyr Road, Whitchurch, Cardiff, CF14 1JE

Ward: Whitchurch & Tongwynlais

1. Application

1.1 An application to vary a Premises Licence has been received from Greene King Brewing & Retailing Limited in respect of Three Elms, Merthyr Road, Whitchurch, Cardiff, CF14 1JE.

1.2 The current licensable activity and hours permitted are as follows:

- (i) Opening hours:
Monday to Saturday: 07:30 to 23:20
Sunday: 07:30 to 22:50
Good Friday: 07:30 to 22:50
Christmas Day: 07:30 to 15:20 and 19:00 to 22:50
New Year's Eve: until the start of permitted hours on New Year's Day.
- (ii) The sale by retail of alcohol for consumption on and off the premises:
Monday to Saturday: 09:00 to 23:00
Sunday: 12:00 to 22:30
Good Friday: 12:00 to 22:30
Christmas Day: 12:00 to 15:00 and 19:00 to 22:30
New Year's Eve: until the start of permitted hours on New Year's Day.
- (iii) The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors) and entertainment of a similar description (indoors):
Monday to Saturday: 09:00 to 23:00
Sunday: 09:00 to 22:30
- (iv) The provision of late night refreshment (indoors and outdoors):
Monday to Saturday: 23:00 to 23:30

1.3 The application requests the following:

To vary the licensing plans to include the following:

- General refurbishment works to the existing trade area including alterations to fixed seating (remove/relocate/replace).
- Minor alterations to back-bar fitting, including new tiling and shelving. Front bar to remain as existing with new over clad front.
- New safety flooring throughout.
- External works to include a covered dining area

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

Promotion of Licensing Objectives

2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in **Appendix B** along with a copy of the existing conditions referred to.

Relevant Representations

3.1 A number of representations have been received from other persons (local residents). Copies of the representations can be found attached as **Appendix C**.

3.2 A representation has been received from a local Ward Councillor. A copy of the representation can be found attached as **Appendix D**.

Legal Considerations

4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives, which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

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

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

Issues for Discussion

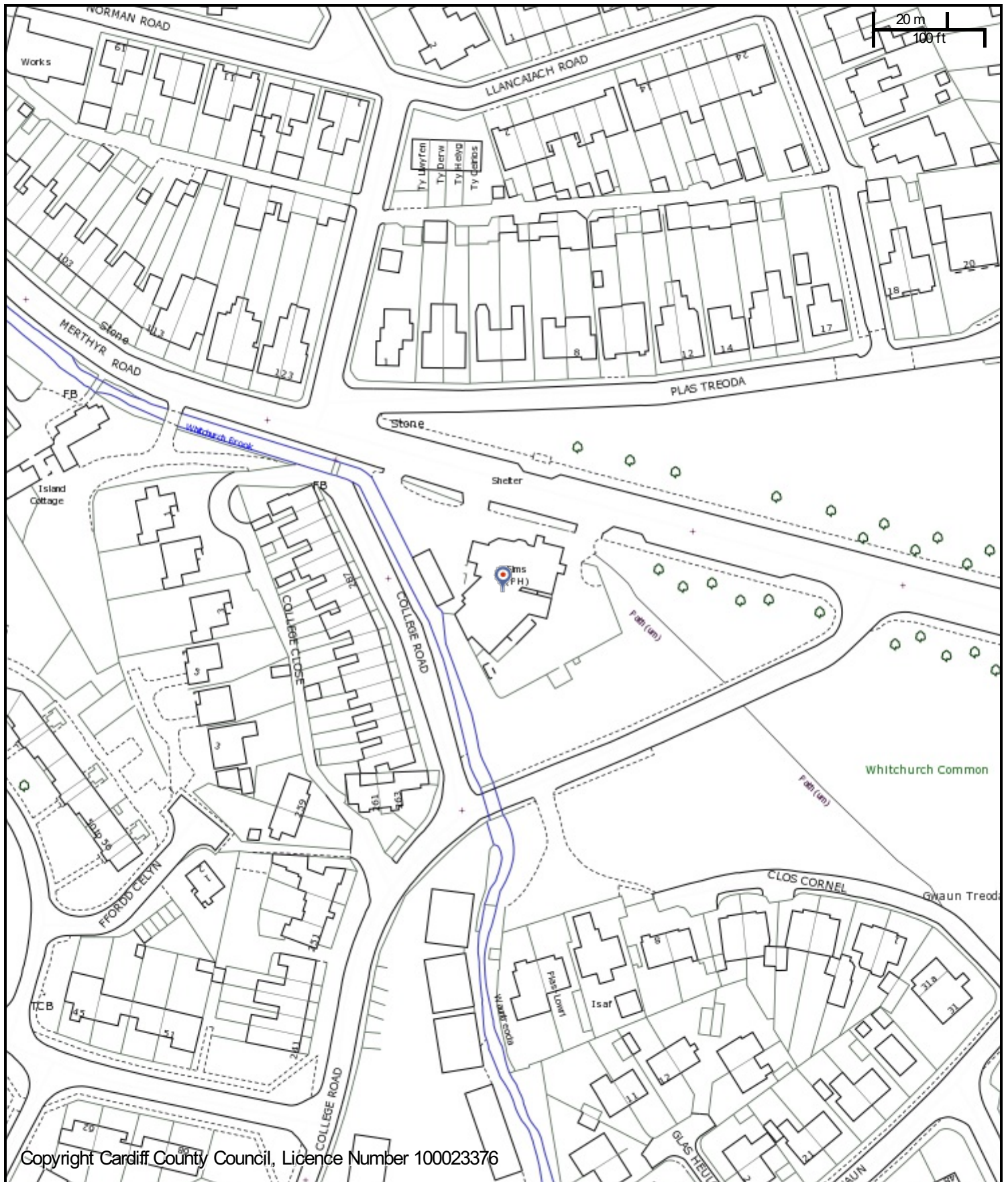
5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

10th January 2022

APPENDIX A

Site Map & Plan



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CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd
 CAERDYDD CF10 4UW
 Tel: 029 20872088

County Hall, Atlantic Wharf
 CARDIFF CF10 4UW
 Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council



Title

Scale: 1:1417

Date: 10/1/2022 at 11:59 AM

Coordinates:

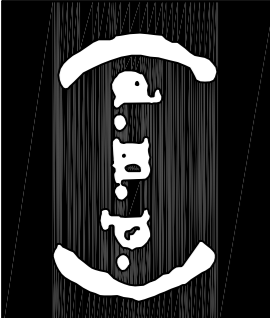
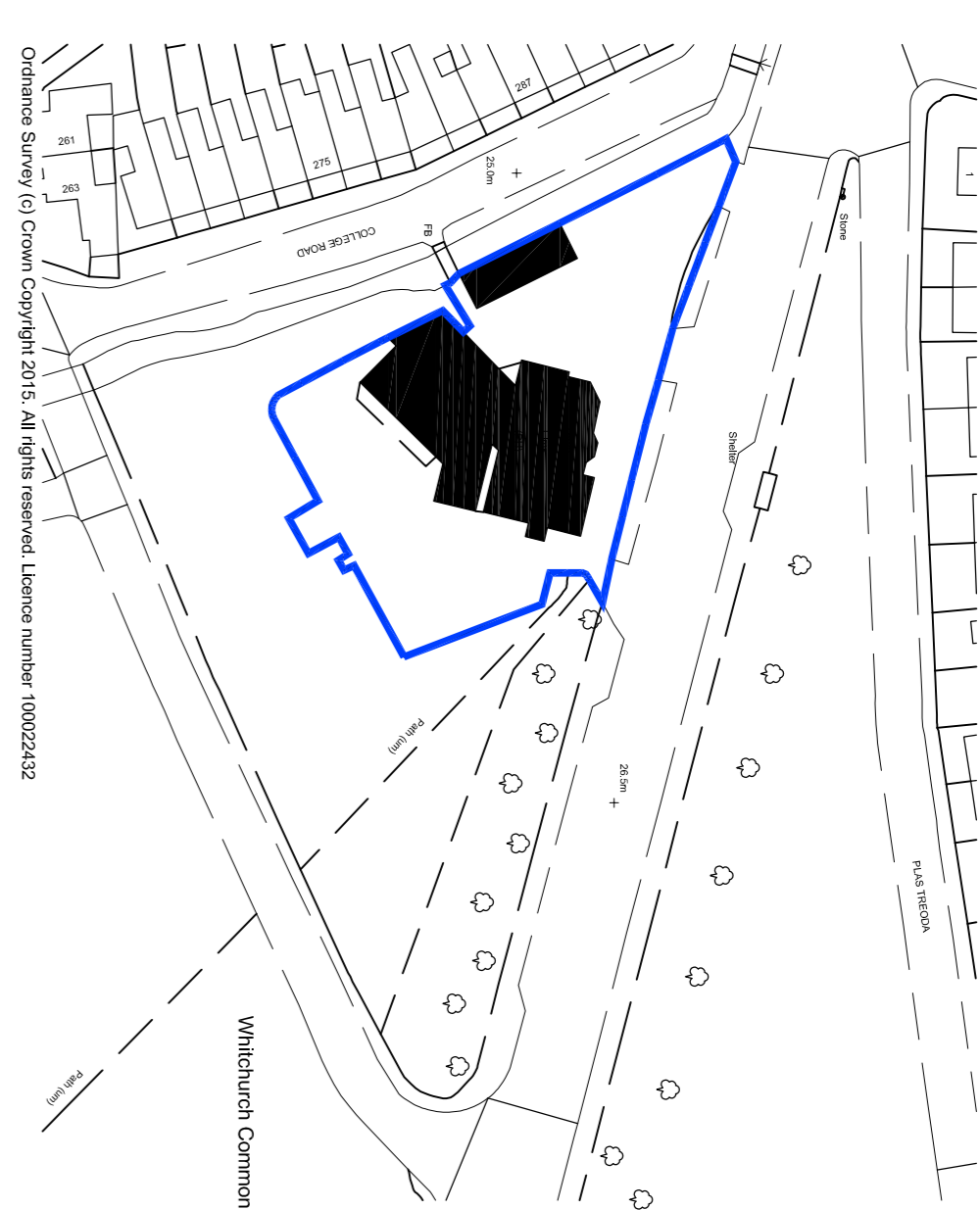
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LOCATION PLAN
Scale 1:1000 @ A1



designmanagementpartnership
8 Trade Street, Cardiff, CF10 5dt
T +44(0)29 2064 4829
F +44(0)29 2064 4831
E mail@designmanagementpartnership.com

no.	date	revision	description
1	13/08/15		Initial scheme
2	17/09/15		Final scheme
3	21/12/15		Final scheme
4	14/01/16		Final scheme

KEY

- Affected boundary extension
- Affected boundary extension
- Site boundary
- Male WC
- Female WC
- Boiler
- Cellar
- Dining Area
- Kitchen
- Freezer
- Store
- Garage
- Lounge
- Bedroom
- Main Entrance
- Exit
- External Courtyard
- Covered Seating
- Planter
- River
- Car Park

code	date	description
1:1000 / 1:1000	29/11/2021	Final scheme

CLIENT
TYPE EIMS
WHITELURE
TOR
General King

PROJECT
250

APPENDIX B

Operating Schedule

Continued from previous page...

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

a) General – all four licensing objectives (b,c,d,e)

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

As per existing premises licence

b) The prevention of crime and disorder

As per existing premises licence

c) Public safety

As per existing premises licence

d) The prevention of public nuisance

As per existing premises licence

e) The protection of children from harm

As per existing premises licence

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

ANNEXES: CONDITIONS

Annex 1 - Mandatory Conditions**Mandatory conditions where licence authorises supply of alcohol**

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

1.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the



ANNEXES: CONDITIONS continued ...

permitted price.

5. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

6. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

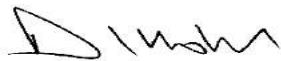
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions Consistent with the Operating Schedule

1. Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas Day between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. A period of 30 minutes is allowed at the end of each such period of permitted hours for the consumption of alcohol on the premises by persons taking meals provided the alcohol was supplied ancillary to a meal.

For other purposes or in other parts of the premises the hours set out above shall continue to apply.

2. The external areas attached to the premises should not be used after 22:30 hours each day.



Dave Holland
Shared Regulatory Services

4 December, 2020



APPENDIX C

Other persons (local residents) representations

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 24 December 2021 12:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Application: Three Elms, Merthyr Road, Whitchurch, CF14 1JE. Proposed variation by Greene King
Attachments: Manager message.jpg

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

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

We wish to object to this variation application, in particular to the external covered dining area, for reasons relating to noise pollution, light pollution, and highways.

- Noise pollution – we are concerned by any outdoor facility at these premises. We feel this establishment abdicates all responsibility for any noise it generates outside – recent examples are the Munich Beer Festival weekend it held in the marquees which this application will replace, and a scene of many dozens of young people fighting, screaming and crying in the main Merthyr Road at 1am on a Sunday morning. Several complaints were made by locals over that beer festival weekend. A senior member of staff told me to ‘give them a weekend off’ and ‘phone the council on Monday’. A more recent event – again in an outside marquee - attracted a number of calls to your 101 service, if you wish to investigate further. The manager himself admitted noise from recent events had been ‘excessive’. See attached. There are often people congregating in the car park until very late, shouting. Most nights we endure beeping of horns well after shut-tap. As we say, none of this is policed by the premises, and we live in a residential area. We fear the permanent outdoor area proposed in this variation will make the situation even worse.
- Highways – we believe these premises do not have enough parking spaces for the number of people who eat there, and in recent years, spaces have actually been reduced through Covid-outdoor marquees and the selling of Christmas trees. These have taken a considerable amount of space in the back car park, and these proposed plans appear to continue to take up a large area of the rear car park, as well as additional footfall to the premises. Where are they all going to park? Parking relating to these premises have been an issue for some time and we feel it is getting worse, and will worsen further if this variation is agreed. As we have told ward members before, people living on Whitchurch Common have been increasingly squeezed by Cardiff council measures elsewhere in the community – measures to restrict Heath Hospital parking have moved people towards our homes; many shoppers now park outside our houses because of the car parking charges introduced in the village; and the restrictions of parents taking their children to Melin Gruffydd have created a rat-run on nearby Mervyn Road. This situation is exacerbated especially at the weekends by the Elms, which we believe has too big a footfall for the parking spaces provided for its diners, resulting in their customers parking in the local community, making access to own homes difficult. Images below show the extent of illegal parking in the local community on occasions.
- Light pollution – there is already a significant issue with light pollution from these premises intruding into nearby homes. We fear that an additional, external area will make this situation even worse.

We ask that these matters are taken into consideration by the local authority as we fear the impact this application will have on our local community.

Many thanks.

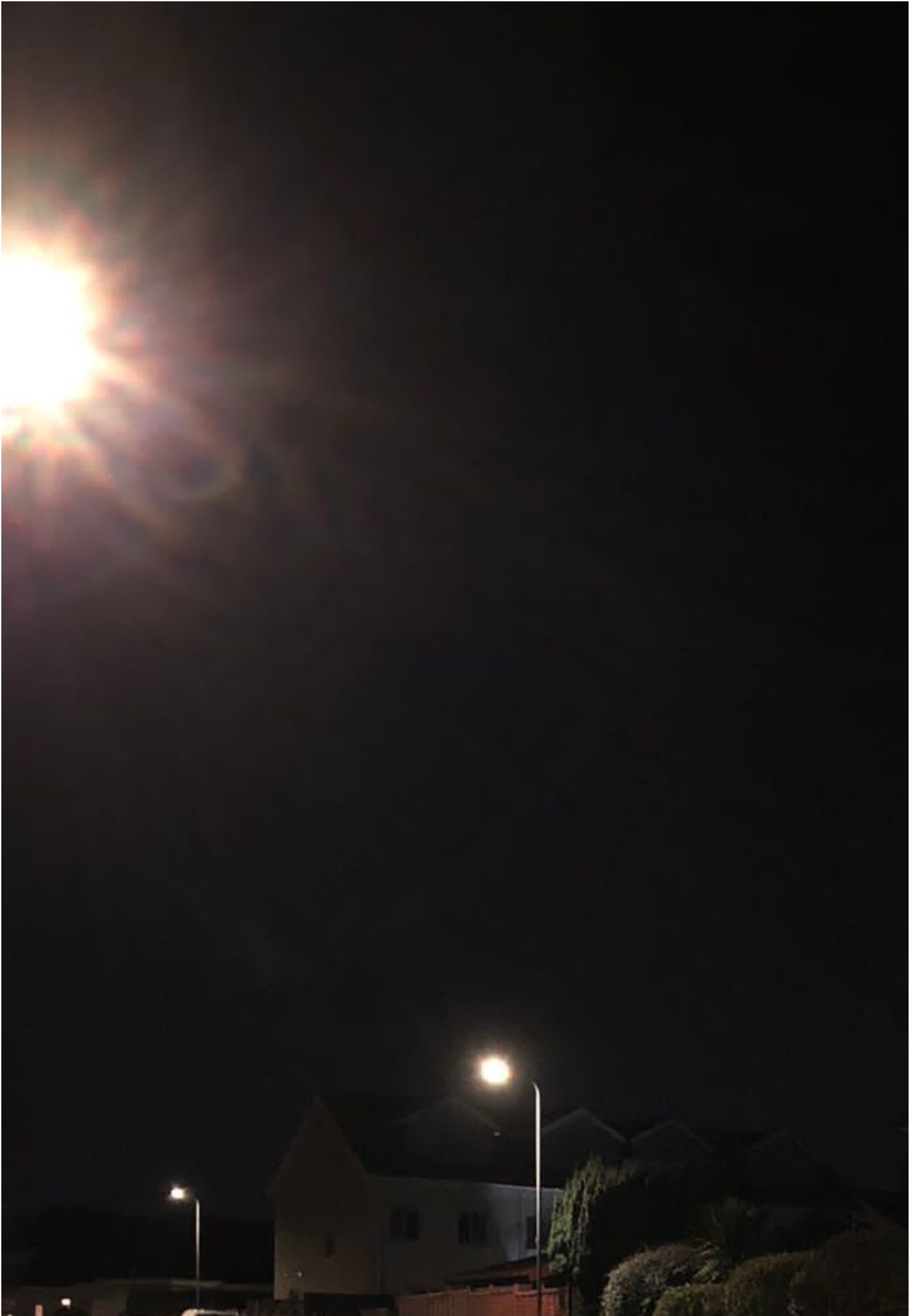








Tudalen 59



Tudalen⁸ 60

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 04 January 2022 18:06
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Phillips, Michael (Cllr)
Subject: Representation re License Variation Application Three Elms
Attachments: 3 Elms license variation application 2021.pdf

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

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

***** Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fgythiadau, meddylwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

Dear Sir/Madam,

Please see the attached letter for our representation regarding the Application for License Variation by the Three Elms, Merthyr Road. Please note that we are also sending this to our Council Representative, Michael J Phillips.

We have also copied the text of the letter below, in case of any problems with the attachment.

Contents of the attached letter:

To Licensing Section:

We have serious concerns about the plans for the creation of a permanent outdoor seating area at the Three Elms and we urge you to reject the application.

We also urge you to restrict the license for outdoor service back to the original small side veranda, disallowing the expansion which took place during pandemic conditions when meeting indoors was not possible.

Our concerns arise because

- The great increase in outdoor service during pandemic times has resulted in the loss of parking spaces and increased public nuisance and disorder;
- The proposed plan would make a very large area for licensed outdoor dining and drinking a permanent feature of our residential neighbourhood;

- The proposed plan would nearly double the overall seating capacity of the pub, adding 110 seats under cover outside to the 130 seats inside;
- The plan would make the loss of parking spaces, now covered during pandemic times by outdoor marquees, permanent at the same time as it increased seating.

As described below, our concerns relate to all four of the licensing objectives (Prevention of Crime and Disorder; Public Safety; Prevention of Public Nuisance; Protecting Children from Harm).

Outdoor Seating and Noise

Originally, there was no outdoor seating at the Three Elms. Shortly after indoor smoking was banned in 2007, the pub created a small outdoor seating veranda on the building's right hand side, where patrons could have a smoke. Although the area was small and the service available there was limited at that time, the outdoor seating had an immediate and poor effect on our quiet enjoyment of our homes and gardens, primarily due to increased and persistent noise. There were loud conversations, arguments, music flowing out from the open double doors of the building, expostulations with passers by, celebrations, etc.

During the covid lockdowns in 2020 and 2021, when the pub could not offer indoor service, it erected outdoor marquees in the car park and served patrons there. As we feared, the noise problems increased significantly with all the patrons now being outdoors. There were also more instances of visible misbehaviour. There was more overspill parking on our streets because many of the parking spaces at the pub were now covered with seating. On at least one occasion (Oktoberfest, 2021) there was outdoor live music, even though the current license does not allow outdoor music.

Over a period of years, we and our neighbours have reported noise issues both through 101 and with the Shared Regulatory Service (03001236696). The noise problem is serious and persistent – it has been impossible to listen to music, watch television or sleep in the rooms at the front of our houses and it has been difficult to relax and enjoy summer evenings in our gardens.

Please note that the outdoor noise problem exacerbates an already existing noise problem from very loud music inside the pub and from noisy out of control patrons in the parking area and on the pavement. The Three Elms does not have a good track record of managing or preventing the problem. Its limited willingness or ability to act as good neighbours over a period of years is a factor to take into account when considering this application.

Parking and Traffic

Plas Treoda suffers from an influx of people using our street as a park and ride area when they come to catch the bus into town or to join coach trips leaving from in front of the Three Elms. We also have shoppers from the village and, of course, we already absorb overflow parking from the Three Elms. Parents park nearby to pick up their children after school for Melin Griffith School.

In 2019, we even started to see incidents of people parking on the actual Common. Through the efforts of our Whitchurch and Tongwynlais Pact, a series of “no parking” signs along the edge of the Common were erected by the Parks Department and they have reduced this problem, although not completely eliminated it.

Because there are always cars parked along one side of our street, it essentially functions as a one lane road, where cars going in opposite directions need to pause by an open space to let the other car pass. Traffic is heavy, however, as Plas Treoda is used as a convenient short cut between Merthyr Road and Manor Way. The cars come down Cae Gwyn Road and around the curve at the church very quickly, without really knowing what is beyond the curve. Often what is beyond the curve is a group of school children on their regular route going to and from Whitchurch High School or going to and from the bus stops.

Thus we have a poor combination of heavy and fast two way traffic down a narrow (basically one lane) residential street, in a residential area with a lot of foot traffic across the Common.

Add to this a complex intersection where Plas Treoda, Mervyn Road and Methyr Road come together. It isn't unusual to find a mini grid lock, with someone turning from Merthyr Road into Mervyn Road stuck waiting for someone in Mervyn Road to complete a turn into Plas Treoda who in turn is stuck waiting for someone in Plas Treoda to turn onto Merthyr Road.

The combination of traffic and restricted parking has led to many cases of parked cars being sideswiped by passing traffic. Personally, we have lost two wing mirrors this way in the past several years and had three serious scratches on the side of our car. Just last week, a car parked on our street for several days by a traveller joining one of the coach trips was so seriously damaged by a passing vehicle that it had to be towed away. None of the drivers responsible for these accidents stopped to report them.

Nearly doubling the number of patrons in the pub while seriously reducing the number of parking spaces will exacerbate the demand for parking, the traffic flow problems and the risk of accident to vehicles and pedestrians.

Anti Social Behaviour

There has been a history of anti social behaviour from some of the pub's patrons. There have been instances of physical fighting or threats, of damage to the electrical junction box and to the bollards at the street crossing, of public urination, of loud arguments and of knocking over garbage bins, of broken pint glasses in the bus stop.

Significantly increasing the number of patrons is almost sure to increase the occurrence of bad behaviour and moving this behaviour from indoors to outdoors will make it even more intrusive on the neighbourhood while also making it more difficult for the manager to see or control it.

Please do not approve this application.

Thank you for your attention.

31 December, 2021

Re: Application for Variation of a Premises License
Three Elms, Merthyr Road, CF14 1JE

To Licensing Section:

We have serious concerns about the plans for the creation of a permanent outdoor seating area at the Three Elms and we urge you to reject the application.

We also urge you to restrict the license for outdoor service back to the original small side veranda, disallowing the expansion which took place during pandemic conditions when meeting indoors was not possible.

Our concerns arise because

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Thus we have a poor combination of heavy and fast two way traffic down a narrow (basically one lane) residential street, in a residential area with a lot of foot traffic across the Common.

Add to this a complex intersection where Plas Treoda, Mervyn Road and Methyr Road come together. It isn't unusual to find a mini grid lock, with someone turning from Merthyr Road into Mervyn Road stuck waiting for someone in Mervyn Road to complete a turn into Plas Treoda who in turn is stuck waiting for someone in Plas Treoda to turn onto Merthyr Road.

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Significantly increasing the number of patrons is almost sure to increase the occurrence of bad behaviour and moving this behaviour from indoors to outdoors will make it even more intrusive on the neighbourhood while also making it more difficult for the manager to see or control it.

Please do not approve this application.

Thank you for your attention.

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 05 January 2022 21:58
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Application for variation of license at Three Elms Merthyr Road

EXTERNAL: This email originated from outside Cardiff Council, take care when clicking links.

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

On 5 Jan 2022, at 21:50,

> wrote:

Re Application for Variation of a Premises License Three Elms Merthyr Road CF14 1JE

We wish to object to this Application, in particular the proposed covered outside seating area for the following reasons:

- Traffic and Parking Issues

if this proposal to build outside covered seating on a substantial section of car parking area at the Premises is agreed there would be an inevitable increase in an area that already has high levels of traffic and frequent

serious congestion on Merthyr Road, Plas Treoda and surrounding streets.

We already have people who use Plas Treoda as a Park and Ride facility, village shoppers and customers of the Three Elms, the latter being unable to park at the Three Elms because of reduced capacity of parking spaces.

Weekends or particular events at the Premises worsen the parking situation in Plas Treoda and surrounding streets, often resulting in residents not being able to access their homes easily because of inconsiderate parking.

We have also experienced significance levels of noise and disturbance when patrons return to pick up their vehicles are closing time including, shouting, arguing and slamming doors.

-Noise Issues

We are already concerned and disturbed by noise from outside the Premises at closing times, there have been loud arguments, threatening behaviour towards each other, fighting, screaming, crying, all of which can be clearly

heard and observed by residents of Plas Treoda.

Likewise loud music, this can be heard when it is playing inside the Premises, it is extremely loud when it is playing outside the Premises. A recent example was the Oktoberfest event which was held in the marquees and inside

the Premises. At one point the continuous very loud music became intolerable, I went over to the Premises to ask if the noise level could be reduced. I spoke to the manager who said that they had a license to play music

outside the building and they would not be reducing the volume, however he assured me that it would stop at 10pm. I left the Premises, only to be pursued on to the pavement by the landlady who started shouting and shrieking

at me because I had complained about the noise. She referred to residents of Plas Treoda as 'you lot' are always complaining about something.

She continued that there was nothing that we could do as this was 'not a residential area' and 'they could do what they liked'. I was shocked and disturbed by her behaviour , and her attitude towards residents of Plas Treoda. Obviously

I said that this is a residential area , but as she continued shouting and screeching and saying it is not a residential area I simply walked away from her. This does not auger well for future community relations. This matter was reported to Licensing who advised that they could pursue this, but I declined.

We would be very concerned about the impact on the local community if the proposal for the covered outside seating area was approved, and we ask that you consider our concerns and comments.

Thankyou,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 January 2022 17:23
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Phillips, Michael (Cllr); Jones-Pritchard, Michael (Cllr); Morgan, Linda (Cllr); Rees, Mia (Cllr)
Subject: Greene King Brewing & Detailing Limited, Three Elms, Merthyr Road, Whitchurch, Cardiff, CF141JE

Dear Sir/Madam,

I am writing to you about the licensing variation application as above.

We live at the Three Elms, . Before moving here in 1997, we lived near the Philog and the Three Elms was our local. We have not frequented this pub since moving as it has not always been managed in a neighbourly manner with excessive noise, misuse of the smoking shelter and other areas for outdoor drinking, disruptive behaviour, fighting and urinating in the street by customers as they leave. This happened most recently over the Christmas period with three people shouting, fighting and throwing the bins around which were out for collection, with the police called to deal with the matter. Over the years, issues with the Three Elms have resulted in a number of complaints and petitions from local residents and has involved police, Councillors, AMs and MPs.

We were disappointed to learn about this application and were especially disappointed that we were not made aware of the associated planning application.

This application claims to result in a loss of 4 parking places which is evidently incorrect. Due to Covid we believe that temporary facilities were allowed in the rear car park and the four noted parking spaces are in addition to those temporarily lost previously. Residents of Plas Treoda already often have problems with people parking in our street, with some houses having no off-street parking either. Some people park and cross the road to get to the pub and the loss of parking will exacerbate this issue. Others park to catch the bus into the city centre, to walk into Whitchurch Village, or to catch a coach trip away for a few days, with coaches leaving from outside the pub. The pressure on local parking is sometimes acute and adding to the issue with this application will make it worse with the only option for Plas Treoda residents being an application for Residents Only parking though this is unlikely to be approved and would also likely be poorly policed. The easiest way of reducing pressure on local parking would be to decline consent for the Three Elms to use their car park for anything other than parking.

A second issue is noise caused by people arriving and leaving the pub and from music played, sometimes at excessive volume late into the night. This application will likely make noise issues worse and result in more complaints from local residents.

We formally request that this application is declined.

Regards

APPENDIX D

Ward Councillor Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Morgan, Linda (Cllr)
Sent: 04 January 2022 10:50
To: ; Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Phillips, Michael (Cllr); Jones-Pritchard, Michael (Cllr); Rees, Mia (Cllr)
Subject: Re: Greene King Brewing & Detailing Limited, Three Elms, Merthyr Road, Whitchurch, Cardiff, CF141JE

Good morning. I fully agree with the above sentiments. I have received a fair number of complaints over the Christmas period. I am also concerned about the hygiene status which I will ask SRS to investigate.
Linda

Get [Outlook for Android](#)

From:
Sent: Monday, January 3, 2022 5:23:29 PM
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>; Phillips, Michael (Cllr) <Michael.J.Phillips@cardiff.gov.uk>; Jones-Pritchard, Michael (Cllr) <Michael.JonesPritchard@cardiff.gov.uk>; Morgan, Linda (Cllr) <Linda.Morgan@cardiff.gov.uk>; Rees, Mia (Cllr) <Mia.Rees@cardiff.gov.uk>
Subject: Greene King Brewing & Detailing Limited, Three Elms, Merthyr Road, Whitchurch, Cardiff, CF141JE

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We were disappointed to learn about this application and were especially disappointed that we were not made aware of the associated planning application.

This application claims to result in a loss of 4 parking places which is evidently incorrect. Due to Covid we believe that temporary facilities were allowed in the rear car park and the four noted parking spaces are in addition to those temporarily lost previously. Residents of Plas Treoda already often have problems with people parking in our street, with some houses having no off-street parking either. Some people park and cross the road to get to the pub and the loss of parking will exacerbate this issue. Others park to catch the bus into the city centre, to walk into Whitchurch Village, or to catch a coach trip away for a few days, with coaches leaving from outside the pub. The pressure on local parking is sometimes acute and adding to the issue with this application will make it worse with the only option for Plas Treoda residents being an application for Residents Only parking though this is unlikely to be approved and would also likely be poorly policed. The easiest way of reducing pressure on local parking would be to decline consent for the Three Elms to use their car park for anything other than parking.

A second issue is noise caused by people arriving and leaving the pub and from music played, sometimes at excessive volume late into the night. This application will likely make noise issues worse and result in more complaints from local residents.

We formally request that this application is declined.

Regards

Tudalen 71

Mae'r dudalen hon yn wag yn fwriadol

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 28 January 2022

Report of the Head of Regulatory Services

Gambling Act 2005
Application for Betting Premises Licence - Grant

Application No: 068818

Name of Premises: BoyleSports, 21-22 Clifton Street, Adamsdown, Cardiff, CF24 1LQ

Ward: Adamsdown

1. **Application**

- i) An application for a Betting Premises Licence - Grant, has been received from BoyleSports (UK) Limited for BoyleSports, 21-22 Clifton Street, Adamsdown, Cardiff, CF24 1LQ.
- ii) A site map showing the location of the premises and a plan of the premises can be found attached as **Appendix A**.
- iii) A copy of the risk assessment submitted with the application will be circulated to the Committee prior to the hearing.

2. **Relevant Representations**

A representation has been received from a local Ward Councillor and this can be found attached as **Appendix B**.

3. **Legal Considerations.**

3.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

- i) Prevent gambling being a source of or associated with crime and disorder.
- ii) Ensure that gambling is conducted in a fair and open way.
- iii) Protect children and other vulnerable persons from being harmed or exploited by gambling.

3.2 In each case the Sub-Committee may make the following determination

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

3.4 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by

law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

4. Issues for Discussion.

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

**Dave Holland
Regulatory Services**

10th January 2022

APPENDIX A

Site Map & Plan



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CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council



Title

Scale: 1:1417

Date: 10/1/2022 at 15:39 PM

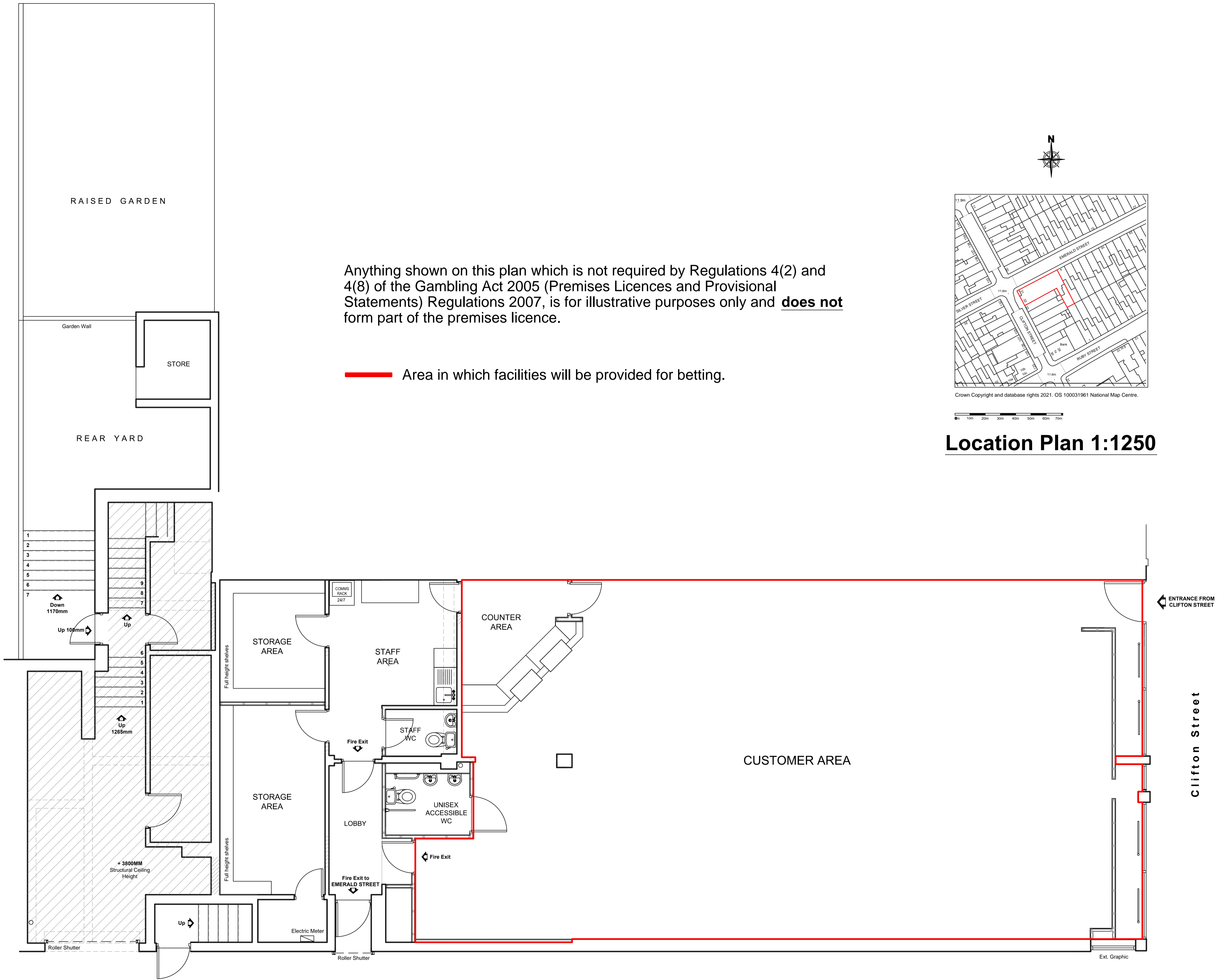
Coordinates:

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Ordnance Survey 100023376 (2014).

Tudalen 76



Anything shown on this plan which is not required by Regulations 4(2) and 4(8) of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007, is for illustrative purposes only and **does not** form part of the premises licence.

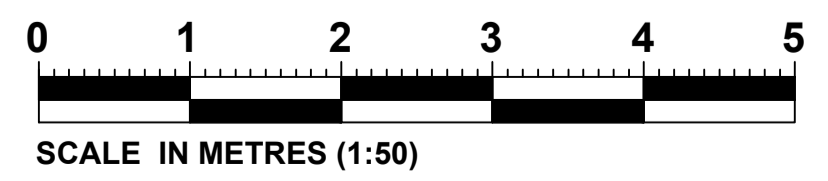
— Area in which facilities will be provided for betting.



Location Plan 1:1250

Proposed Ground Floor Plan 1:50

Emerald Street



TOTAL GROUND FLOOR AREA	
222.5m ²	2395.0ft ²
CUSTOMER AREA	
157.3m ²	1693.2ft ²

Rev	Date	Description
A	18-10-21	Customer Area square footage amended.



Address
 21 - 22 CLIFTON STREET
 CARDIFF
 CF24 1LQ

Title
 PROPOSED LICENCE
 PLAN

Drawn	Date	Scale
JAM	11/10/2021	1:50 @ A1
Total Floor Area	222.5M2	
Drawing Number	BS/CDF/04	Revision A

McKeowns
 Plans for Construction
 301 Alvechurch Road, Birmingham, B31 4UB Tel: 0121 433 4745

LICENCE PLAN

APPENDIX B

Councillor Objection

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Jones, Owen (Cllr)
Sent: 04 January 2022 08:53
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Boyle Sports 21-22 Clifton Street
Attachments: Making Representations Form (Gambling Act).doc

Good morning,

Please see attached my concerns over the above application. I would request that it please be seen by committee.

Very best wishes,

Owen

Y Cyng | Cllr Owen Llewellyn Jones
Aelod LLafur Adamsdown | Labour Councillor for Adamsdown

CARDIFF COUNCIL

Representation Submission Form

Gambling Act 2005 - Representation in respect of Premises Licence Applications

Details of person or body making representation	
Your Name:	Cllr Owen Llewellyn Jones
Your Address:	
Phone No:	E

Details of premises representation is about		
Name of Premises:	Boyle Sports 21-22 Clifton Street	
Address of premises:	21-22 Clifton Street Adamsdown, CF24 1LQ	
Type of Premises:	Casino	<input type="checkbox"/> yes
	Betting Shop	<input checked="" type="checkbox"/> yes
	Adult Gaming Centre	<input type="checkbox"/> yes
	Family Entertainment Centre	<input type="checkbox"/> yes
	Other	<input type="checkbox"/> yes
Application No. (if known)		

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime.	<input checked="" type="checkbox"/> yes
To ensure that gambling is conducted in a fair and open way	<input type="checkbox"/> yes
Protection of children and other vulnerable persons from being harmed or exploited by gambling.	<input checked="" type="checkbox"/> yes

Please summarise your concerns about this application:

As the Councillor for Adamsdown and Clifton Street this application is concerning. Clifton Street was the traditional high street for the area but has sadly gone downhill over the years. It has seen a rise in anti-social behaviour, and I fear that the addition of another bookkeeper will continue that trend.

Adamsdown is one of poorest wards in the city with areas of high deprivation. It is one of the smallest wards but yet is home to several vulnerable groups of adults including some of Cardiff's biggest homeless shelters, many half way houses for refugees and centres for vulnerable women. There is also plans to establish a care leavers centre at the bottom of the street. (planning permission has been approved) The street already has one bookkeeper less than 100m from this new proposed site and an amusement game shop. I fear that they are choosing this location to target those who are already in a desperate situation. The council should not allow such a concentration of places designed to part people from their money in an area where we know people cannot afford to lose it.

The homeless shelters, the care leavers centres, the women's refuge and the refugee placements have all been put near Clifton street with support from the Council. I would urge the Licensing team to talk to colleagues in Housing and Communities as I believe a concentration of betting facilities would negate much of the good work they are trying to do. I would also suggest that they speak to both Shared Regulatory Services and the local Police. Both spend a huge amount of effort on Clifton Street and both their opinions should be considered.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

The licensing authority deals with all representations received in an open and transparent manner. The authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be

available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section
Cardiff Council
Room 206
City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk