



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

AGENDA

Pwyllgor	IS-BWYLLGOR TRWYDDEDU
Dyddiad ac amser y cyfarfod	DYDD MERCHER, 27 GORFFENNAF 2022, 2.00 PM
Lleoliad	YSTAFELL E, NEUADD Y DDINAS - NEUADD Y DDINAS
Aelodaeth	Cynghorydd Michael (Cadeirydd) Cynghorwyr Jenkins a/ac Kaaba

1 Datgan Buddiannau

I'w wneud ar ddechrau'r eitem agenda dan sylw, yn unol â Chod Ymddygiad yr Aelodau.

- 2 Cais am Amrywio Trwydded Safle - The Birchgrove Inn (*Tudalennau 3 - 28*)
- 3 Cais am Drwydded Safle - Tiger Yard, Porth Teigr (*Tudalennau 29 - 52*)
- 4 Materion Brys (os o gwbl)

Davina Fiore

Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol

Dyddiad: Dydd Iau, 21 Gorffennaf 2022

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

Mae'r dudalen hon yn wag yn fwriadol

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 27 July 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 074829

Name of Premises: The Birchgrove Inn, Caerphilly Road, Birchgrove, Cardiff, CF14 4AE.

Ward: Heath

1. Application

1.1 An application to vary a Premises Licence has been received from Marston's Plc in respect of The Birchgrove Inn, Caerphilly Road, Birchgrove, Cardiff, CF14 4AE.

1.2 The applicant has applied for the following:

(1) Description of the nature of the variation (as stated by applicant):

"Application is made to vary the Premises licence. The premises is to have the benefit of a substantial refurbishment which will cause work to be undertaken to both the interior and exterior of the premises. Application is made to amend the Premises Licence in respect of three elements as follows:

1. Application is made to vary the internal and external layout of the premises as per drawing 04.22/93114/401 as follows:

Internal

- To the left of the premises reduction in size of bar servery so as to create new wash up.*
- Back of house creation of new catering kitchen and removal of wash up facilities from existing catering kitchen.*
- To the right of the premises removal of fixed seating so as to create more open plan area to facilitate flexible dining.*
- Provision of new seating booths.*
- Removal of partition wall between the lounge areas.*
- Addition of partition between middle bar and lounge.*
- Appropriate redecoration and reupholstery throughout.*

External

- To the rear of the premises an external area is sought to be licensed forming the raised decking area which has historically been used along with new beer garden. The beer garden will be created out of the former staff car parking area with new dray access and bin store also being created.*
- To the front of the premises external seating area to become part of the licensed area so as to facilitate provision of waitress service and functionality of payment methods such as ApplePay.*

2. Conditions

A review of the conditions has been undertaken and it is noted that some conditions make reference to the former owner and operator of the premises and/or areas which no longer exist.

It is therefore proposed that the following conditions should be deleted:

"All staff to complete SA Brains Bronze Award Training covering Health & Safety Legislation and service within four weeks of commencing employment."

It is proposed that the following condition is covered by licensable activities and legal exemptions:

"Provision may be made for public entertainment in the premises by the reproduction of wireless (including television) broadcasts or programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcast service or of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound."

The public bar area has become less distinct and it is therefore proposed that the children's condition should be amended to:

"No unaccompanied children shall be allowed on the premises."

3. Name

On reopening the premises will be known as the Birchgrove Inn. The Applicant seeks to amend the name as part of the application.

No changes are proposed with regard to the hours for licensable activities or opening. It is not envisaged that the proposed changes will adversely impact upon the four licensing objectives.

The front external area has been used extensively in the past without issues arising.

The new external area is encompassed by fencing therefore providing control and noise mitigation. As such the operating schedule save for the amendments set out above has not been amended".

- (3) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:

Monday to Sunday: 10:00 to 00:00 hours

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

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

Monday to Sunday: 10:00 to 23:30 hours

- (ii) The provision of regulated entertainment in the form of indoor sport, live music (indoors), recorded music (indoors):

Monday to Sunday: 10:00 to 23:30 hours

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

Monday to Sunday: 23:00 to 23:30 hours

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

Promotion of Licensing Objectives

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

Relevant Representations

3.1 A representation has been received from South Wales Police. The applicant has agreed to the conditions proposed by South Wales Police. A copy of the representation and the agreement can be found attached as **Appendix C**.

3.2 Representations have been received from other persons. Copies of the representations 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.

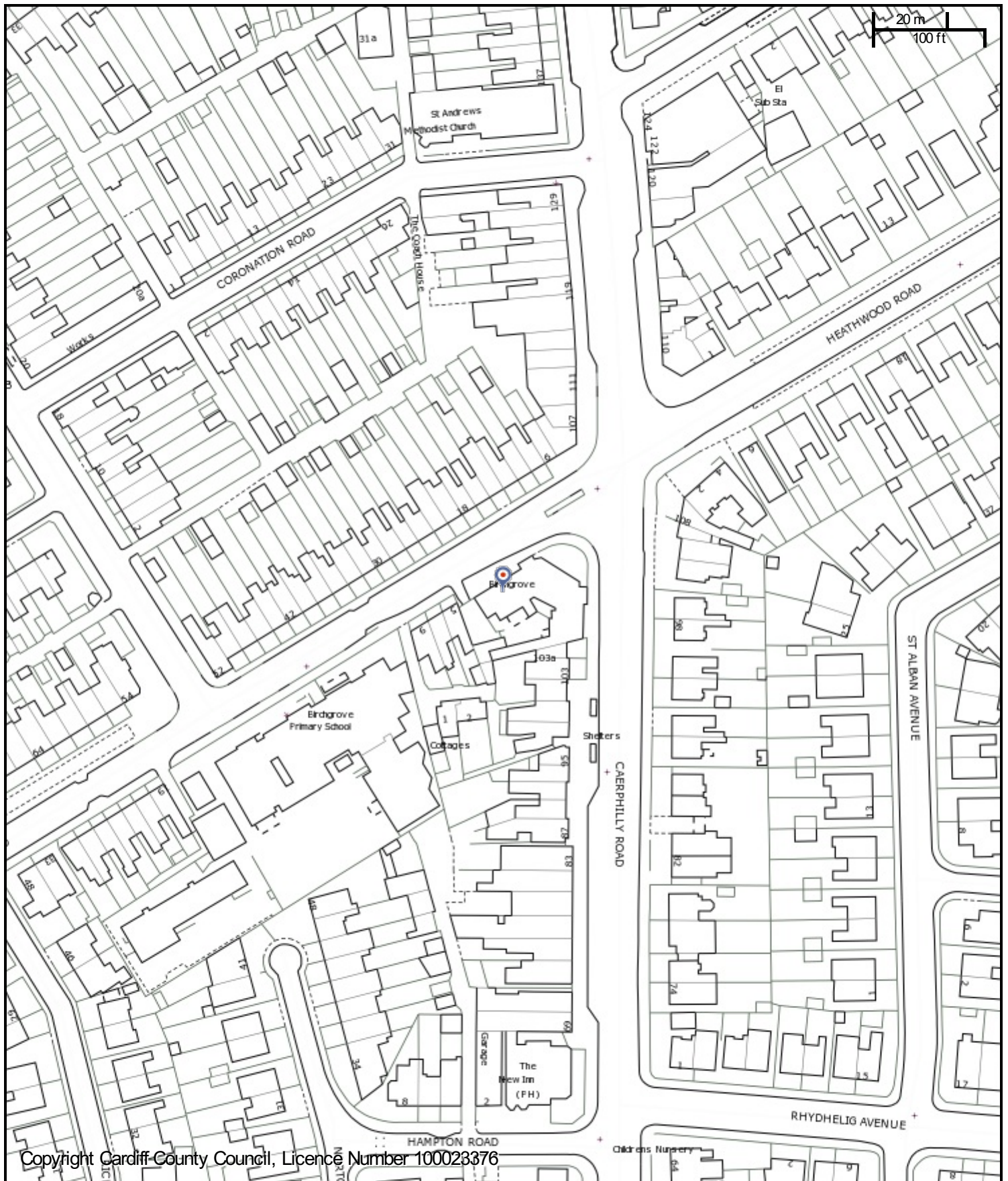
4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations;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

APPENDIX A

Site Map & Plan



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: 4/7/2022 at 15:55 PM

Coordinates:

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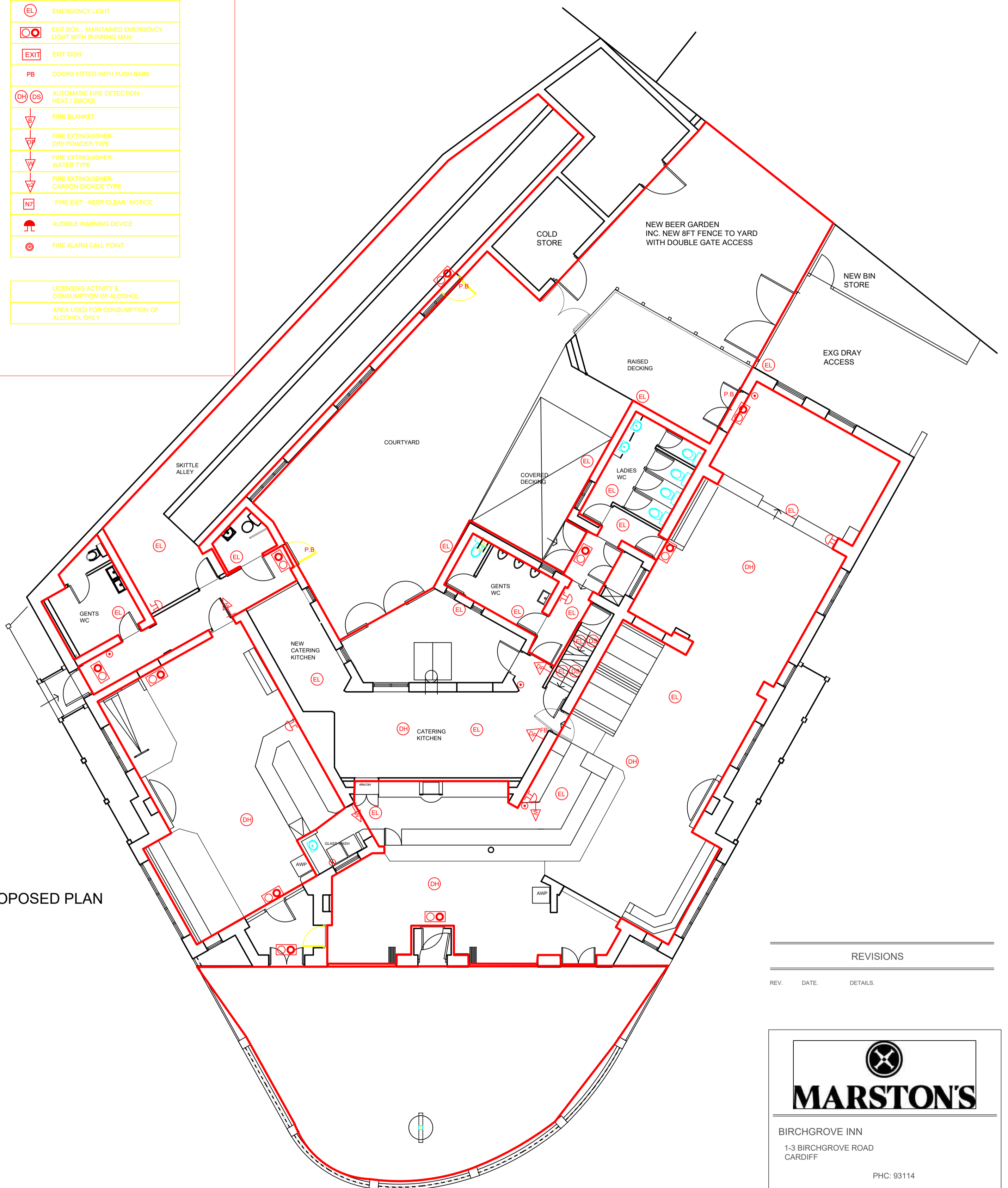
Ordnance Survey 100023376 (2014).

FIRE PREVENTION LEGEND

FD	1/2 HOUR FIRE RESISTING DOORS
EL	EMERGENCY LIGHT
	EXIT BOX... MAINTAINED EMERGENCY LIGHT WITH RUNNING MAN.
EXIT	EXIT SIGN
PB	DOORS FITTED WITH PUSH BARS
DH DS	AUTOMATIC FIRE DETECTION - HEAT / SMOKE
	FIRE BLANKET
	FIRE EXTINGUISHER - DRY POWDER TYPE
	FIRE EXTINGUISHER - WATER TYPE
	FIRE EXTINGUISHER - CARBON DIOXIDE TYPE
N7	'FIRE EXIT - KEEP CLEAR' NOTICE
	AUDIBLE WARNING DEVICE
	FIRE ALARM CALL POINT

LICENSING ACTIVITY & CONSUMPTION OF ALCOHOL
AREA USED FOR CONSUMPTION OF ALCOHOL ONLY

ROPOSED PLAN



REVISIONS		
REV.	DATE.	DETAILS.



MARSTON'S

BIRCHGROVE INN
 1-3 BIRCHGROVE ROAD
 CARDIFF

PHC: 93114

Drawing No: 04.22/93114/401

PROPOSED LICENSING 2022

Scale: 1:100 @ A2 | Drawn By: LB

MARSTON'S PUBS AND BARS, SURVEYORS
 DEPARTMENT, MARSTON'S HOUSE, BREWERY
 ROAD, WOLVERHAMPTON, WV1 4JT
 Tel: 01902 711811

- Contractors responsibility to check all site dimensions & levels prior to commencing works.
- Contractor to comply in all respects with current building regulations & guidelines whether specified on this drawing or not.
- The drawing must be read & checked against any other specialist drawings provided by the company or by consultants.
- This drawing and the works depicted are the copyright of the company & may not be replicated without written permission.

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, e) (please read guidance note 11)

The refurbishment will substantially improve the amenity of the premises and promote the four licensing objectives.

The above is provided by way of explanation and is not intended to be converted into conditions.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

c) Public safety

No further risks have been identified which need to be addressed

d) The prevention of public nuisance

No further risks have been identified which need to be addressed

e) The protection of children from harm

It is proposed that the current condition shall be amended to:

No unaccompanied children shall be allowed on the premises.

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners

Date: 1/6/22

Capacity: Solicitor

APPENDIX C

South Wales Police representation and agreement

Barker, Kirstie

From:
Sent: 27 June 2022 11:04
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing Act 2003: Application to vary a Premises Licence - The Birchgrove Inn, Caerphilly Road, Cardiff, CF14 4AE

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,

South Wales Police object to the grant/issue of the above variation **unless** the applicant confirms he will attach the following conditions to the existing premises licence conditions;

- 1/ A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits and any external areas associated with the premises including the external bar. The images will be kept for a minimum of 31 days and shall be produced to a police employee in a readily playable format immediately upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.
- 2/ The external drinking area should be closed from 23:00hrs to prevent unreasonable disturbance to the occupants of any properties within the vicinity.
- 3/ Other than for off sales in sealed containers no drinks are permitted to leave the licensed area.
- 4/ Under 18s will only be permitted on the premises until 22:00hrs when accompanied by a responsible adult.
- 5/ Signage will displayed requesting customers leave the premises quietly.
- 6/ The gates within the external rear drinking area will only be used for delivery access and in the event of an emergency.
- 7/ An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
- 8/ The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Should the applicant not agree to these conditions being attached to the current licence South Wales Police will be objecting to the variation under the licensing objective, Prevention of Crime and Disorder.

If the applicant agrees to the above, we will automatically withdraw our objection.

Kindest Regards



Jason Jones

Cwnstabl 6882 | Constable 6882

Licensing Officer
Cardiff Bay Police Station

☎: **101** | Mobile:

 /SWPolice  @SWPolice  @SWPolice  /SWPTV

Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <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.

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

Cymorth Iaith Gymraeg\Welsh Language Support

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.

Ymwadiad Heddlu De Cymru\South Wales Police Disclaimer

Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon. Gallwch weld ein datganiad cyfrinachedd yn: <https://www.south-wales.police.uk/cy-GB/heddluoedd/heddlu-de-cymru/ardaloedd/amdanom-ni/amdanom-ni/datganiad-cyfrinachedd-e-bost/>.

Unauthorised use or disclosure of this email may be unlawful. View our confidentiality statement at <https://www.south-wales.police.uk/police-forces/south-wales-police/areas/about-us/about-us/email-confidentiality-statement/>.

Barker, Kirstie

From: Michelle Hazlewood CBII
Sent: 28 June 2022 12:14
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Birchgrove

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

Morning

FYI- see below, hopefully all now sorted.

Kind Regards

Michelle Hazlewood CBII
Partner



Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FT

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[APLH Courses](#) | [Reviews](#) | [Due Diligence](#) | [Betting and Gaming](#) | [eLearning](#)*Plus*

For more details on our services please click on the links above.

From:
Sent: 28 June 2022 11:54
To: Michelle Hazlewood CBII
Subject: RE: Birchgrove

Thank you Michelle for coming back to me, I'm glad that all conditions are agreed with and thank you for your help with this.

Kindest Regards

Tudalen 14



Jason Jones

Cwnstabl 6882 | Constable 6882

Licensing Officer
Cardiff Bay Police Station

☎: 101 | Mobile:



/SWPolice



@SWPolice



@SWPolice



/SWPTV

From: Michelle Hazlewood CBII
Sent: 28 June 2022 11:39
To: Jones,Jason swp6882

Subject: RE: Birchgrove

Good morning, Jason

Sorry for leaving this so late in the consultation period as I have had to go back to clients and they in turn to ADT their CCTV provider.

They were concerned as to the level of coverage and so are requesting that ADT move camera 15 to the opposite corner on the raised patio so it will cover the new extended rear garden.

Once this work is undertaken, they believe that the condition will be complied with—I did not want to move them from a position of no condition to one so onerous they were immediately in breach especially when the site had no, as far as I was aware issues around CCTV.

On this basis I am pleased to confirm all the additional conditions are agreed to be added to the operating schedule. As set out below—and I have copied in the licensing team so they are aware.

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

2/ The external drinking area should be closed from 23:00hrs to prevent unreasonable disturbance to the occupants of any properties within the vicinity.

3/ Other than for off sales in sealed containers no drinks are permitted to leave the licensed area.

4/ Under 18s will only be permitted on the premises until 22:00hrs when accompanied by a responsible adult.

5/ Signage will be displayed requesting customers leave the premises quietly.

6/ The gates within the external rear drinking area will only be used for delivery access and in the event of an emergency.

7/ An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder

- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol

8/The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Thank you.

Kind Regards

Michelle Hazlewood CBII
Partner



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From:
Sent: 27 June 2022 08:13
To: Michelle Hazlewood CBII
Subject: RE: Birchgrove

Good Morning Michelle,

Thank you for your email.

The condition is in general a condition that we insist on all licenses and one that we do not compromise on as the condition suggested below cannot be enforced as the below condition is objective. When I spoke with the DPS about CCTV I was advised that this would not be a problem, having previously worked at another pub in the Cardiff area as a DPS she stated that she knew that this would be a condition that we would ask for.

I hope you understand, and your client can agree to this – I obviously need to submit my representations by tomorrow at the latest so if you can let me know asap on your clients response it would be greatly appreciated.

Kindest Regards



Jason Jones
Cwnstabl 6882 | Constable 6882

Licensing Officer
Cardiff Bay Police Station

☎: 101 | Mobile:

/SWPolice @SWPolice @SWPolice /SWPTV

From: Michelle Hazlewood CBII <
Sent: 24 June 2022 16:46
To: Jones,Jason swp6882
Subject: RE: Birchgrove

Jason

I have taken instructions and the client is in principle happy with all the conditions. The only one where we wonder if some refinement may of benefit is in relation to the CCTV one.

This requires coverage of all areas and although the site has 14 or so cameras the entire licensed space is not covered ,we therefore wondered if you would accept the insertion of the word general-see highlight but keep it specific as to the key points of access etc.

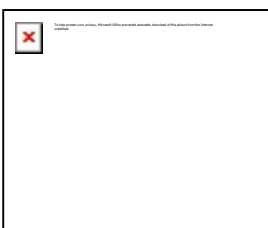
At present there is no external bar so no coverage required of it and should one be added the condition would cover that situation and provide you with the level of support in this area you are looking for.

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 provide general cover of 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 including the external bar. 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.

Would this be acceptable to you?

Kind Regards

Michelle Hazlewood CBII
Partner



For more details on our services please click on the links above.

From:

Sent: 24 June 2022 13:54

To: Michelle Hazlewood CBII

Subject: Birchgrove

Good Afternoon Michelle,

I hope you are well, after my visit to The Birchgrove this morning I would like to put forward the following conditions in relation to the current variation, please can you advise if these conditions would be agreeable.

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

2/ The external drinking area should be closed from 23:00hrs to prevent unreasonable disturbance to the occupants of any properties within the vicinity.

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- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol

8/The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

I look forward to hearing from you soon,

Kind Regards

| **Jason Jones**

APPENDIX D

Other persons representations

Barker, Kirstie

From:
Sent: 29 June 2022 13:48
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Birchgrove Inn, Caerphilly Road

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

Dear Sirs

I wish to object to the Licensing Application from Marstons PLC to vary the Premises Licence for The Birchgrove Inn, Caerphilly Road. My objections are being made under the Objective : The prevention of public nuisance.

1 It is noted that the Variation of License seeks to include the seating area to the front of the premises. This semi-circular area of land which is shown on the plan attached to the License Application was gifted to the people of Cardiff in 1923 by the then owners of the pub to enable any future highway widening improvements at this junction. (I am happy to provide copies of this correspondence). I also refer to Title Number WA244901, H M Land Registry. The ownership of this piece of land rests with Cardiff City & County Council & not with Marstons PLC (and previously Brains). I would wish to see this land returned to use by Cardiff Council to enable a widening of the pavement area in the particularly narrow point of Caerphilly Road & Birchgrove Road. Having been a Ward councillor in Heath & Birchgrove from 2008-2021, and as a Governor/Chair of Governors at the nearby Birchgrove School from 2009-2017 I have campaigned to have this area made safer for pedestrians. I had not been aware until recently that the Council actually owned part of the land now occupied by the Birchgrove Inn. Had it not been erroneously 'incorporated' within the curtilage of the Birchgrove Inn, this safety issue would have been easy to resolve for local pedestrians. I therefore believe that Cardiff Council has a duty to object to this Licensing application as Trustee of the land that was gifted to it. It should also be noted that access by the public across the frontage of the Birchgrove Inn has been discontinued & is now gated when the pub is closed. It is my understanding that this footpath is a Public Right of Way.

2 There has been no corresponding planning application made by Marstons PLC in relation to the extension & creation of a beer garden to the rear & side of the Birchgrove Inn. The proposed new beer garden extends to the side wall & boundary of 5 Birchgrove Road with whom there has been no formal discussion; nor indeed have other nearby residents of 7 & 9 Birchgrove Road, Birchgrove Cottages, and the flat owners above nearby premises in Caerphilly Road. All of these properties & the residents within them will be affected by this proposed new beer garden. I raise an objection in terms of noise, the excessive lighting that is being proposed & now installed, and the impact of smoke. These proposals infringe upon resident amenity. In addition, the previous owners of the Birchgrove Inn were not permitted to leave the rear doors open to the raised decking area in view of noise pollution from within the pub including TV & music. This has been a problem within the past, & one that I supported residents (in my former role as a councillor) in their complaints to Noise Pollution.

3 Deliveries. In view of the newly laid artificial grass in the proposed beer garden, together with its tables, chairs & lighting, dray access for the Birchgrove Inn will now be severely compromised. Deliveries to the Birchgrove Inn are already problematic in terms of creating significant Highway congestion. The dray deliveries will now be unable to reverse fully into the side area of the pub & will therefore create more Highway congestion & will result in pedestrians having to walk into the road. I regard this as unacceptable in terms of public safety. As I have stated above, this area of pavement gets significant congestion at certain points in the day, especially at school start & end. In addition, and as a result of my work as a councillor, parking on the pavement alongside the Birchgrove Inn is prohibited. The use of the one unlockable bollard was for the use of the manager when the access to the rear of the property was not possible (such as when deliveries arrived). It was not the intention that this area be used on a permanent basis by staff or customers. I would like this to be reiterated to the new owners in view of recent breaches.

4 Light Pollution. The installation of a significant number of lights in both the front seating area, and the rear seating areas within the past few days, and which are not highlighted on the License application, are detrimental to the environment & to the amenity of neighbouring residents. I would have expected to see the lighting plan contained within the application & that Council officers had had an opportunity to study the impact on the local community.

To conclude, I object to the Application for Variation of a Premises Licence for the Birchgrove Inn. I also note the total disregard by Marstons PLC of the Licensing procedures in Cardiff Council given that the Brewery has pressed on with its changes at the Birchgrove Inn before any objections have been heard & the Licensing Committee had the opportunity to make its decision.

Yours faithfully

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	BIRCHGROVE HOTEL / PUB / INN (MADGOS PLC)
Address of premises:	1-3 BIRCHGROVE ROAD CARDIFF CF14 1RR THIS IS THE REAL ADDRESS TITLE NUMBER C44 787170 ADDRESS ON APPLICATION CAERHILLY ROAD BIRCHGROVE CF14 4AE
Application No. (if known)	VARIATION LETTER

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input checked="" type="checkbox"/> yes

Please summarise your concerns about this application:
CONSTRUCTION OF A BEER GARDEN RIGHT NEXT TO MY PROPERTY
THE REAR YARD WHICH IS IN CONSTRUCTION HAS BEEN REDUCED BY 50% ALLOWING FOR ONE CAR TO BE PARKED AND THE REST TO BE A BEER GARDEN RIGHT NEXT TO MY PROPERTY
S, BIRCHGROVE ROAD CF14 1RR
<u>PROBLEMS</u> LOUD MUSIC, CUSTOMERS SHOUTING, SMOKING, POLLUTION AND ANTI-SOCIAL BEHAVIOUR.

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

what I would like to know concerning deliveries, where do they park on an already highly congested Birchgrove road.

The pavement on Birchgrove rd next to the pub which is already being used as parking for visitors and staff and at any time 2/3 cars are parked reducing the pavement to a single track for school children, pedestrians, and people with disabilities. and you must remember this is a public pavement.

Recent incident

When the rear yard had its gates open a funeral party of about 15/20 people came onto the public pavement and started drinking, shouting and making a nuisance of themselves and when told to move they used insulting behaviour, such as, swearing, used the word of noise as a bar and said you should not live near a pub if you can't stand the noise.

The authority deals with all representations received in an open and transparent manner. By law 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 161
City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk



CITY OF CARDIFF COUNCIL

Representation Submission Form

24 JUL 2011

Licensing Act 2003 - Representation in LICENSING SECTION
respect of Premises Licence Applications

Details of person or body making representation	
Your Name:	<
Your Address:	- - -
Phone No:	
Email:	NONE

Details of premises representation is about	
Name of Premises:	BIRCHGROVE INN PUB HOTEL
Address of premises:	1-3 BIRCHGROVE ROAD CELL IRR
	THIS IS THE ADDRESS IS IT'S REAL ONE SEE LAND REGISTRY CYM 787170
Application No. (if known)	IT'S SAYS VARIATION LETTER

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input checked="" type="checkbox"/> yes

Please summarise your concerns about this application:
SMOKE INTO GARDEN. NOISE ARGUEMENTS FIGHTS (FRIGHTENING) THE PROPOSED BEER GARDEN IS RIGHT UP TO OUR PROPERTY'S WALL (PINEBUD) ANTI-SOCIAL BEHAVIOUR GRAFFITI.

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

I AM CONCERNED AS JOINT OWNER OF
THAT THE PROPOSED NEW BEER GARDEN IS COMING RIGHT UP TO THE
WALL OF A HOUSE & GARDEN AS IT IS NOW THE SMOKE IS VERY
HEAVY IN THE GARDEN OF 1 IT EVEN WAFTS INTO THE LANE AS
WELL THE NOISE IS ALSO A BIG ISSUE & THE ARGUMENTS ARE
REALLY FRIGHTENING THEY WILL SOMETIMES TURN INTO FIGHTS AS
THE PEOPLE IN QUESTION ARE OBVIOUSLY DRUNK (~~DRUNK~~) OBVIOUSLY
THE LANDLORDS CAN'T BE EVERYWHERE AT ONCE I FEAR THINGS
WILL GET MUCH WORSE THAN THEY ARE NOW THE CUSTOMERS
VERY OFTEN END UP CONTINUING THEIR DISAGREEMENTS & FIGHTING
INTO THE MOUTH OF OUR LANE SOMETIMES WE'VE HAD PEOPLE
(MEN MAINLY) URINATING AGAINST OUR GATES (DRUNK) THIS BEER
GARDEN WILL ALSO TAKE AWAY VALUABLE CAR PARKING AS IT IS THEY ARE
PARKING ON THE PAVEMENT GIVING EVEN LESS SPACE TO THE CHILDREN
PEDESTRIANS, WHEEL CHAIR USERS, PUSHCHAIRS TO GET BY. THERE IS A
SCHOOL PRIMARY BIRCHDALE VERY CLOSE. ~~IT~~
THEY SHOULD BE USING THIS SPACE FOR THEIR BIN STORAGE
& PERSONAL CARS NOT TO CRAM EVEN MORE PEOPLE IN WHICH THEY CAN'T CONTROL
IF THIS IS GIVEN THE GO AHEAD IT WILL BE THE SUMMER
OF HELL & EVERY SUMMER AFTER. WHEN THE LAIVE MUSIC
STARTS THEY NEVER KEEP THE BACK DOORS CLOSED AS IS STIPULATED I BELIEVE
IN THEIR LICENCE. HERE COMES HELL HELL

The authority deals with all representations received in an open and transparent manner. By law 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
City of Cardiff Council
Room 206, City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk

G. Henselwith



24 JUN 2011

LICENSING SECTION

CITY OF CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications

Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	The BIRCHROVE PUB (MARSTONS PLC)
Address of premises:	1-3 BIRCHROVE ROAD, CARDIFF, CF14 1RR.
Application No. (if known)	CAN'T FIND ONE (VARIATION LETTER)

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
1- My garden will be engulfed in smoke / General Air Pollution / chronic Asthma.
2- Noise Pollution / sleep disruption.
3- Anti Social Behaviour outside My House.

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

I live in!

+

I strongly object to the proposed extension of the Beer-Garden for several reasons. I suffer with chronic Asthma & the cigarette smoke from the pub already wafts into my garden as it is but allowing them to extend right up to my garden wall would make sitting outside unbearable & the air quality of the adjacent properties horrific.

The noise from the Beer-garden is loud enough from it's current position & if allowed to extend right up to my garden wall would make the noise all the more terrible, would disrupt sleep at night and NO ONE should be expected to put up with it. My house is already a victim of anti-social behaviour spilling over from the pub as some seem to treat it as an extension of the pub, leaving beer glasses/doing drugs & writing graffiti on my wall and being confrontational when being asked to move away. Allowing this Beer-garden extension to go ahead would only enhance this attitude, increase this behaviour & reduce my Quality of Life.

The authority deals with all representations received in an open and transparent manner. By law 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
City of Cardiff Council
Room 206, City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk



Mae'r dudalen hon yn wag yn fwriadol

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 27 July 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 074847

Name of Premises: Tiger Yard, Plot A, Heol Porth Teigr, Cardiff Bay, Cardiff, CF10 4GA

Ward: Butetown

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Depot Warehouse Limited in respect of Tiger Yard, Plot A, Heol Porth Teigr, Cardiff Bay, Cardiff, CF10 4GA.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail of alcohol for consumption on and off the premises.
- (ii) The provision of regulated entertainment in the form of plays (indoors and outdoors), films (indoors and outdoors), indoor sports, live music (indoors and outdoors), recorded music (indoors and outdoors), performance of dance (indoors and outdoors) and entertainment of a similar description to music and dance (indoors and outdoors).
- (iii) The provision of late night refreshment (indoors and outdoors).

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

“A street food market with regulated entertainment, showing sports events and hosting a range of events in various areas of the premises, including but not limited to, temporary buildings and structures”.

(3) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:

Monday to Sunday: 10:00 to 23:30

New Years Eve: 10:00 to start of permitted hours on New Years Day

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

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

Monday to Sunday: 10:00 to 23:00

New Years Eve: 10:00 to start of permitted hours on New Years Day

(ii) The provision of regulated entertainment in the form of plays (indoors and outdoors), films (indoors and outdoors), indoor sports, live music (indoors and outdoors), recorded music (indoors and outdoors), performance of dance (indoors and outdoors) and entertainment of a similar description to music and dance (indoors and outdoors):

Monday to Sunday: 10:00 to 23:00

New Years Eve: 10:00 to start of permitted hours on New Years Day

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

New Years Eve: 23:00 to 05:00

- 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**.
- 2.2 Additional conditions proposed following consultation with Pollution Control are attached to the report and can be found in **Appendix C**.

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

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.

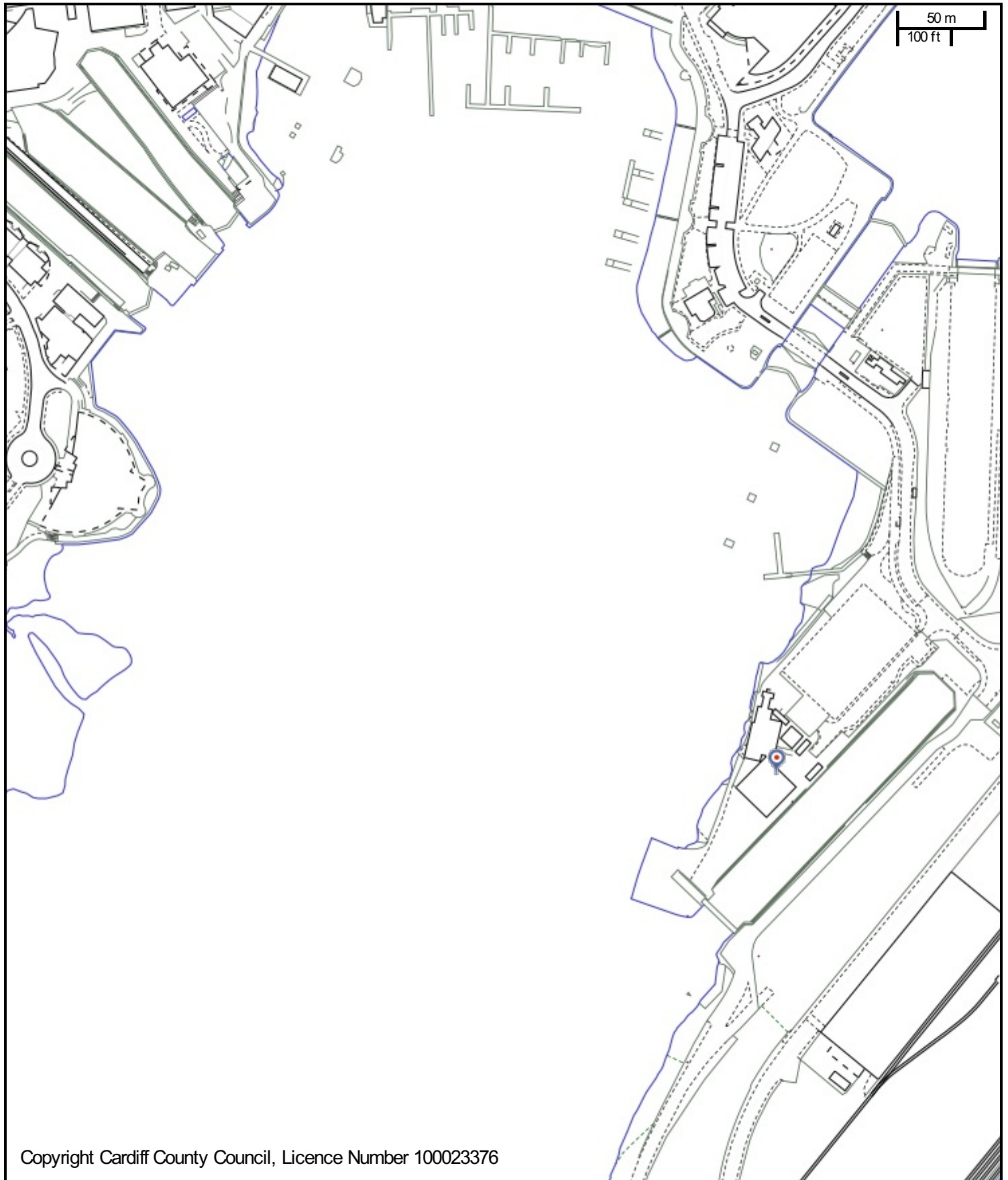
- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations;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

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: 1:3000

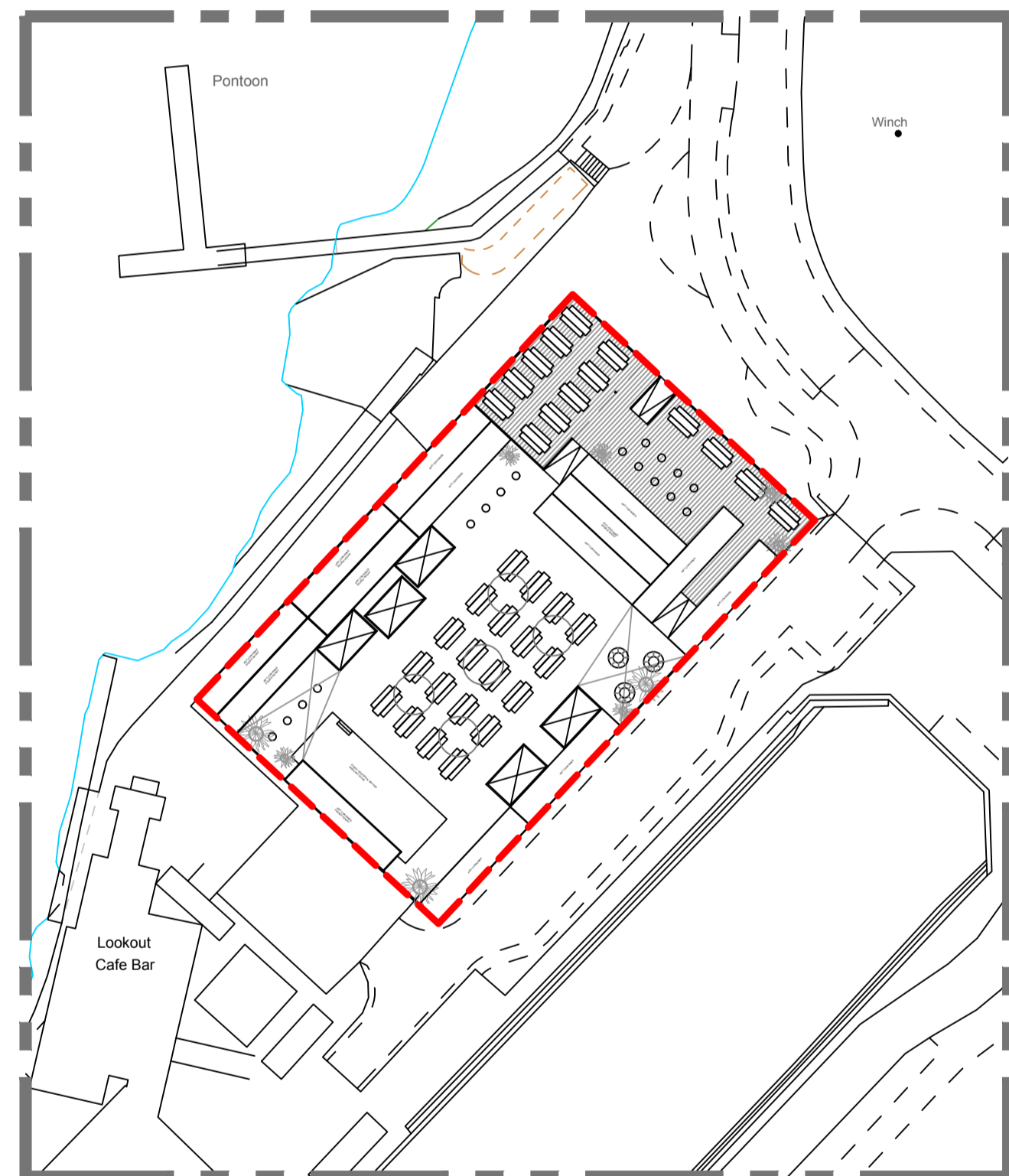
Date: 4/7/2022 at 15:40 PM

Coordinates:

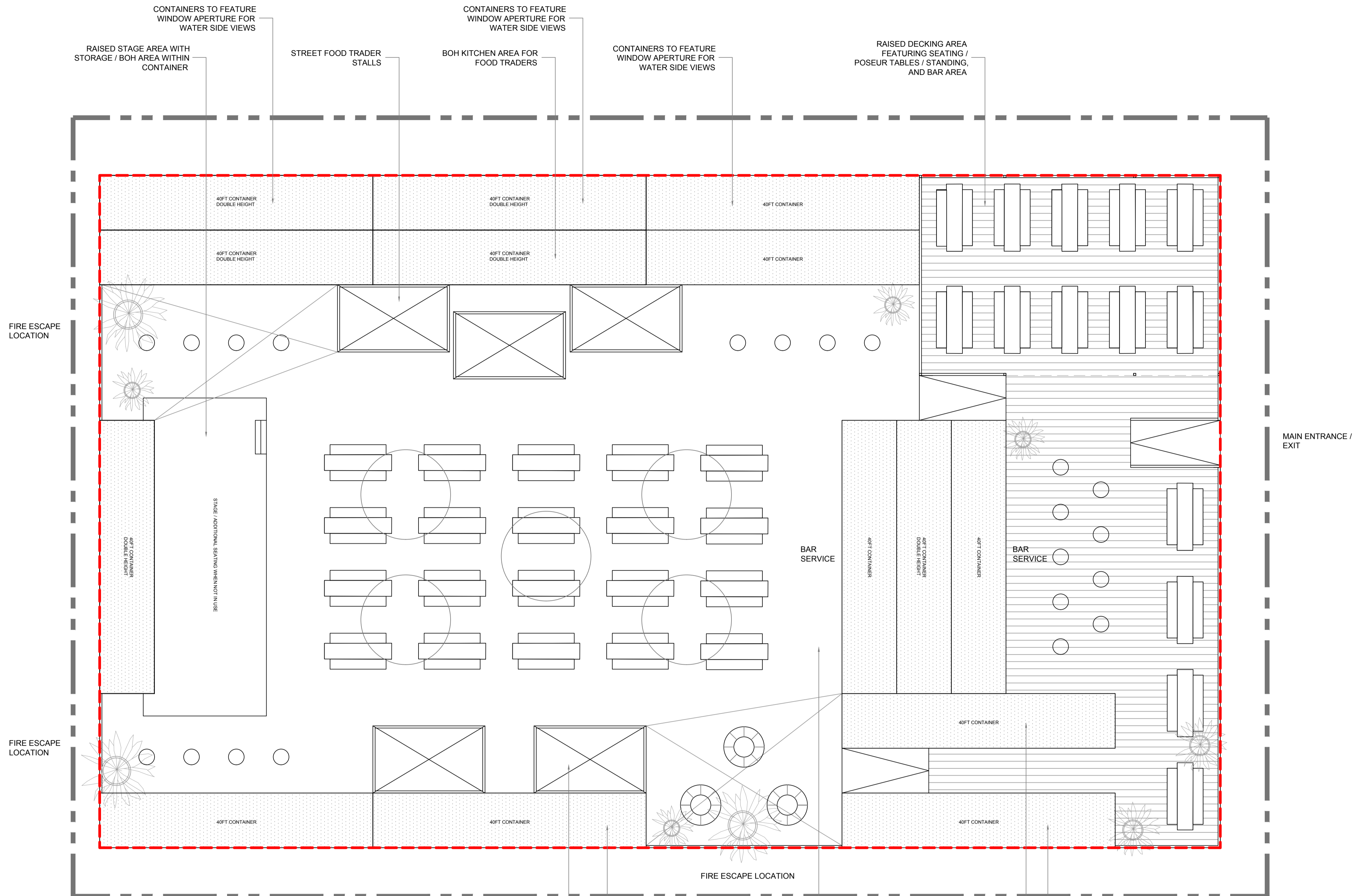
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Ordnance Survey 100023376 (2014).



02 SITE PLAN REFERENCE
SCALE 1:750 @ A1



01 LICENSING PLAN
SCALE 1:100 @ A1

RED DASHED LINE INDICATES LICENSING DEMISE

NOTES:
OVERALL DEMISE DIMENSIONS TO BE CONFIRMED ON SITE

NOTES:
DO NOT SCALE FROM THIS DRAWING ALL DRAWINGS TO BE CHECKED ON SITE COPYRIGHT PROTECTED
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS SCHEDULES & DRAWINGS BY THE DESIGNER.
- ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO MANUFACTURE. ROD DRAWINGS TO BE ISSUED FOR DESIGNER COMMENT.
- SAMPLE OF ALL FINISHES TO BE SUBMITTED TO DESIGNER FOR APPROVAL.
- ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO DESIGNER FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.
- ALL ELECTRICAL, LIGHTING, HVAC AND PLUMBING ISSUES TO BE REFERRED TO ENGINEERS DRAWINGS PRIOR TO COMMENCEMENT OF WORKS.
- THE DESIGNS ARE SUBJECT TO APPROVAL BY STATUTORY AUTHORITIES AND ANY NECESSARY ALTERNATIONS SHOULD BE MADE IF REQUIRED TO COMPLY WITH STATUTORY REQUIREMENTS.

INFORMATION

Location Plan (NTS)

STUDIO SEVERN

Client DEPOT

Project PORTH TEIGR CARDIFF BAY

Drawing PROPOSED LICENSING PLAN

Drawing No. 100

Date 25/05/22

Scale 1:100 @ A1

Revision -

Drawn By SLP

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)

All staff involved in the sale and supply of alcohol shall receive training in relation to licensing legislation and age challenging. Refresher training shall be conducted annually. All staff involved in the sale and supply of alcohol shall be fully conversant with the conditions contained in this premises licence. No member of staff will be permitted to sell age restricted products until such time as they have completed training. Records of such training shall be kept by the DPS for a minimum of 18 months and be made available to the police or other responsible representative on request.

No alcohol will be served or supplied in vessels exceeding four pints/2272ml/2.27L

When live music events are taking place at the premises, a detailed risk assessment will be prepared by the licence holder which will be made available to South Wales Police if requested.

b) The prevention of crime and disorder

A CCTV system shall be installed to a standard agreed with South Wales Police. It will be operated and maintained at all times when the premises is open to the public. The system shall cover all parts of the licensable areas to which the public have access (excluding toilets), including all public entrances and exits and outside areas used by customers. Images shall be kept for a minimum 31 days. The images shall be produced to a police employee in a readily playable format immediately on request when the premises are open and at other times as soon as reasonably practicable. There will be sufficient staff training to facilitate the above.

SIA registered Door Supervisors shall be employed from 2100 hours until closing at a ratio of 1:150 Thursdays to Sundays.

A register of Door Supervisors shall be kept at the premises. The register shall show the full name, company and SIA registration number of each Door Supervisor with signed acknowledgement of 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.

An incident book or record will be kept and maintained at the premises. Each entry made shall carry the day, date and time each report was made and pages shall carry sequential numbering. It will record the following:

A all crimes reported to the venue.

B all ejections of patrons, with details of the individuals, if known.

C all complaints received (whether of a criminal or licensing nature).

D all incidents of disorder.

E the seizure of drugs and offensive weapons.

F all visits by a responsible authority or emergency service.

The DPS shall retain the incident book for a minimum of 18 months. The incident book will be made available to the police on request. Each reported incident will be dated and signed by the person making the report and that person's name will be clearly legible alongside the signature.

On days considered to be major event days in Cardiff, SIA registered door staff will be employed from 2 hours before commencement of the event until 1 hour after the end of the event.

A search policy will be in place and will include procedures for the confiscation of prohibited articles, such as drugs or weapons. Searches shall be conducted at the discretion of SIA registered door supervisors.

The premises will adopt the drug safe scheme. A lockable drugs safe will be installed at the premises and accessible only to a police officer or a member of police staff. Any drugs seized at the premises will be recorded in the premises incident book. This entry will record the date and time of the seizure, the details of the person seizing the item, a description of the item and the circumstances of the seizure. Where it is suspected that a person is supplying drugs then police will be contacted at the time.

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

The DPS or a personal licence holder will be present during the times when the premises are trading.

The Tiger Yard dispersal policy must be adhered to at all times.

The Tiger Yard management plan must be adhered to at all times.

c) Public safety

The majority of drinks will be served in non-glass vessels on trading days, with the exception of drinks in glass bottles.

On those days designated by South Wales Police as major event days in Cardiff all drinks will be dispensed in non-glass vessels.

d) The prevention of public nuisance

Notices will be displayed at the exits reminding customers to respect the needs of local residents and be quiet when leaving.

e) The protection of children from harm

Under 18's will be permitted on the premises until 1900 hours only when accompanied by a person over the age of 18.

Notices will be displayed confirming that it is illegal to sell alcohol to anyone under the age of 18.

A Challenge 25 Scheme will be adopted and appropriate notices to this affect will be displayed at the premises.

Identification will be requested by staff from any customer who appears to be under the age of 25 and the only forms of acceptable identification are a passport, photo driving licence, military ID card or a photo card bearing a holographic PASS scheme logo.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
•	I understand that if I do not comply with the above requirements my application will be rejected.	X
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	X

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I
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APPENDIX C

Additional Conditions Proposed

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 01 July 2022 10:03
To: Sampson, Jay
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: FW: SR950247 - Tiger Yard Licence Application

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.

Yep all good.

Nick

On Fri, Jul 1, 2022 at 10:02 AM Sampson, Jay

> wrote:

Hi Nick,

Thankyou again.

I have copied in the Licensing Team to the chain, could you please confirm that you're happy with the Licence conditions as agreed below, excluding the condition regarding a noise limiting device.

Thanks,

Jay



Jay Sampson

Swyddog Gwasanaethau Cymdogaeth

Neighbourhood Services Officer

Gwasanaethau Rheoliadol a Rennir

Shared Regulatory Services

Neuadd Y Ddinas, Caerdydd / City Hall, Cardiff / CF10 3ND

Ebost / Email:

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

The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

From: Nicholas Saunders >
Sent: 01 July 2022 09:54
To: Sampson, Jay
Subject: Re: SR950247 - Tiger Yard Licence Application

Brilliant - thanks Jay.

Nick

On Fri, Jul 1, 2022 at 9:43 AM Sampson, Jay > wrote:

Hi Nick,

It was indeed.

I'm happy with that. Let's lose the last condition regarding a Noise limiting device and all in agreement.

If you have any questions or if you're after any advice in future, don't hesitate to get in touch.

Thanks,

Jay



Jay Sampson

Swyddog Gwasanaethau Cymdogaeth

Neighbourhood Services Officer

Gwasanaethau Rheoliadol a Rennir

Shared Regulatory Services

Neuadd Y Ddinas, Caerdydd / City Hall, Cardiff / CF10 3ND

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Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

From: Nicholas Saunders >
Sent: 01 July 2022 08:14
To: Sampson, Jay >
Subject: Re: SR950247 - Tiger Yard Licence Application

Hi Jay,

Good to chat earlier this week.

All seem ok apart from the last one on the limiter - we'd push back on that one.

Cheers,

Nick

On Tue, Jun 28, 2022 at 4:26 PM Sampson, Jay > wrote:

Hi Nick,

As discussed on the phone, I am proposing a few conditions for the new premises Licence application.

Namely being:

- Prominent and clear signage will be placed at all exit points of the premises requesting that patrons respect local residents and leave the premises and surrounding area quietly.
- Glass bottles must not be disposed of externally between 18:00 – 09:00 Monday to Saturday and between 18:00 to 10:00 Sunday.
- The Premises dispersal procedure must be adhered to.

- Noise monitoring shall be carried out at Source and at the façade of the nearest residential receptor on live music events and results shall be logged and retained for inspection at any time.
- Noise emanating from the external areas of the premises as a result of regulated entertainment shall be set at levels agreed by the Neighbourhood Services Pollution Control Team following the production of an expert Noise report prior to Licensable activity taking place.
- The premises will have a noise limiting device fitted and maintained as to control all sources of amplified music and speech. The limiter shall be set as per the recommendations from the condition above and agreed with the Neighbourhood Services Pollution Control Team.

What are your thoughts on these?

Jay



Jay Sampson

Swyddog Gwasanaethau Cymdogaeth

Neighbourhood Services Officer

Gwasanaethau Rheoliadol a Rennir

Shared Regulatory Services

Neuadd Y Ddinas, Caerdydd / City Hall, Cardiff / CF10 3ND

Tel:

Ebost / Email:

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

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APPENDIX D

South Wales Police representation

Barker, Kirstie

From:
Sent: 27 June 2022 10:42
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Tiger Yard, Cardiff Bay - New Licence Application
Attachments: CI Draft Tiger Yard Letter Headed Paper.docx; TIGER YARD Dispersal Policy.docx

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

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

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

Hi Team,

Please find attached South Wales Police representations in relation to the above application.

If you require any further information please feel free to contact me on the details below.

Kindest Regards



Jason Jones

Cwnstabl 6882 | Constable 6882

Licensing Officer
Cardiff Bay Police Station

☎: **101** | Mobile:



/SWPolice



@SWPolice



@SWPolice



/SWPTV

Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan <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.

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

URhS Caerdydd a'r Fro
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
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

23rd June 2022

Tiger Yard
Plot A, Heol Porth Teigr
Cardiff Bay
Cardiff,
CF10 4GA

APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT
2003 – TIGER YARD, PLOT A, HEOL PORTH TEIGR, CARDIFF BAY, CARDIFF, CF10
4GA

To whom it may concern,

I have caused enquiries to be made into this application. The application advises that the premises located within Plot A, in Heol Porth Teigr in Cardiff Bay will be an outdoor area with storage containers offering different street food and drinks. The applicant will be seeking an on and off licence. The opening hours proposed as follows:

Mon-Sun 1000-2330

The application seeks the following licensable activity;

Supply of Alcohol (for consumption on and off premises);

Mon-Sun 1000-2300

Provision of Late Night Refreshment

Mon-Sat 2300-0000

Performances of Dance

Mon-Sun 1000-2300

Live Music

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.



Mon-Sun 1000-2300

Indoor Sporting Events

Mon-Sun 1000-2300

Films & Plays

Mon-Sun 1000-2300

Recorded Music

Mon-Sun 1000-2300

The applicant has been spoken to and the application has been discussed. As a result of this consultation, I now make the following representations on behalf of South Wales Police.

At this time, South Wales Police object to the grant of a new premises licence as applied for under the following licensing objectives, namely those of;

The Prevention of Crime and Disorder

The Prevention of Public Nuisance

However, should the applicant agree to the below representations deemed to be appropriate and proportionate to support the licensing objectives, then the Police will automatically withdraw their request for a hearing before the Licensing Committee.

POLICE REPRESENTATIONS.

1. A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated, at all times the premises are open to the public. The system will cover all internal areas of the premises {Excluding toilets} where the public have access including all entrances and exits and any external areas associated with the premises. The images shall be kept for a minimum of 31 days and shall be produced to a Police employee in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.
2. Staff authorised to carry out Licensable Activity shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 6 months. The DPS shall keep records of such training for a period of at least 18 months.
3. Alcohol shall be stored and displayed in a secure area behind the service counters away from public access.
4. No self-service of alcohol will be permitted at the premises.
5. The Tiger Yard Dispersal policy must be adhered to at all times.

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6. Other than for off sales in sealed containers no drinks are permitted to leave the licensed area as shown on the deposited plans

7. When Zone 1 is trading a minimum of 2 (two) SIA registered door staff shall be employed at the premises, and working on a ratio of 1:150 thereafter. When Zone 2 is trading as a seated event a minimum of 1 additional SIA registered door staff shall be employed additional to the 2 door staff working in Zone 1, and then working on a ratio of 1:150 thereafter. When Zone 2 is trading as a standing event or a Televised Sporting event it will operate on a ratio of 1:100 starting with a minimum of 2 members of security additional to the 2 security working zone 1.

8. When SIA registered door supervisors are employed at the premises, they will utilise at least two body worn video devices. Any such device will be capable of recording both audio recordings and visual images. The recordings will be kept for a minimum of 31 days and will be produced to a police employee in a readily available format immediately upon request when premises are open and at all other times as soon as reasonably practicable

9. A Search policy will be in place and will include procedures for the confiscation of prohibited articles, such as drugs or weapons. Searches will be conducted at the discretion of SIA registered door supervisors, and form a condition of entry.

10. The DPS or a personal licence holder will be present during the times when the premises are trading.

11. On days designated by South Wales Police as major event days in the City Centre and Bay area of Cardiff, SIA registered door supervisors will be employed (with a minimum of two door supervisors) at the premises from either 4pm that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises.

12. A detailed bound numerical register of door supervisors to be maintained at all times at the premises. Such register to include the name, registration number, contact details of the member of door staff along with the date, time on duty and time off duty. Full details of the agency supplying the staff to be endorsed and the register to be available for inspection on request by an Authorised officer.

13. When door supervisors are employed at the premises, the premises will utilise a counting device for monitoring the number of patrons entering and leaving the premises.

14. There shall be no mobile alcohol sales person of any sort.

15. On days designated by the police as major event days in Cardiff, all alcoholic drinks will be served in plastic vessels.

16. The premises shall operate a "Challenge 25 Policy" at all times.

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17. Under 18's will only be permitted on the premises until 1900hrs when accompanied by a responsible adult.

18. Signage will be displayed confirming that it is illegal to sell alcohol to anyone under the age of 18.

19. Identification will be requested by staff from any customer who appears to be under the age of 25, and the only acceptable forms of identification are a passport, photo driving licence or a photo card bearing a holographic PASS scheme logo.

20. Signage will be displayed requesting that customers leave the premises quietly.

21. An incident log will be maintained at the premises. Each entry shall carry the day, date, and time that each report was made. It will record the follow; The DPS shall use best endeavours to ensure that all incidents are logged on the day of the incident.

A – All crimes reported to the venue

B – All ejections of patrons, with details of the individual(s) if known.

C – All complaints received directly by the premise of a criminal or licensing nature

D – All incidents of disorder of which the premise are aware.

E – The seizure of drugs and offensive weapons.

F – All visits by a responsible authority, or emergency service.

The log shall be made available to the police or other responsible authorities on request.

The log shall be retained for a minimum of 18 months.

22. The premises will adopt the drug safe scheme. A lockable drugs safe will be installed at the premises and accessible only to a police officer, or a member of police staff. Any drugs seized at the premises will be recorded in the premises incident book. This entry will record the date and time of seizure, the details of the person seizing the item, a description of the item and the circumstances of the seizure. Where it is suspected a person is supplying drugs then police will be contacted at the time.

Yours Faithfully

R Haines CI 4705

PS 2027 Justin Hardwick
Licensing Sergeant

Chief Inspector 4705 Richard Haines
Community Safety Department

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.



DEPOT

TIGER YARD - DISPERSAL POLICY

DEPOT Warehouse Limited is committed to the safe, orderly and effective dispersal of all patrons.

The dispersal procedure (around the terminal hour) is dedicated to make maximum contribution by exercising positive measures towards and at the end of trading in moving customers from the venue and its immediate area in such a way as to cause minimum disturbance or nuisance and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour or crime.

Terminal hour may cause unnecessary noise and lead to anti-social or offending behaviour. Accordingly the following control measures have been put in place:

- Approximately half an hour before the end of trading, SIA badged security staff shall become proactive in encouraging dispersal outside the venue. This will usually be the responsibility of security staff at the main entrance. Security will ensure that customers stay for no longer than is necessary outside the premises.
- Security shall not overly encourage the customers out of the venue but shall maintain a watchful presence whilst the crowd naturally disperses.
- As Tiger Yard clears of customers, all security shall proceed outside in high visibility jackets or vests where, under the direction of the duty manager, they shall assist in politely encouraging people to vacate the area. The high visibility clothing adds to 'capable guardianship' within the public space highlighting them as authority figures controlling our private premises.
- All security shall remain outside for up to 30 minutes after the terminal hour or until (at the duty manager's discretion) all customers from Tiger Yard have sufficiently dispersed past the Bridge heading back towards the bay.
- All security and managers shall be proactive in advising customers to vacate the environs of the premises quietly and with respect for others. It is to be made clear that any transgressors will not be welcome back to Tiger Yard in future. Clear signage to the above effect shall be on permanent display in the exit areas.
- When customers have finally dispersed, staff outside the premises will check the immediate vicinity to ensure that no rubbish is left lying around that might later be used to commit crime or cause a public nuisance.
- Staff will invariably leave the premises later than customers will. Their behaviour can impact on local disturbance also and have therefore been instructed to leave quietly.
- Taxi and Uber pick up points will also be designated and managed as part of the dispersal procedures.

APPENDIX E

Other persons representation

Barker, Kirstie

From:
Sent: 29 June 2022 16:54
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Tiger Yard, Plot A, Porth Teigr, Cardiff Bay, Cardiff, CF10 4GA

To Whom It May Concern,

It has been brought to my attention this afternoon that the Depot Warehouse organisation wishes to obtain a licence to make use of Plot A on Porth Teigr to establish a venue for drinking, music, dancing, films and other events.

As an owner and resident in the nearby Adventurers Quay I am writing to formally protest this development due to the increase noise and disruption that it would bring to the surrounding local area.

There is already a smaller bar / entertainment venue adjacent to the proposed site, the Lo Lounge, whose music and late night noise has caused disturbance to the locale and nearby residents. Having myself been to previous events at the existing Depot in its two most recent locations I have no doubt that this proposed new development will bring a much increased noise problem which will be detrimental to the peaceful nature of the surrounding area.

Furthermore additional footfall and traffic will cause disruption to nearby shops and services and increased drunken behaviour will severely impact the wellbeing of neighbouring inhabitants and businesses and visiting tourists.

On that basis, I hope that this licence application is not progressed and rejected in its entirety.

Regards,