



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

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

AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	WEDNESDAY, 28 SEPTEMBER 2022, 10.00 AM
Venue	COMMITTEE ROOM 4, COUNTY HALL / MULTI-LOCATION MEETING
Membership	Councillors Kaaba, Lancaster and Wood

1 **Declarations of Interest**

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

2 **Application for the Variation of a Premises Licence - Admiral Napier, Cowbridge Road East (Pages 3 - 16)**

3 **Application for the Variation of a Premises Licence - Fairwater Hotel, St Fagans Road (Pages 17 - 36)**

4 **Application for the Grant of a Premises Licence - Kommune, Capitol Centre (Pages 37 - 54)**

5 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services

Date: Thursday, 22 September 2022

Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 14 September 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 076431

Name of Premises: Admiral Napier, 239 Cowbridge Road East, Canton, Cardiff, CF11 9AL

Ward: Riverside

1. Application

1.1 An application to vary a Premises Licence has been received from Valiant Pub Company Limited in respect of Admiral Napier, 239 Cowbridge Road East, Canton, Cardiff, CF11 9AL.

1.2 The applicant has applied for the following:

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

"The proposed variation is to vary the start time for opening hours and licensable activities to 09.00 Monday to Sunday".

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

Sunday to Thursday: 10:00 to 00:00 hours

Friday and Saturday: 10:00 to 01:00 hours

From start of permitted hours on New Year's Eve until start of permitted hours on New Year's Day

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

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

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

Friday and Saturday: 10:00 to 00:30 hours

From start of permitted hours on New Year's Eve until start of permitted hours on New Year's Day

(ii) The provision of regulated entertainment in the form of indoor sport:

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

Friday and Saturday: 10:00 to 00:30 hours

(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: 10:00 to 23:30 hours

Sunday: 10:00 to 23:00 hours

- (iv) The provision of late night refreshment (indoors):

Sunday to Thursday: 23:00 to 23:30 hours

Friday and Saturday: 23:00 to 00:30 hours

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

2. Promotion of Licensing Objectives

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

3. Relevant Representations

- 3.1 Representations have been received from local ward Councillors. Copies of the representations can be found attached as **Appendix C**.

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.

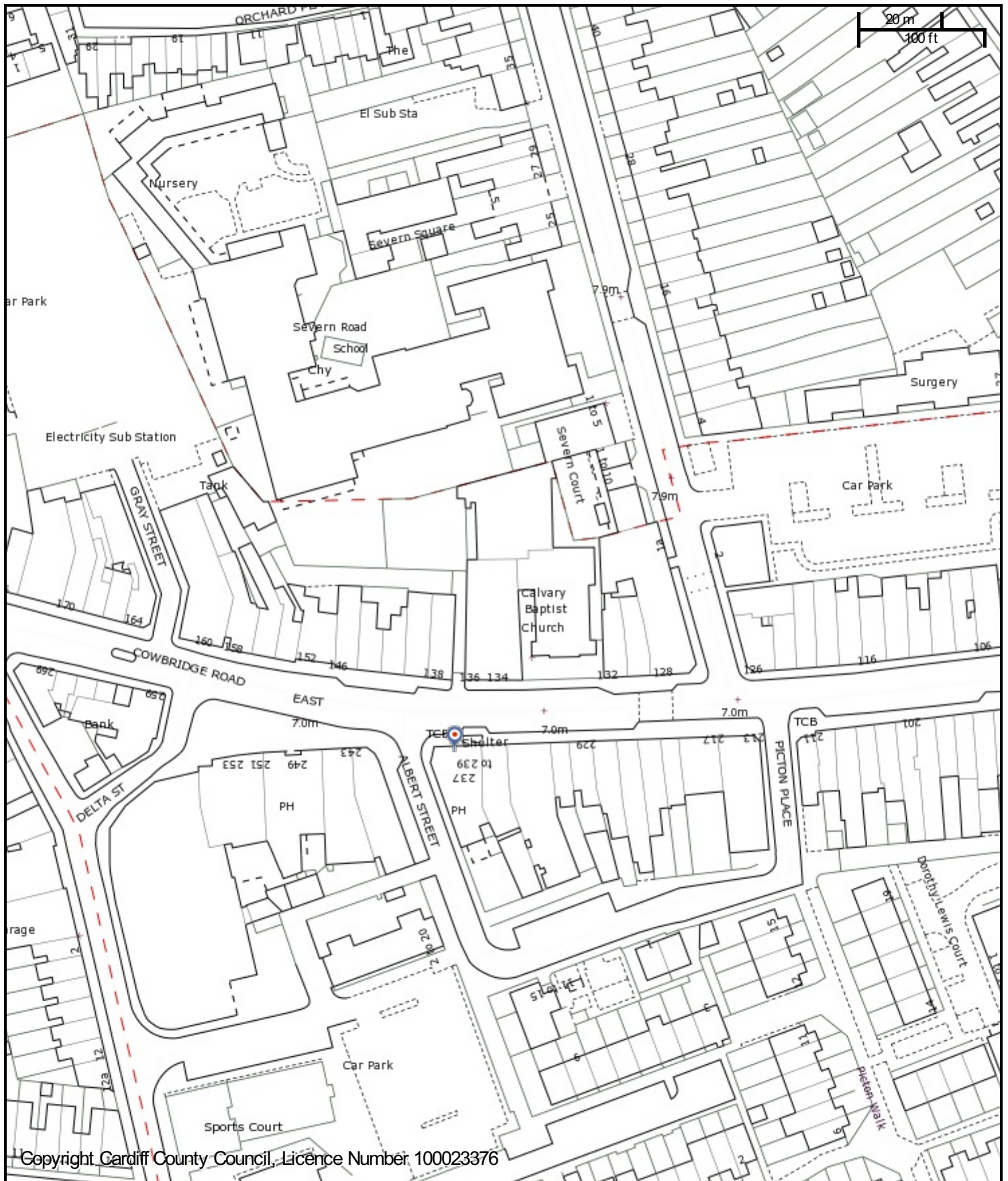
- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations;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



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: 1:1250

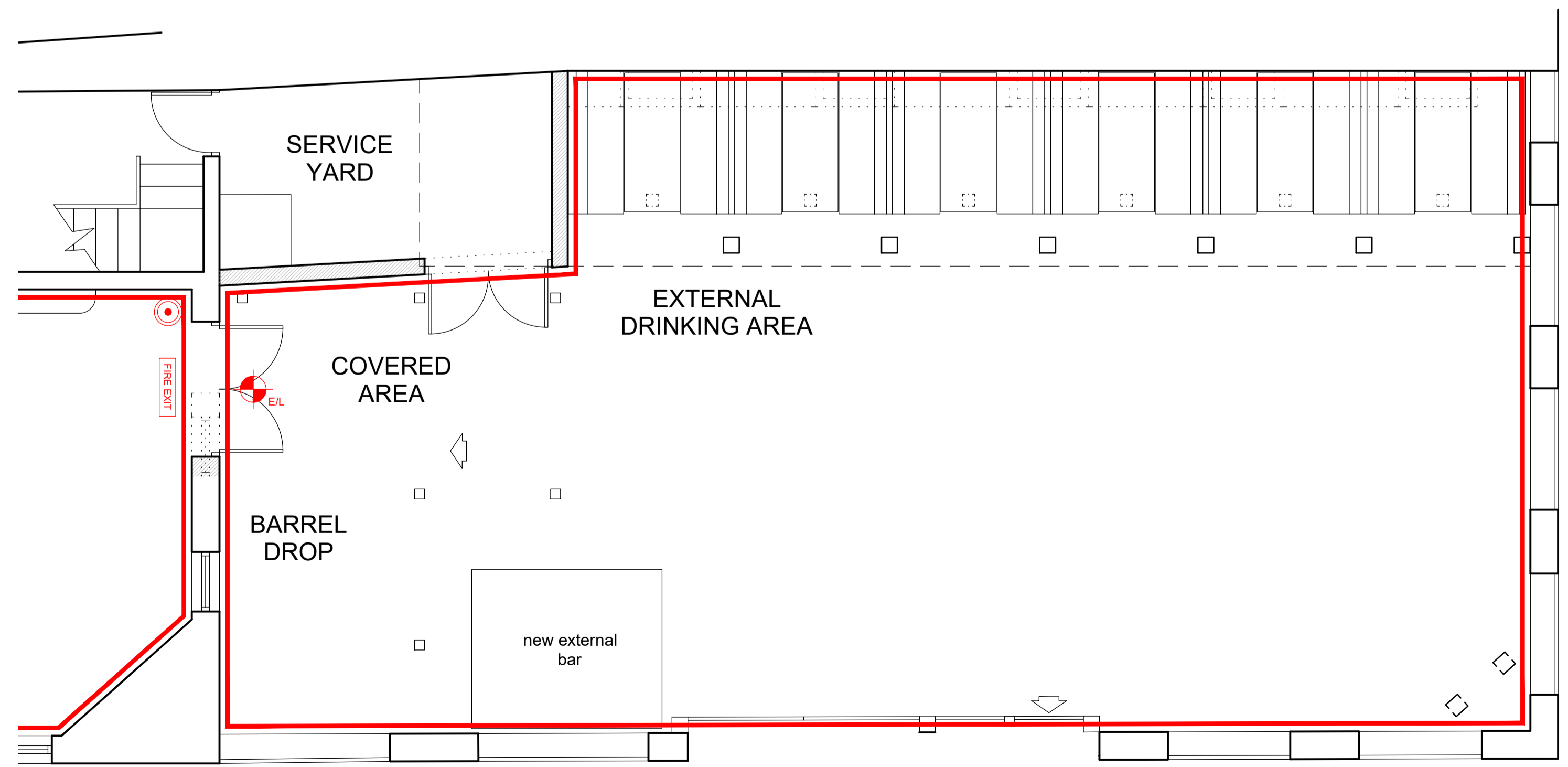
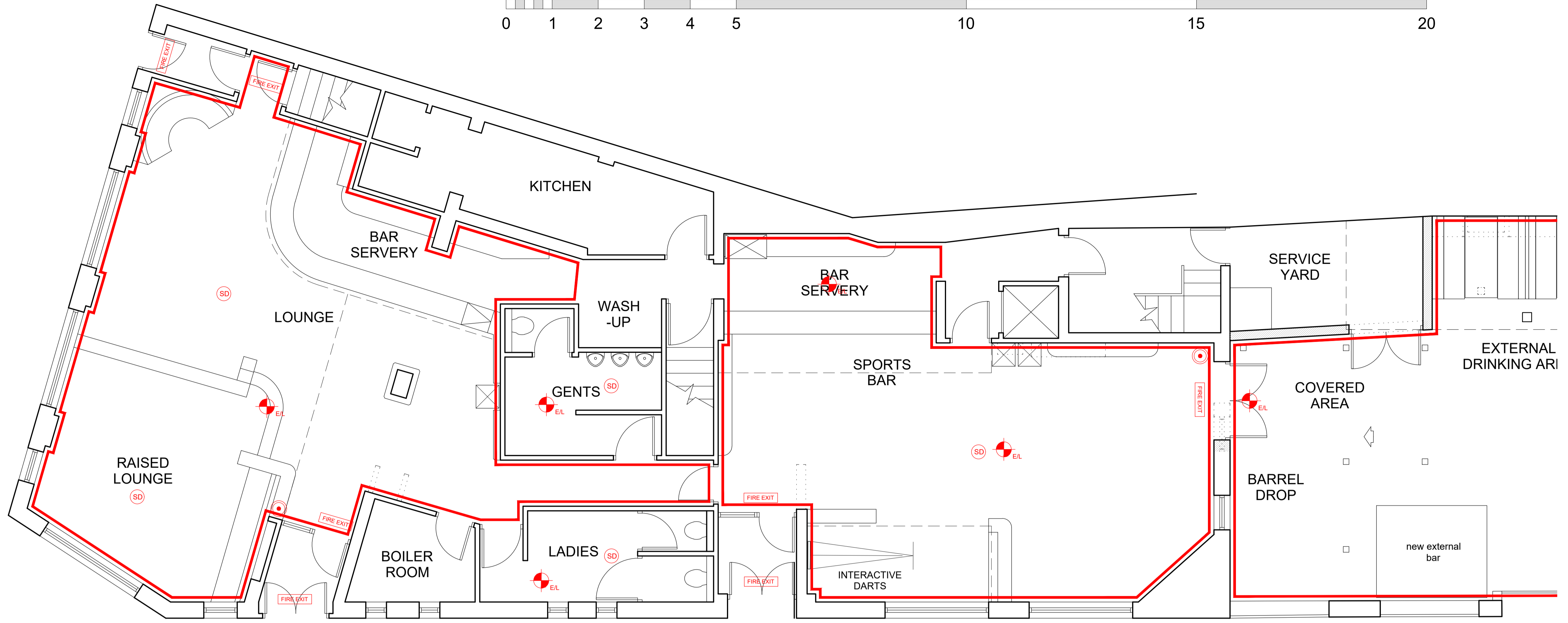
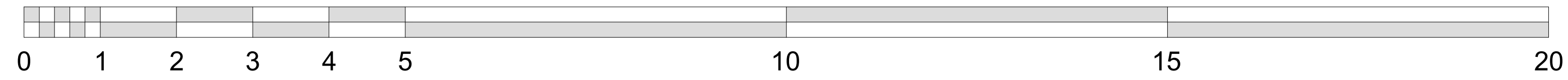
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Coordinates:

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- Key:**
- Symbol denotes Emergency light
 - Symbol denotes heat detector
 - Symbol denotes smoke detector
 - Symbol denotes Emergency Exit light incl. appropriate logo
 - Symbol denotes break glass call point
 - Symbol denotes alarm sounder
 - Symbol denotes Water type fire extinguisher
 - Symbol denotes CO2 type fire extinguisher
 - Symbol denotes Dry powder type fire extinguisher
 - Symbol denotes Wet Chemical type fire extinguisher
 - Symbol denotes Fire blanket
 - Symbol denotes AFFF type fire extinguisher
 - Red Line: indicates area for sale of alcohol.
- Note: Licensable activities may take place in all public areas unless the premises license specifies otherwise.

NOTES
 This drawing is copyright and must not be reproduced without the written permission of the designer.
 Contractors are to check all sizes and dimensions before setting out any site or shop work. Any errors or discrepancies to be reported to the designer.
 CDM 2015 Designers Risk Assessment.
 All works to be carried out under CDM regulations.
 Contractor to ensure all relevant codes of practice and regulations for the proposed works are adhered to. No residual risk within the attached design unless specifically stated with the attached schedule. Do not scale off this drawing.

REVISIONS
 DATE

Rev: ... 00.00.00

TITLE: Proposed Licensing Plan	
PROJECT: Admiral Napier, 239 Cowbridge Road, Cardiff, CF11 9AL	
CLIENT: Valiant Pub Company	
DRAWN BY:	SCALE: 1:50 @ A1 1:100 @ A3
DATE: 13.04.22	DWG NO: 1447.11 REV: -

imd
 AND ASSOCIATES LTD
 1 Sentinel Court, Wilkinson Way
 Blackburn, Lancashire BB1 2EH
 t: 01254 696989 e: info@imdandassociates.co.uk

APPENDIX B

Operating Schedule

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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.

Please see existing conditions.

b) The prevention of crime and disorder

Please see existing conditions.

c) Public safety

Please see existing conditions.

d) The prevention of public nuisance

Please see existing conditions.

e) The protection of children from harm

Please see existing conditions.

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

2. At all times of operation the outdoor drinking area shall have hourly checks completed and a record should be kept for a period of 12 months and made available at the request of South Wales Police.

3. When the outdoor bar is in operation the bar will be staffed at all times, and under no circumstances will be left unattended.

4. The hours that any external drinking area that is attached to the premises remains open and used for the consumption of alcohol & food by members of the public shall terminate at 23:30 hours each day.

5. The side gate of the external drinking area will be secured with a magnetic lock at all times except in the event of a fire alarm.

6. On a day where a designated and/or regulated football match is being played at Cardiff City Stadium, all beverages, alcoholic or otherwise, will be served in non-glass vessels for a period of four hours prior to the time of kick-off and for a period of two hours following the final whistle.

7. 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.

8. Doors and windows closed at 23:00 hours if live music is being performed.

9. Announcements and signs requesting a quiet departure will be provided.

10. Continual monitoring of all public areas will be undertaken during opening hours.

11. On days of football matches categorised by South Wales Police as high risk/red coded, no person under the age of 18 is permitted to enter the premises under any circumstances

12. Unaccompanied children are not allowed on the premises.

ANNEXES: CONDITIONS continued ...

13. No children will be permitted on the premises after 22:00 hours.

14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Non-standard timings

On the days/dates listed below an additional one hour (these in addition to those listed above) are to be permitted for the licensable activity:

1st January, 1st March (St David's Day), 17th March (St Patrick's Day), Good Friday, Easter Saturday, Easter Monday, May Bank Holiday Friday, Saturday and Sunday prior, May bank Holiday Monday, May Bank Holiday (Whitsun) Friday, Saturday and Sunday prior, May Bank Holiday (Whitsun) Monday, August Bank Holiday Friday, Saturday and Sunday prior, August Bank Holiday Monday, Christmas Eve, Boxing Day and 27th December

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

For the sake of clarity the playing of pre-recorded music such as 'mood' music or 'general background' music, or the use of a juke box at a well controlled level within the premises is permitted at any time within the authorised opening hours.

In the event of the transmission of any recognised international event, which falls outside the permitted hours on the premises licence the sale of alcohol may commence 30 minutes before the event commences and will cease 30 minutes after it ceases unless it runs into permitted hours.

Details of the event are to be given to the police in writing 14 days beforehand. The event will not proceed if the police serve, 7 days prior to the event, written notice upon the designated premises supervisor.

Helen Picton
Shared Regulatory Services

6 June, 2022

APPENDIX C

Ward Councillor representations

Barker, Kirstie

From: Wild, Caro (Cllr)
Sent: 04 August 2022 11:57
To: Barker, Kirstie; Singh, Kanaya (Cllr); Thomson, Leonora (Cllr)
Cc: Griffiths, Paul (PPE); Cook, Daniel; Evans, Kirsty; Papadakis, Linda
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Admiral Napier, 239 Cowbridge Road East, Canton, Cardiff, CF11 9AL

Many thanks

I wish to register an objection to this extension.

That location is currently suffering greatly from ongoing anti-social behaviour and public nuisance. This is distressing for people, especially older people, and children and parents who use the road to get to and from school.

I believe any extension of licensing hours will just exacerbate the problem, with drinking starting even earlier.

Many thanks

Caro

From: Barker, Kirstie
Sent: 25 July 2022 15:09
To: Singh, Kanaya (Cllr) Wild, Caro (Cllr) Thomson,
Leonora (Cllr)
Cc: Griffiths, Paul (PPE) >; Cook, Daniel >; Evans, Kirsty
>; Papadakis, Linda
Subject: Licensing Act 2003: Application to vary a Premises Licence - Admiral Napier, 239 Cowbridge Road East, Canton, Cardiff, CF11 9AL

I am writing to advise you that an application for a Premises Licence under the Licensing Act 2003 was received by this office on 25th July 2022 in respect of the above premises.

Representations may be made in respect of this application by 22nd August 2022.

A copy of the public notice is attached.

I trust that this is of assistance. If you have any queries please do not hesitate to contact me.

Regards



Kirstie Barker | Senior Licensing Officer
Licensing Section (Cardiff) / Adran Drwyddedu (Caerdydd)
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: (

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 ymwbyddol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith.

Barker, Kirstie

From: Thomson, Leonora (Cllr)
Sent: 08 August 2022 12:42
To: Wild, Caro (Cllr); Barker, Kirstie; Singh, Kanaya (Cllr)
Cc: Griffiths, Paul (PPE); Cook, Daniel; Evans, Kirsty; Papadakis, Linda
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Admiral Napier, 239 Cowbridge Road East, Canton, Cardiff, CF11 9AL

And I would like to register my objection too, for the same reasons. The anti-social behaviour in the area is fuelled by alcohol, so any addition would be extremely unhelpful.

Many thanks

Leo

Y Cyng/Cllr Leonora Thomson

Cynghorydd Caerdydd i Glan yr Afon/Cardiff Councillor for Riverside

See my **Privacy Notice** with a link to a consent form [here](#)

From: Wild, Caro (Cllr)
Sent: 04 August 2022 11:57
To: Barker, Kirstie < > Singh, Kanaya (Cllr) Thomson,
Leonora (Cllr)
Cc: Griffiths, Paul (PPE) Cook, Daniel ; Evans, Kirsty
Papadakis, Linda
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Admiral Napier, 239 Cowbridge Road East, Canton, Cardiff, CF11 9AL

Many thanks

I wish to register an objection to this extension.

That location is currently suffering greatly from ongoing anti-social behaviour and public nuisance. This is distressing for people, especially older people, and children and parents who use the road to get to and from school.

I believe any extension of licensing hours will just exacerbate the problem, with drinking starting even earlier.

Many thanks

Caro

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 28 September 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 076845

Name of Premises: Fairwater Hotel, St Fagans Road, Fairwater, Cardiff, CF5 3AH

Ward: Fairwater

1. **Application**

1.1 An application to vary a Premises Licence has been received from Marston's Plc in respect of Fairwater Hotel, St Fagans Road, Fairwater, Cardiff, CF5 3AH.

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 has had the benefit of a refurbishment which will cause works to be undertaken to both the interior and exterior of the premises.

The application is made to amend the Premises Licence in respect of the following Items.

1. Application is made to vary the internal and external layout of the premises as per drawings:

28/07/93131/404 GF - Ground Floor

28/07/93131/FF/404 - First Floor

Internally

To the lounge area, extension of fixed seating.

Appropriate redecoration and re-upholstery throughout.

Externally

To include within the licensed area the pre-existing beer garden In relation to retail sale of alcohol and late night refreshment

2. Hours

No change is sought in relation to the licensable activities undertaken and the hours of operation at the premises.

*HOWEVER, it is noted that the opening hours in respect of Sunday to Thursday are the same as the hours for licensable activities and do not provide a 30 minute wind down period as is best practice. **Application is therefore made to allow the premises to remain open until midnight Sunday to Thursday.***

3. Licensable Activities

Application is made to add the licensable activity of exhibition of films on the following hours:

Sunday to Thursday - 10:00 to 23:30

Friday and Saturday - 10:00 until midnight

4. Conditions

No change is proposed to the conditions or non-standard timings endorsed upon the licence”.

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

Sunday to Thursday: 09:00 to 23:30 hours

Friday and Saturday: 09:00 to 00:30 hours

From start of permitted hours on New Year’s Eve until start of permitted hours on New Year’s Day

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

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

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

Friday and Saturday: 10:00 to 00:00 hours

From start of permitted hours on New Year’s Eve until start of permitted hours on New Year’s Day

- (ii) The provision of regulated entertainment in the form of indoor sport:

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

Friday and Saturday: 10:00 to 00:00 hours

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

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

Friday and Saturday: 10:00 to 00:00 hours

- (iv) The provision of late night refreshment (indoors):

Sunday to Thursday: 23:00 to 23:30 hours

Friday and Saturday: 23:00 to 00:00 hours

- 1.3 A site map showing the premises and the plans referred to above can be found in **Appendix A**.

2. **Promotion of Licensing Objectives**

- 2.1 The 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 current licence conditions.
- 2.2 During the consultation period, an agreement was reached with the Neighbourhood Services team to amend the application and amend a condition currently attached to the licence. This agreement can be found in **Appendix C**.

3. Relevant Representations

- 3.1 Representations have been received from local residents. Copies of the representations 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.

Helen Picton
Regulatory Services

7th September 2022

APPENDIX A

Site Map & Plan



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CHIEF EXECUTIVE

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

Cyngor Caerdydd

Cardiff Council



Title

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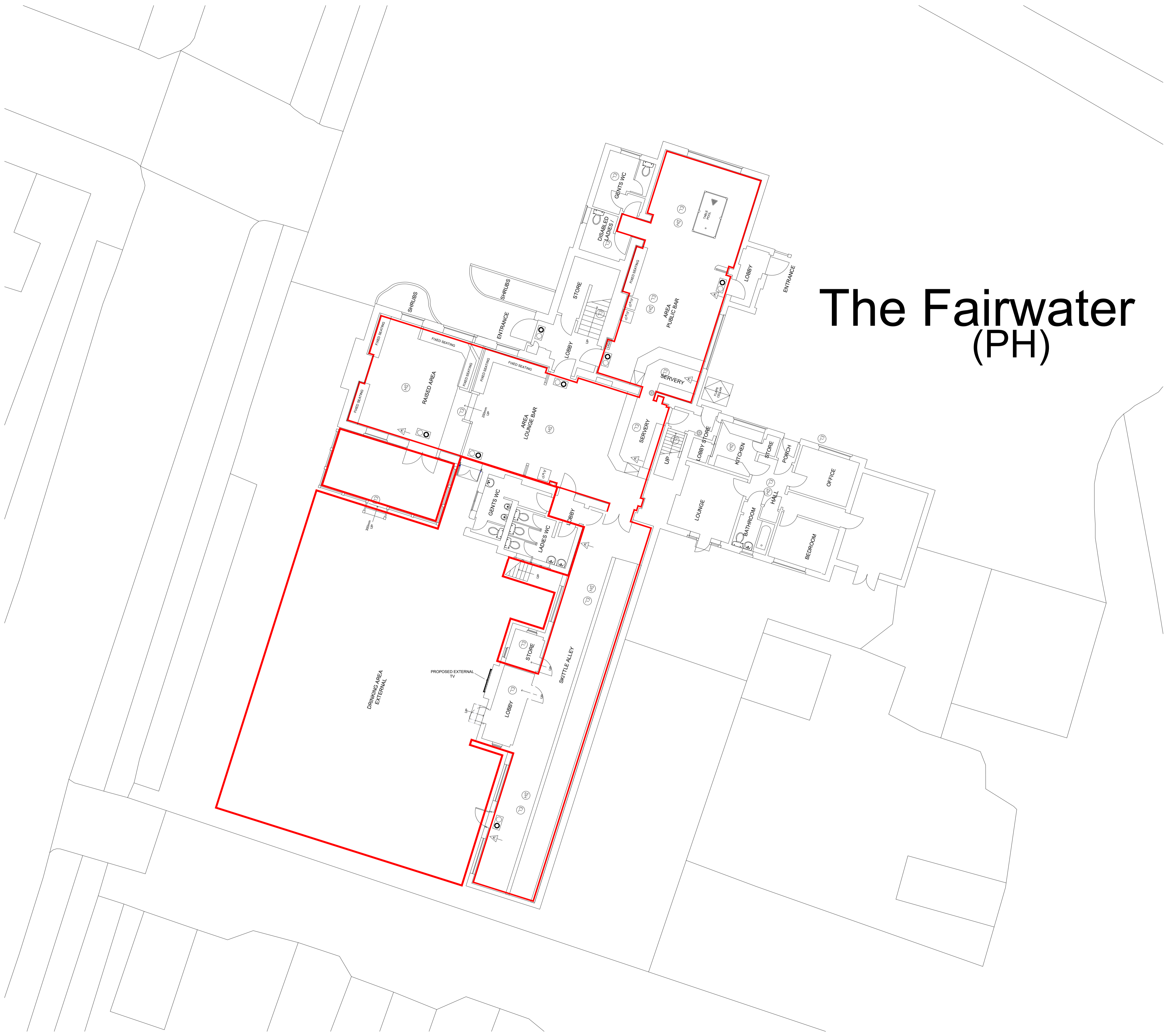
Contractors responsibility to check all site dimensions & levels prior to commencing works.
 Contractor to comply in all respects with current building regulations & guidelines whether specified on this drawing or not.
 The drawing must be read & checked against any other specialist drawings provided 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.

FIRE PREVENTION LEGEND

FD	1/2 HOUR FIRE RESISTING DOORS
EL	EMERGENCY LIGHT
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

PUBLIC AREAS	
▬	LICENSING ACTIVITY & CONSUMPTION OF ALCOHOL
▬	AREA USED FOR CONSUMPTION OF ALCOHOL ONLY

The Fairwater (PH)

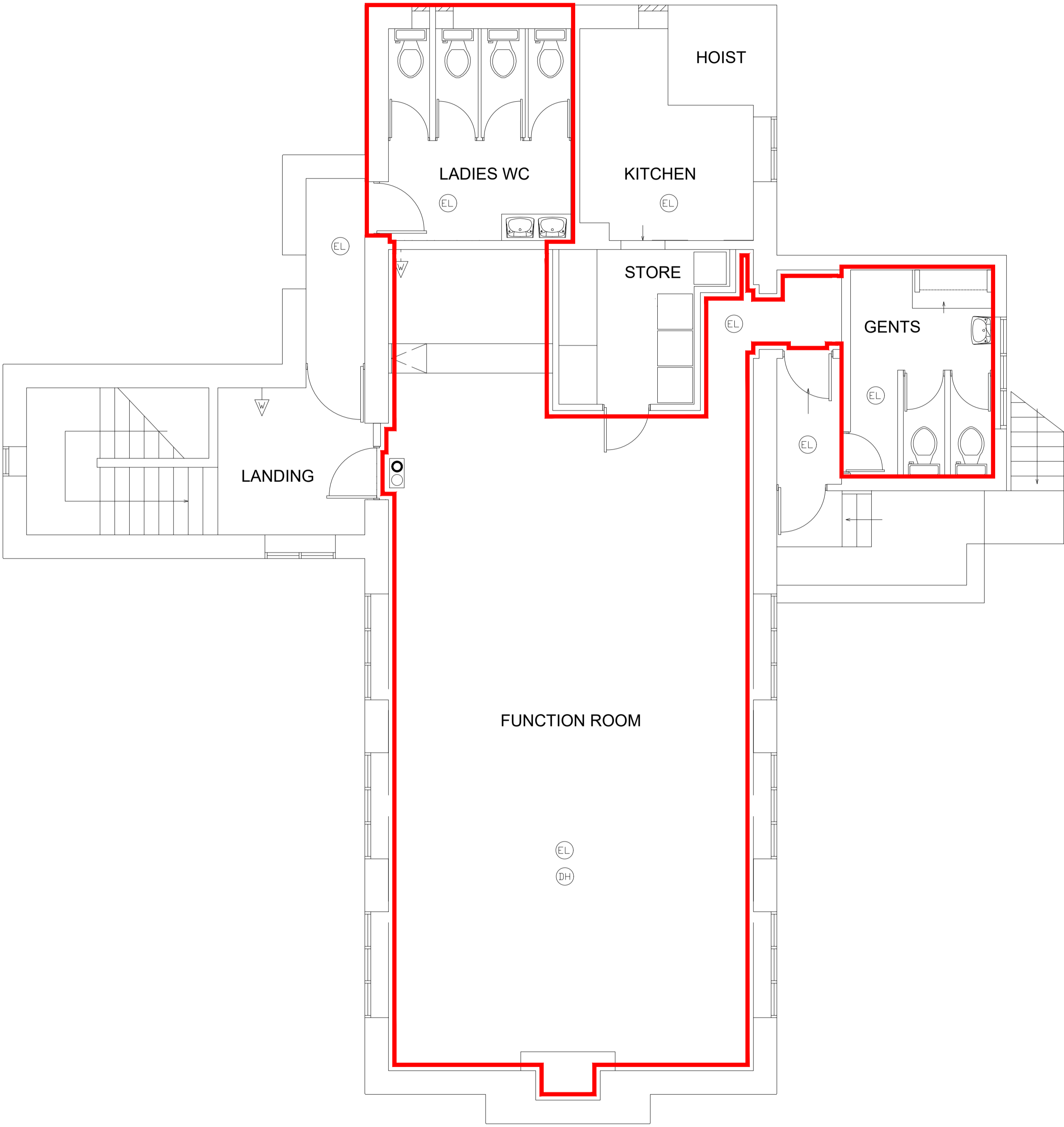


REV	DETAILS	BY
PROJECT Fairwater Hotel St. Fagans Road, Town Centre, Cardiff CF5 3AH		
TITLE Ground Floor - Proposed Licence Plan		
SCALE 1:100 @ A1	DATE July 2022	
DRAWN BY AF	CHECKED BY -	DRAWING NO. 28/07/93131/GF/404
REV -	BY -	
MARSTON'S PLC, MARSTON'S HOUSE, BREWERY ROAD, WOLVERHAMPTON, WV1 4JT. 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.

FIRE PREVENTION LEGEND

FD	½ HOUR FIRE RESISTING DOORS
EL	EMERGENCY LIGHT
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
PUBLIC AREAS	
—	LICENSING ACTIVITY & CONSUMPTION OF ALCOHOL
—	AREA USED FOR CONSUMPTION OF ALCOHOL ONLY



 MARSTON'S			
<small>PROJECT</small> Fairwater Hotel St. Fagans Road, Town Centre, Cardiff CF5 3AH			
<small>TITLE</small> First Floor - Proposed Licence Plan			
<small>SCALE</small> 1:100 @ A1	<small>DATE</small> July 2022		
<small>DRAWN BY</small> AF	<small>CHECKED BY</small> -	<small>DRAWING No.</small> 28/07/93131/FF/404	<small>REV</small> -
MARSTON'S PLC, MARSTON'S HOUSE, BREWERY ROAD, WOLVERHAMPTON, WV1 4JT. Tel: 01902 711811			

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 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

No further risks have been identified which need to be addressed.

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.

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. (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.
4. 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."
5. 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.

6. 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-

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

<http://www.legislation.gov.uk/ukdsi/2014/9780111109120/images/ukdsi_9780111109120_en_001>
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

7. 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.

8. (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. CCTV system shall be installed to a standard agreed with South Wales Police. The system shall be maintained and be operational at all times the premises are open to the public. The system shall cover all parts of the licensable areas to which the public have access (excluding toilets) and all exits and entrances used by customers. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee immediately upon request when the premises are open and at all other times as soon as is reasonably practical. There will be sufficient staff training to facilitate the above, staff will be in possession of the appropriate passwords to operate the system. Signs will be prominently displayed advising customers that CCTV is in operation at the premises.

2. An incident log shall be used at the premises, it shall be made available on request to a member of police staff, which will record the following:

- a) All crimes reported to the venue
- b) Any complaints received
- c) Any incidents of disorder
- d) Any refusal of the sale of alcohol
- e) Any ejections
- f) Any visit by a representative of a responsible authority or a member of the emergency services
- g) Any failures of the CCTV system

3. Toilet checks to be conducted at random times with at least one every hour and a written record kept of these checks.

4. The Designated Premises Supervisor shall be a member of any active local pubwatch scheme or alternative.

5. The use of the external areas for licensable activity should cease at 23:30 hours.

6. Doors and windows closed at 23:00 hours if live music is being performed.

7. Prominent, clear and legible signage to be placed at all exits requesting that patrons respect the needs of local residents, leaving the premises and surrounding area quietly.

8. Portable appliance testing undertaken annually.

ANNEXES: CONDITIONS continued ...

9. No unaccompanied children will be allowed on the premises.

Non-standard timings

A further additional hour extending the terminal hour on the following occasions:

1st January, 1st March (St David's day), 17th March (St Patrick's day), Good Friday, Easter Saturday, Easter Monday, 1st May Bank Holiday Friday prior, 1st May Bank Holiday Saturday prior, 1st May Bank Holiday Sunday prior, 1st May Bank Holiday Monday, 2nd May Bank Holiday (Whitsun) Friday prior, 2nd May Bank Holiday Saturday prior, 2nd May Bank Holiday Sunday prior, 2nd May Bank Holiday (Whitsun) Monday, August Bank Holiday Friday prior, August Bank Holiday Saturday prior, August Bank Holiday Sunday prior, August Bank Holiday Monday, Boxing Day 26th December, December 27th, Christmas Eve

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the Premises Licence to permit the activity commencing one hour before the start of the event and ending one hour after the end of the event. Details of which to be notified in writing to the police 14 days beforehand. The event will not proceed if the police serve, 7 days prior to the event, written notice upon the Designated Premises Supervisor. The sale of alcohol at such events will cease 30 minutes after the event finishes, unless it runs into permitted hours. There will be provision of a suitable, large screen television.



Helen Picton
Shared Regulatory Services

23 February, 2021

APPENDIX C

Neighbourhood Services Agreement

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 05 September 2022 13:39
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: RE: Fairwater Hotel

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 Michelle,

I appreciate your assistance with this.

There is no objection to the variation as the below are accepted.

Many 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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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:
Sent: 05 September 2022 13:33
To: Sampson, Jay
Cc: Licensing (Cardiff C.C.) <licensing@cardiff.gov.uk>
Subject: Fairwater Hotel

Dear Jay

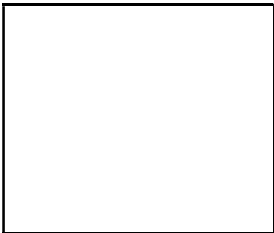
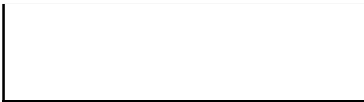
Further to our telephone conversation today I write to confirm I act on behalf of Marston's PLC and I have passed to them the comments you have made in connection with the licence variation application for the Fairwater Hotel.

In view of the comments raised my clients are willing to amend the application for the variation on the following basis:-

- 1 that the external undertaking of films shall cease at 19.00
- 2 that the wording of the existing condition 5 should be further clarified to reference recorded music and therefore read as follows-*Doors and windows shall be closed at 23.00 when recorded or live music is being performed.*

As per our discussion I have copied into the correspondence the licensing officer. I would be grateful if you could confirm your agreement to the operating schedule amendments and thank you for your assistance in this matter.

Kind Regards



CAUTION

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APPENDIX D

Other persons representations

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 01 September 2022 16:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Fairwater Pub

I strongly disagree to the idea of a screen put up outside or in for entertainment this will only encourage the noise screaming fighting that already goes on over there constantly in beer garden , there are old and young children residents who have to get up early for work it's unbearable, the landlord is not approachable his attitude is why buy a house by a pub but he has turned this pub around , I have lived here 18 years and I have never complained about the noise you just took no notice then it would be quiet by 9 when we had the hot spell we could not even open the windows I have rang the noise environment about him , all the neighbours are complaining about him , so I hope this is not going ahead

Sent from my iPhone

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:

01 September 2022 16:53

To:

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject:

Ref Fairwater pub St Fagans Rd

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

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

To whom it may Concern,

I am writing this email in regards to the Fairwater Pub St Fagans Rd Fairwater CF5 3AH.

I am concerned about the plans that have been submitted for outdoor entertainment to watch films. I currently live close to the fairwater pub and i'm concerned that the noise which is already very loud throughout the day to late evening is going to get worse. I currently have to shut my windows in the hot weather, as it's difficult to watch TV, the noise and shouting distresses my pets, it often wakes me up when i'm in bed, can sound intimidating at times using bad language. Myself and my family have made complaints to him but he feels it's our fault for living by a pub. I really feel if this outdoor entertainment planning was to go ahead the noise levels would increase further causing further problems in my household . I strongly object to the entertainment planning as being a resident in
yours sincerely

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 04 September 2022 16:53
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Fairwater Hotel Proposed Variation

I am writing to you as I have just heard about the proposed variation to the Fairwater Hotel by Marstons. Plc.

I object to The idea of having outdoor movie nights in the garden until 11.00pm and 12.00pm .

I don't think it's appropriate as the pub and garden are in a quiet residential area.

The noise levels are already far too loud and finish too late and I am afraid that noise levels will increase further and the patrons will linger around long after it's finished . Currently the weather is hot and I am not able to open my doors or windows in the evenings because of noise levels from music outside and people shouting etc. which means I can't watch my tv or sleep my own home.

Currently on Sunday evenings the beer garden is still noisy until after midnight to 12.30ish then the patrons very often move to the road outside where we can hear them shouting and arguing.

I am not against the pub, music or people having a good time but it is far too loud and goes on too late especially when people have to work in the morning or when our children are in bed and can't sleep .

Sent from my iPhone

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 28 September 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 070404

Name of Premises: Kommune, NSU1 and NSU2, Capitol Centre, Cardiff, CF10 2HQ

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from FEW (Cardiff) Limited in respect of Kommune, NSU1 and NSU2, Capitol Centre, Cardiff, CF10 2HQ.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail of alcohol for consumption on and off the premises.
- (ii) The provision of regulated entertainment in the form of films (indoors), live music (indoors), recorded music (indoors) 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):

“The premises will comprise 2 bars and a scaled food hall. Small areas may be adapted for live music or theatre - his will be low key singer songwriters or a small company performing street theatre etc”.

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

Sunday to Thursday: 07:30 to 23:30
Friday and Saturday: 07:30 to 00:00
Valentine's Day: 08:00 to 00:00
During July and August: 08:00 to 01:00
During December: 08:00 to 01:00
New Years Eve: 08:00 to 02:00

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

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

Sunday to Thursday: 07:30 to 23:00
Friday and Saturday: 07:30 to 23:30
Valentine's Day: 08:00 to 00:00
During July and August: 08:00 to 01:00
During December: 08:00 to 01:00
New Years Eve: 08:00 to 02:00

- (ii) The provision of regulated entertainment in the form of films (indoors):
Saturday: 10:00 to 14:00
- (iii) The provision of regulated entertainment in the form of live music (indoors):
Sunday: 18:00 to 22:00
Valentines Day: 08:00 to 00:00
During December: 08:00 to 01:00
New Years Eve: 08:00 to 02:00
- (iv) The provision of regulated entertainment in the form of recorded music (indoors) and entertainment of a similar description to music and dance (indoors and outdoors).
Monday to Sunday: 18:00 to 23:00
Valentines Day: 08:00 to 00:00
During December: 08:00 to 01:00
New Years Eve: 08:00 to 02:00
- (v) The provision of late night refreshment (indoors and outdoors):
Valentine's Day: 23:00 to 00:00
During December: 23:00 to 01:00
New Years Eve: 23:00 to 02:00

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

Promotion of Licensing Objectives

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

Relevant Representations

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

3.2 A representation has been received from Licensing Enforcement. 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.

5. Issues for Discussion

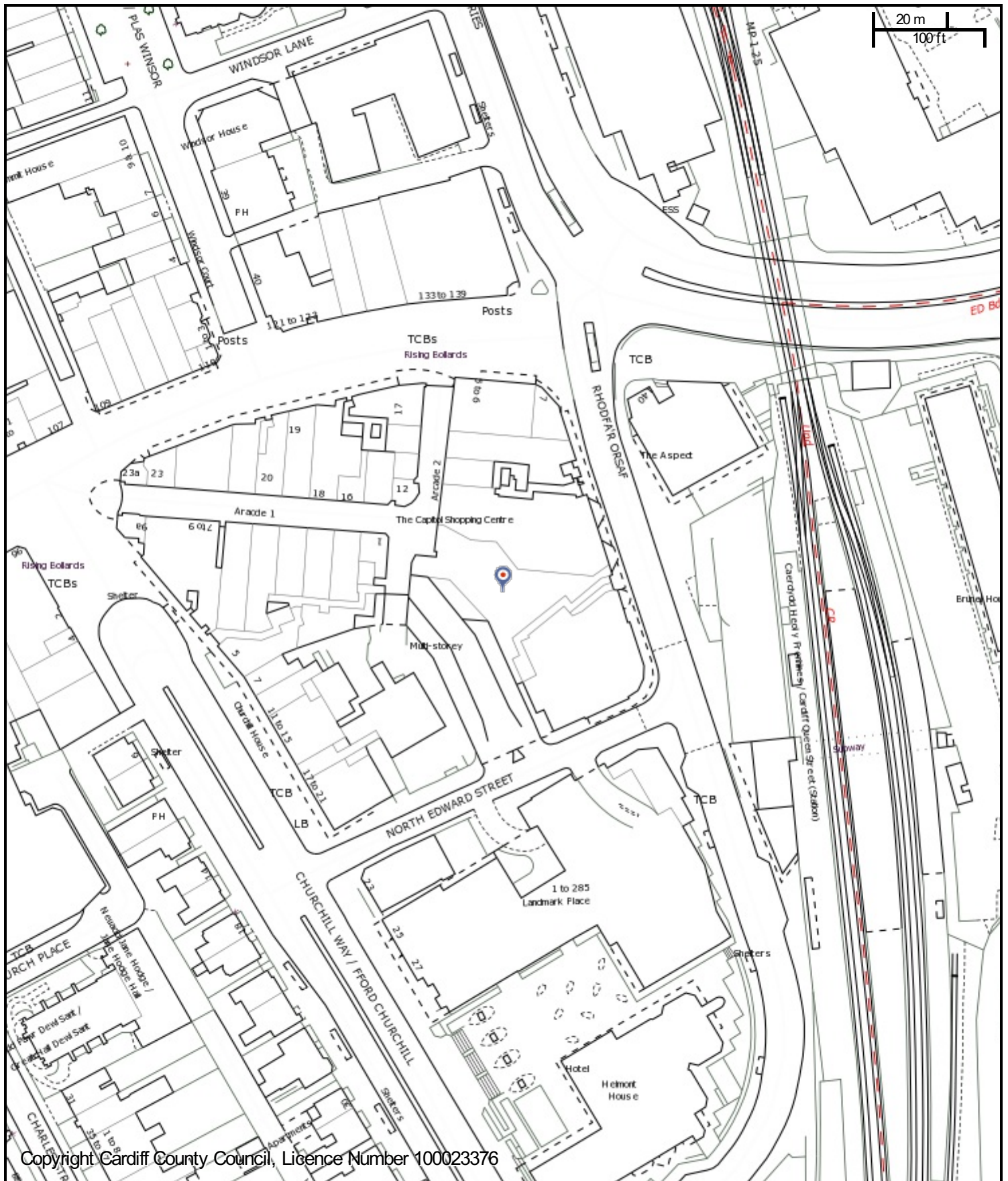
5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

**Helen Picton
Regulatory Services**

7th September 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

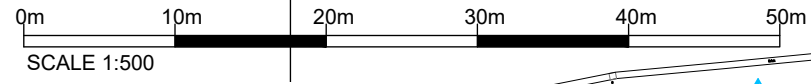
Date: 7/9/2022 at 9:44 AM

Coordinates:

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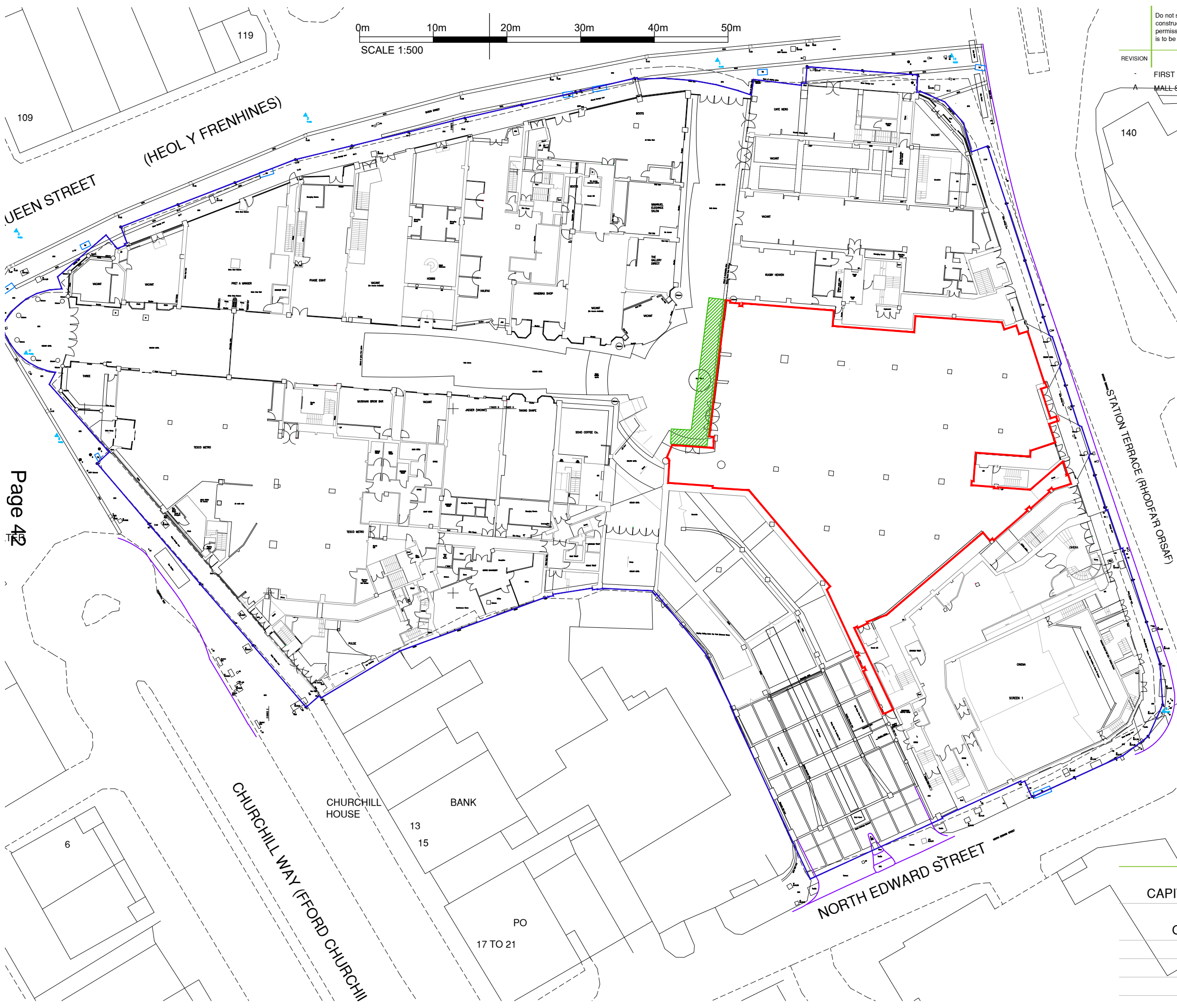
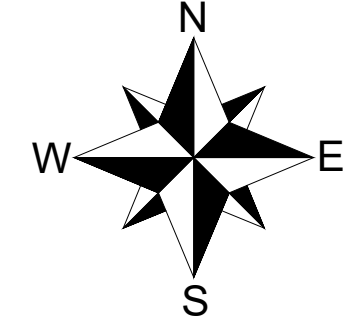
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Ordnance Survey 100023376 (2014).



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REVISION	DATE	BY
FIRST ISSUE	19.10.21	PM
MALL SEATING AREA UPDATED	25.10.21	PM

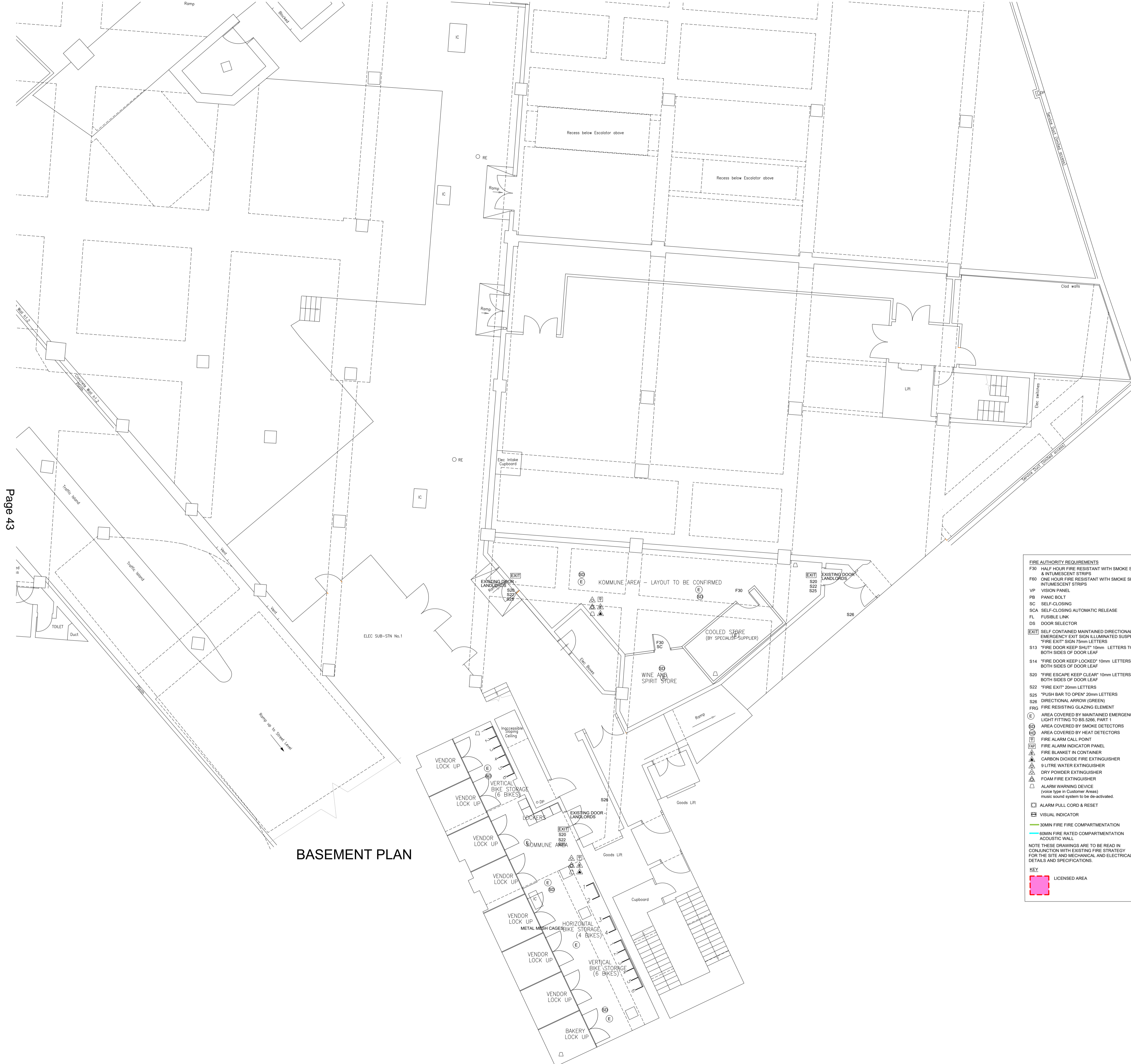


Page 4/2

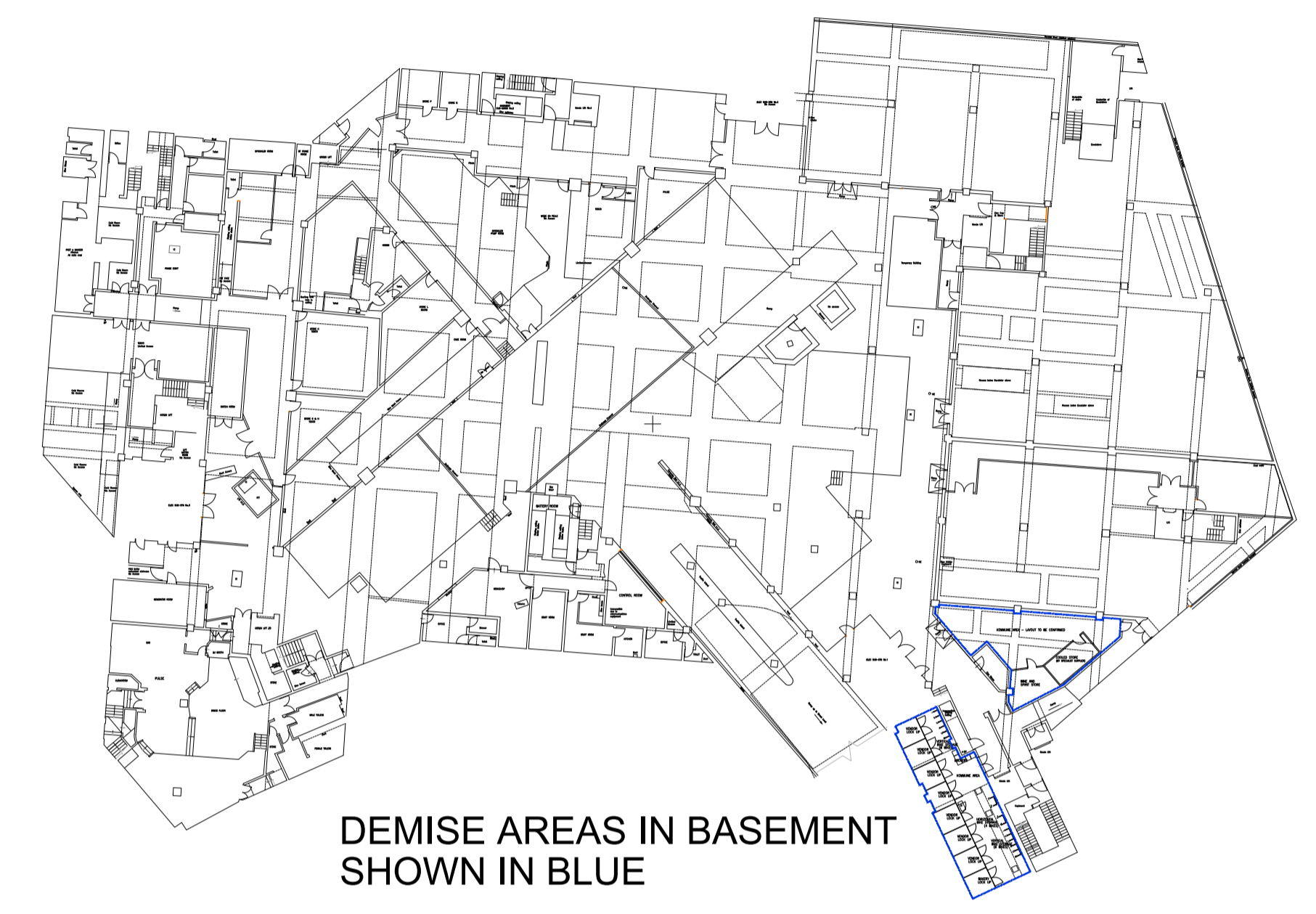
NEW RIVER RETAIL	client
KOMMUNE KOLLIDER CAPITOL CENTRE, CARDIFF	project
LEASE PLAN GROUND FLOOR LEVEL	title
NRR01	job No.
LP1.01	dwg No.
1:500 @ A3	scale
PM	drawn

Just H
Architects

107 Timber Wharf
32 Worsley Street
Castlefield, Manchester
M15 4NX
0161 237 5500
info@justharchitects.co.uk



BASEMENT PLAN



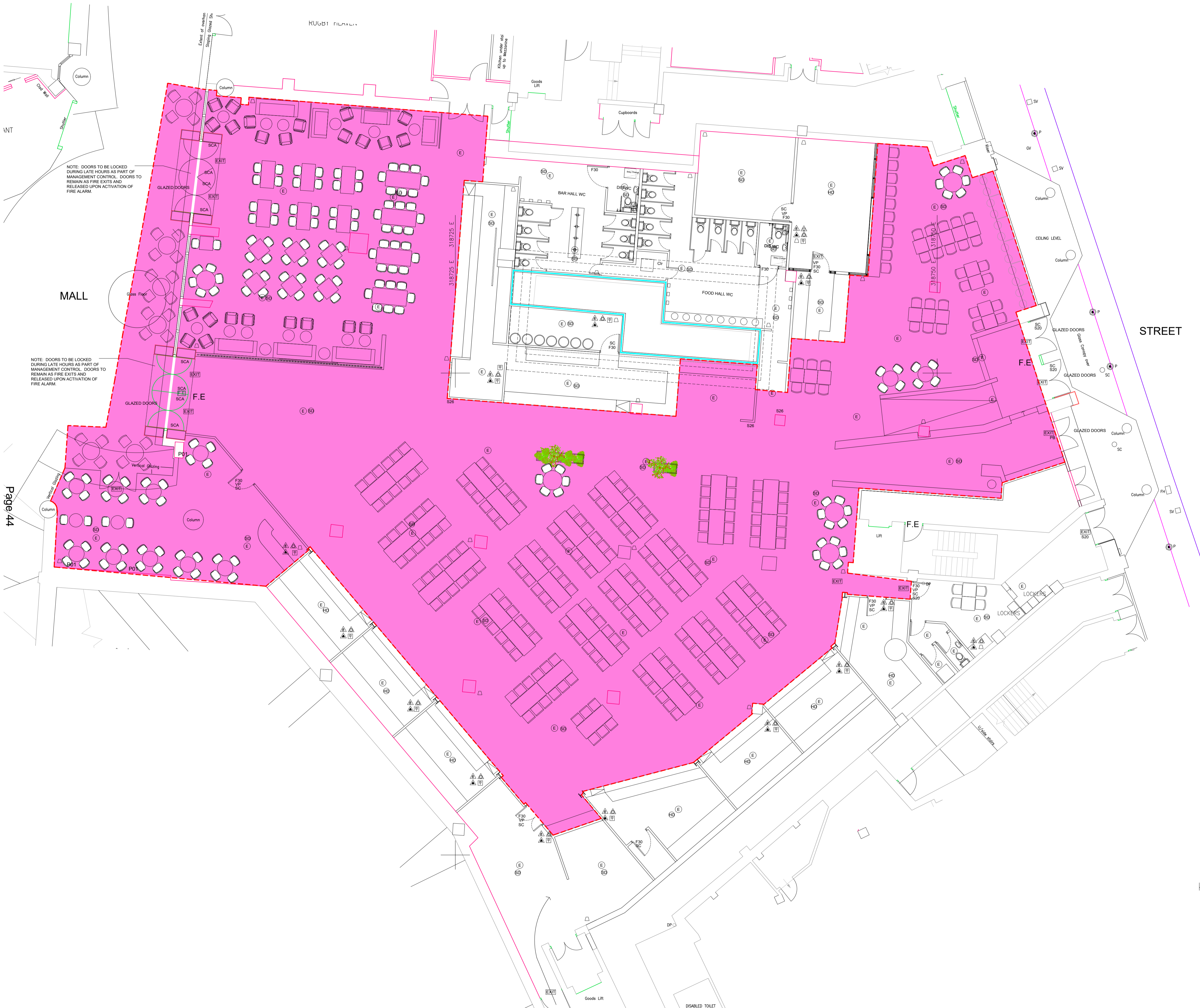
DEMISE AREAS IN BASEMENT SHOWN IN BLUE

- FIRE AUTHORITY REQUIREMENTS**
- F30 HALF HOUR FIRE RESISTANT WITH SMOKE SEALS & INTUMESCENT STRIPS
 - F60 ONE HOUR FIRE RESISTANT WITH SMOKE SEALS & INTUMESCENT STRIPS
 - VP VISION PANEL
 - FB PANIC BOLT
 - SC SELF-CLOSING
 - SCA SELF-CLOSING AUTOMATIC RELEASE
 - FL FUSIBLE LINK
 - OS DOOR SELECTOR
 - EXIT SELF CONTAINED MAINTAINED DIRECTIONAL EMERGENCY EXIT SIGN ILLUMINATED SUSPENDED "FIRE EXIT" SIGN 25mm LETTERS
 - S13 "FIRE DOOR KEEP SHUT" 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S14 "FIRE DOOR KEEP LOCKED" 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S20 "FIRE ESCAPE KEEP CLEAR" 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S22 "FIRE EXIT" 20mm LETTERS
 - S25 "PUSH BAR TO OPEN" 20mm LETTERS
 - S26 DIRECTIONAL ARROW (GREEN)
 - FRG FIRE RESISTING GLAZING ELEMENT
 - Ⓢ AREA COVERED BY MAINTAINED EMERGENCY LIGHT FITTING TO BS 5266 PART 1
 - Ⓢ AREA COVERED BY SMOKE DETECTORS
 - Ⓢ AREA COVERED BY HEAT DETECTORS
 - Ⓢ FIRE ALARM CALL POINT
 - Ⓢ FIRE ALARM INDICATOR PANEL
 - Ⓢ FIRE BLANKET IN CONTAINER
 - Ⓢ CARBON DIOXIDE FIRE EXTINGUISHER
 - Ⓢ ULTR WATER EXTINGUISHER
 - Ⓢ DRY POWDER EXTINGUISHER
 - Ⓢ FOAM FIRE EXTINGUISHER
 - Ⓢ ALARM WARNING DEVICE (Voice type in Customer Areas) music sound system to be de-activated
 - Ⓢ ALARM PULL CORD & RESET
 - Ⓢ VISUAL INDICATOR
 - 30MIN FIRE FIRE COMPARTMENTATION
 - 60MIN FIRE RATED COMPARTMENTATION
 - ACOUSTIC WALL
- NOTE THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH EXISTING FIRE STRATEGY FOR THE SITE AND MECHANICAL AND ELECTRICAL DETAILS AND SPECIFICATIONS.
- KEY**
- Ⓢ LICENSED AREA

CONSTRUCTION

NEW RIVER RETAIL	client
KOMMUNE FIT OUT CAPITOL CENTRE, CARDIFF	project
BASEMENT LICENSING PLAN	title
NRR01	job No.
AL11.02	dwg No.
1:100 / 1:500 @ A1	scale
PM	drawn





- FIRE AUTHORITY REQUIREMENTS**
- F30 HALF HOUR FIRE RESISTANT WITH SMOKE SEALS & INTUMESCENT STRIPS
 - F60 ONE HOUR FIRE RESISTANT WITH SMOKE SEALS & INTUMESCENT STRIPS
 - VP VISION PANEL
 - PB PANIC BOLT
 - SC SELF-CLOSING
 - SCA SELF-CLOSING AUTOMATIC RELEASE
 - FL FUSIBLE LINK
 - DS DOOR SELECTOR
 - [EXIT] SELF CONTAINED MAINTAINED DIRECTIONAL EMERGENCY EXIT SIGN ILLUMINATED SUSPENDED
 - *FIRE EXIT* SIGN 75mm LETTERS
 - S13 *FIRE DOOR KEEP SHUT* 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S14 *FIRE DOOR KEEP LOCKED* 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S20 *FIRE ESCAPE KEEP CLEAR* 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S22 *FIRE EXIT* 20mm LETTERS
 - S23 *PUSH BAR TO OPEN* 20mm LETTERS
 - S26 DIRECTIONAL ARROW (GREEN)
 - FRG FIRE RESISTING GLAZING ELEMENT
 - E AREA COVERED BY MAINTAINED EMERGENCY LIGHT FITTING TO BS 5836 PART 1
 - E AREA COVERED BY SMOKE DETECTORS
 - E AREA COVERED BY HEAT DETECTORS
 - FIRE ALARM CALL POINT
 - FIRE ALARM INDICATOR PANEL
 - FIRE BLANKET IN CONTAINER
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LITRE WATER EXTINGUISHER
 - DRY POWDER EXTINGUISHER
 - FOAM FIRE EXTINGUISHER
 - ALARM WARNING DEVICE (voice type in Customer Areas) music sound system to be de-activated.
 - ALARM PULL CORD & RESET
 - VISUAL INDICATOR
 - 30MIN FIRE FIRE COMPARTMENTATION
 - 60MIN FIRE RATED COMPARTMENTATION
 - ACOUSTIC WALL
- NOTE THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH EXISTING FIRE STRATEGY FOR THE SITE AND MECHANICAL AND ELECTRICAL DETAILS AND SPECIFICATIONS.
- KEY**
- [Red dashed line] LICENSED AREA

NOTE: DOORS TO BE LOCKED DURING LATE HOURS AS PART OF MANAGEMENT CONTROL. DOORS TO REMAIN AS FIRE EXITS AND RELEASED UPON ACTIVATION OF FIRE ALARM.

NOTE: DOORS TO BE LOCKED DURING LATE HOURS AS PART OF MANAGEMENT CONTROL. DOORS TO REMAIN AS FIRE EXITS AND RELEASED UPON ACTIVATION OF FIRE ALARM.

CONSTRUCTION

KOLLIDER PROJECTS / NEW RIVER RETAIL	client
CAPITOL CENTRE CARDIFF	project
GROUND FLOOR LICENSING PLAN	title
X036	job No.
AL11.01	dwg No.
1:100	scale
PM	drawn



APPENDIX B

Operating Schedule

Continued from previous page...

There is an outside space but all activity is expected to take place indoors

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

July and August 08:00 hours to 01:00 hours
December from 08:00 hours to 01:00 hours.
New Year's Eve 0800 hours to 02:00 hours
Valentine's Day 0800 hours to 2400 hours

Section 18 of 21

LICENSING OBJECTIVES

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.

Activities will be co-ordinated with charities, communities and the local authorities, with all safeguarding measures necessarily in place.

b) The prevention of crime and disorder

We will have doormen on the premises at busy times

c) Public safety

All areas will have CCTV and the doormen will patrol the premises at busy times

d) The prevention of public nuisance

This is a social space intended for families and special interest groups (film-makers, business start-ups etc) as well as the general public who may wish to eat and drink. It is our intention to discourage any groups likely to cause a public nuisance.

e) The protection of children from harm

Children with parents will be welcome. The activities in the premises will not attract unsupervised children

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 30 August 2022 11:14
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Police Representations
Attachments: Signed KOLLIDER CAPITOL REPS.docx

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

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

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

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

Good Morning.

Please find attached the signed Police representations for the 'KOLLIDER CAPITOL' application. Submitted on behalf of Tony Bowley, in a word format for ease of use.

Many thanks



Scott McCarthy

Cwnstabl 5153 | Constable 5153

Adran Drwyddedu | Licensing Department

Gorsaf Yr Heddlu Bae Caerdydd | Cardiff Bay Police Station



 /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.

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

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

24th August 2022

**APPLICATION FOR A NEW PREMISES LICENCE UNDER THE
LICENSING ACT 2003.**

“KOLLIDER CAPITOL”

Units NSU1 and NSU2, CAPITOL CENTRE, QUEEN STREET, CARDIFF.

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

We therefore ask that the Licensing Committee hear the representation made by the Police when determining the grant of this application.

Should the applicants agree to comply with the representations made to meet the Licensing Objectives before a hearing is held, then please accept that the Police will automatically withdraw their request for a hearing with the Licensing Committee.



POLICE REPRESENTATION

1. A CCTV system will be installed to a standard agreed, covering all areas that the public has access (excluding toilets), including all entrances, exits and any outside area used by customers. The system will be maintained and operated at all times the premises are open to the public and there will be a storage facility for images for 31 days. Images shall be produced upon request of the Police immediately when the premises are open to the public and as soon as is reasonable at all other times. There will be staff training to facilitate the above.
2. The consumption of alcohol on the premises and in any outside area associated with the premises shall be ancillary to the partaking of food. All customers will be seated whilst drinking alcohol. There will be no vertical drinking.
3. No open containers of alcohol shall be taken away from the premises, save for alcohol that is to be consumed in any outside area controlled by the premises.
4. Any outside area used by customers will be clearly delineated by ropes, planters or barriers.
5. On major event days all drinks will be sold in non- glass vessels.
6. There will be a “Challenge 25” policy in place regarding the sale of alcohol.
7. SIA registered door staff will be employed at the premises subject to a written risk assessment undertaken by the management. South Wales Police will be consulted regarding the deployment of SIA door staff on major event days and when there is a private function taking place at the premises.
8. A log containing the names and SIA registration numbers of SIA staff and the times and dates they are employed at the premises will be kept. This log will be made available to the Police for inspection upon request.
9. An incident log (whether in written or electronic format) will be provided and used to record details of any incidents that may be of interest to Police, e.g. incidents involving crime and/or disorder, matters where child and/or public safety is threatened and also where public nuisance may be/has been caused. The log will be made available to the Police or other responsible authority on request.
10. There will be no entertainment of an adult or sexual nature.

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.



Should the applicant refuse to comply with the aforementioned conditions, then the Police objection will be based around:

The prevention of crime and disorder.

The prevention of public nuisance.

Additional evidence to support the notice of the representation will be presented at any subsequent Licensing Committee hearing. This evidence will be expanded on verbally, written, statistical or CCTV evidence.

If you wish any further information then please contact Police Licensing Officer Tony Bowley at the Cardiff Bay Police Station 📞

Yours faithfully,

Jeff Lewis

J. Lewis
A/Chief Inspector



APPENDIX D

Licensing Enforcement representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 02 September 2022 16:05
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Kommune, Units NSU1 & NSU2 Capitol Centre, Cardiff, CF10 2HQ

In relation to the above application the Licensing Authority would wish to make the following representation.

In regard to the application to grant premises licence, I wish to advise the licensing authority of Cardiff Council will be objecting to the application.

A Cumulative Impact Policy has been adopted for the City Centre area of Cardiff. The Licensing Authority has adopted the policy due to high levels of alcohol related crime and disorder, in the interests of public safety and the avoidance of nuisance.

The Policy creates a presumption that applications for/Variations of premises Licences upon receipt of relevant representation will be refused unless the applicant can demonstrate the business will no longer have a negative effect on any of the licensing objectives.

The premises detailed above falls within the boundary of the of the Cumulative Impact Zone and an objection is submitted in respect of the prevention of crime and disorder and prevention of public nuisance Licensing Objectives.

The Authority Appreciates the mixed use space nature of this application and that by definition it does not fit directly into one specific category that the Cumulative impact assessment describes. The Table1 of chapter 8 tries to identify broad premises definitions however it is difficult to capture the vast variety of options a vibrant city centre offers. However taking the holistic view of the policy it would be more appropriate to view this application as a red category premises and as such the policy applies.

Leisure and entertainment activities have become an accepted part of modern life. They are vital to a thriving and successful society however, anti-social behaviour problems experienced within the City are linked to the late night element of the industry which can contribute significantly to the fear of crime, economic deprivation and a loss of pride in the local area. The Licensing Committee must be mindful of these factors and seek to ensure that a fair balance is struck between the provision of facilities and the possibility of nuisance being caused.

It is not specifically clear from the application the intended provisions on offer given the varied times between live and recorded music/films and other entertainment sources. There is also drastically varying non standard timings regarding alcohol and entertainment.

However This Cumulative Impact Policy is not absolute. The circumstances of each application will be considered on its merits and the Licensing Authority will grant licences and certificates that are unlikely to add to the negative cumulative impact on the licensing objectives.

Consequently the Licensing Committee will need to consider this application in line with Cardiff councils Cumulative impact policy and have specific due regard to the additional measures within the table 1.

Kind regards

Rhys Morgan
Licensing Section / Adran Drwyddedu
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg

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