



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, 9 AUGUST 2023, 10.00 AM
Venue	COMMITTEE ROOM 4, COUNTY HALL
Membership	Councillor Michael (Chairperson) Councillors Jenkins and Sattar

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 - Unicorn Inn** *(Pages 3 - 40)*

3 **Application for the Variation of a Premises Licence - Ground Bakery, Pontcanna** *(Pages 41 - 58)*

4 **Application for the Variation of a Premises Licence - Corfu by Night, Woodville Road** *(Pages 59 - 84)*

5 **Urgent Items (if any)**

Davina Fiore
Director Governance & Legal Services

Date: Thursday, 3 August 2023

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

This page is intentionally left blank

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 9 August 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 086424

Name of Premises: Unicorn Inn, Church Road, Old St Mellons, Cardiff, CF3 6YA

Ward: Pontprennau & Old St Mellons

1. **Application**

1.1 An application to vary a Premises Licence has been received from Punch Partnerships (PTL) Limited in respect of Unicorn Inn, Church Road, Old St Mellons, Cardiff, CF3 6YA.

1.2 The applicant has applied for the following:

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

The application proposes to –

1. *Amend the licensing plan in accordance with drawing number 250 Rev A dated 04/05/23 which accompanies the application. Please note that the amendments to the licensing plan are not to take effect until such time as the works are complete and the Licensing Authority are notified.*
2. *Extend the opening hours daily for the premises to open from 08:00 for the provision of non-licensable activities such as breakfast, coffee, & tea etc; and to close on Sunday to Thursday at 00:30 the following day, and on Friday & Saturday at 01:30 the following day*
3. *Extend the start time for the sale of alcohol to 08:00 daily*
4. *Extend the terminal hour for the sale of alcohol and late night refreshment on Sunday to Thursday to 00:00, and on Friday & Saturday to 01:00 the following day*
5. *Add a non-standard timing for certain licensable activities*
6. *Remove certain existing Annex 2 conditions*

(2) The application requests the following:

i) The premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:
 Sunday to Thursday: 08:00 to 00:30 hours
 Friday and Saturday: 08:00 to 01:30 hours
 New Years Eve: 08:00 to 01:30 hours

ii) The sale by retail of alcohol for consumption on and off the premises:
 Sunday to Thursday: 08:00 to 00:00 hours
 Friday and Saturday: 08:00 to 01:00 hours
 New Year's Eve: as existing

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

Sunday to Thursday: as existing

Friday and Saturday: as existing

New Years Eve: 20:00 to 01:00

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

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

Friday and Saturday: 23:00 to 01:00 hours

New Years Eve: 23:00 to 01:00 hours

(3) To remove the following conditions:

(2) Plastic drink containers will be used for outside functions

(3) No glass allowed outside front of premises

(4) All staff will be made aware of health and safety issues

(5) Fire extinguishers and fire alarm to be installed with regular checks made on the beer garden for possible hazards

(6) All downstairs windows will be kept closed and locked at all times

(7) The bottle bins are to be emptied between 10:00 and 12:00 noon

(9) The maximum number of persons that may be accommodated at any time in the premises shall be 200

(10) Children will not be allowed to sit at the bar but are allowed in the rest of the bar area, restaurant and beer garden. Soft drinks and snacks will be available at all times with children's menus between 12:00 noon and 15:00 and between 18:00 and 21:00 hours

2. Current Licence

2.1 The current Premises Licence permits the following:

(1) 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

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

(2) 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

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

(3) The provision of regulated entertainment in the form of live music (indoors) and recorded music (indoors):

Sunday to Thursday: 20:00 to 23:30 hours

Friday and Saturday: 20:00 to 00:30 hours

(4) 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

2.2 A site map showing the premises and a copy of the plan referred to above (*drawing number 250 Rev A dated 04/05/23*) can be found in **Appendix A**.

3. Promotion of Licensing Objectives

3.1 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.

4. Relevant Representations

4.1 A representation has been received from South Wales Police. The applicant has agreed that the conditions suggested by South Wales Police should be attached to the licence if granted and the representation has therefore been withdrawn. A copy of the representation, along with the subsequent agreement, can be found attached as **Appendix C**.

4.2 A representation has been received from Neighbourhood Services (Shared Regulatory Services). The applicant has agreed that amended conditions should be attached to the licence if granted and the representation has therefore been withdrawn. A copy of the representation, along with the subsequent agreement, can be found attached as **Appendix D**.

4.3 A number of representations have been received from the local residents. Copies of these representations can be found attached as **Appendix E**.

4.4 A representation has been received from local ward Councillors. A copy of this representation can be found attached as **Appendix F**.

5. Legal Considerations

5.1 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

5.2 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.

5.3 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.

6. Issues for Discussion

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

APPENDIX A

Site Map and 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: 20/6/2023 at 9:48 AM

Coordinates:

© Crown copyright and database rights (2014).

This copy is produced specifically to supply County Council information NO further copies may be made.

Ordnance Survey 100023376 (2014).



LOCATION PLAN
SCALE 1:1250 @ A1



GROUND FLOOR PLAN
SCALE 1:50 @ A1

KEY

	All internal licensable activities		Site Boundary		Heat Detector		Manual Callpoint		Emergency light 3 hour multi maintained
	Means of Escape		Emergency exit light 3 hour maintained with pictogram		Emergency light 3 hour non-maintained		Carbon Dioxide Extinguisher		Fire blanket in container
	Smoke Detector		Alarm Bell		Powder Extinguisher		Amusements with Prizes machine		Combined detector sounder & visual alarm 'N' denotes type of detector - S = smoke, H= heat

NOTE:
Emergency lighting system to be certified to BS 5266-Part 1 and Table 9.
The current location of fire safety equipment and other safety equipment is shown. This may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer.
Outside areas are to be used for the consumption of alcohol.

designmanagementpartnership
No 2 Centre Court, Pantypridd, CF37 5YR
+44(0)29 2064 4809
mail@designmanagementpartnership.com

Name	Title	Date	Revision notes
Tim B. 11/06	1100	04/09/23	Final
5m @ 1:50	AA	JC	Client
Office: 04/09/23		Scale: 1:50 @ A1	Sheet: 21/100
Title: Licensing Plan		Client: The Unicorn, Church Rd, Cardiff CF3 6YA for Star Pubs & Bars	Rev: A
Drawing number: 21100		250	

APPENDIX B

Operating Schedule and Current Conditions

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

We seek to remove those existing Annex 2 conditions currently imposed on the licence as these are now either outdated or covered by other primary legislation –

- (2) Plastic drink containers will be used for outside functions
- (3) No glass allowed outside front of premises
- (4) All staff will be made aware of health and safety issues
- (5) Fire extinguishers and fire alarm to be installed with regular checks made on the beer garden for possible hazards
- (6) All downstairs windows will be kept closed and locked at all times
- (7) The bottle bins are to be emptied between 10:00 and 12:00 noon
- (9) The maximum number of persons that may be accommodated at any time in the premises shall be 200
- (10) Children will not be allowed to sit at the bar but are allowed in the rest of the bar area, restaurant and beer garden. Soft drinks and snacks will be available at all times with children's menus between 12:00 noon and 15:00 and between 18:00 and 21:00 hours

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 information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]

Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the council's licensing policy. The purpose for seeking extended trading hours would allow the customers to continue their time in a safe and comfortable environment, and give the premises slightly more flexibility around trading.

The application also proposes to extend the opening hours to 8am daily for the provision of non-licensable activities such as breakfast, coffee & tea etc. We are seeking a non-standard timing for New Year's Eve for certain licensable activities and the opening hours to again

give the premises some flexibility on this notable day. The premises are to be subject to a complete refurbishment which includes an extension and remodelling of the trade area with an investment of £1million.

Please note that the application may be amended during the representation period to reflect any agreements reached with the responsible authorities and other parties.

b) The prevention of crime and disorder

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

c) Public safety

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

e) The protection of children from harm

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

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) Closed circuit Television to be used to monitor the premises and appropriate signage installed.

(2) Plastic drink containers will be used for outside functions.

(3) No glass allowed outside front of premises.

(4) All staff will be made aware of health and safety issues.

(5) Fire extinguishers and fire alarm to be installed with regular checks made on the beer garden for possible hazards.

(6) All downstairs windows will be kept closed and locked at all times.

(7) The bottle bins are to be emptied between 10:00 and 12:00 noon.

(8) The consumption of alcohol shall not be permitted in any area on the property after the terminal hour when the premises is permitted to be open to the public.

(9) The maximum number of persons that may be accommodated at any time in the premises shall be 200.

(10) Children will not be allowed to sit at the bar but are allowed in the rest of the bar area, restaurant and beer garden. Soft drinks and snacks will be available at all times with children's menus between 12:00 noon and 15:00 and between 18:00 and 21:00 hours.

APPENDIX C

South Wales Police Representation and agreement

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 06 June 2023 08:09
To:
Subject: RE: Unicorn Inn, Cardiff

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.

– Thank you for confirming those conditions are to be added to the licence and the older ones removed as outlined in your original application.

I am in agreement regarding the CCTV condition replacement with the SWP suggested wording.

Many thanks,



From:
Sent: Monday, June 5, 2023 10:50 AM
To: licensing@cardiff.gov.uk
Cc:
Subject: FW: Unicorn Inn, Cardiff

Hello

FYI – please see the email exchange below between [redacted] and I on the major variation for these premises. We have agreed for the following conditions to be added to the licence –

- 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. *An incident book shall be kept at the premises and maintained on site, for a period of twelve months. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:*
 - *All crimes reported to the venue*
 - *Any complaints received (of a Criminal or Licensing nature)*
 - *Any incidents of disorder*
 - *Any visit by a representative of a relevant authority or a member of the emergency services.*
 - *Any failures of the CCTV system.*
3. *The premises will operate a Challenge 25 policy. This policy will be brought to the attention of customers by the use of appropriate signage. Challenge 25 notices will be displayed in prominent positions throughout the premises. The only form of identification recognised will be photographic identification cards such as driving licence, passport or proof of age scheme cards.*
4. *All staff will receive training prior to being authorised to sell age-related goods (alcohol) as well as annual refresher training. This training shall include Age-Challenge procedures and refusal of sales (due to age/intoxication and/or proxy sales). A record of this training is to be kept on the premises for a minimum of 18 months and made available to a police employee immediately upon request.*
5. *No unaccompanied children are permitted on the premises.*
6. *The consumption of alcohol in an area attached to the premises in the open air shall terminate at 22:00hrs each day.*

I would suggest that the existing Annex 2 CCTV condition is removed with the above condition 1 being added.

– We shall be appointing Gemma Morgan as the DPS shortly.

Thanks

From:
Sent: Monday, June 5, 2023 10:30 AM
To:
Subject: RE: Unicorn Inn, Cardiff

External Email: Please check senders details and use caution when accessing links and attachments.

Good Morning

I am well thanks and hope you are too.

Understandable regarding condition 5 and happy for this to be removed given your reasoning.

I'll await your email to the council.

Many thanks,

From:

Sent: Monday, June 5, 2023 10:09 AM

To:

Subject: RE: Unicorn Inn, Cardiff

Morning

Hope you're good.

I have now taken our client's instructions on your requested conditions, and they are agreeable to all of them apart from No. 5.

The reasoning for this is that firstly the premises need the flexibility to alter the table plans so with this condition it would be too restricted. Secondly, the building is Listed so internal layouts are additionally restricted because our client has to protect the historic fabric and this impacts on the available layout options (i.e. retaining beams, fireplace's and other significant historic items etc).

If you are agreeable to the above, I shall email the licensing authority copying you in to confirm our client's acceptance of these conditions.

From:

Sent: Thursday, June 1, 2023 2:04 PM

To:

Subject: RE: Unicorn Inn, Cardiff

Hello

Thanks for sending these through and it was good speaking with you earlier.

I shall take our client's instructions and come back to you shortly.

Many thanks

From:
Sent: Thursday, June 1, 2023 1:43 PM
To:
Subject: Unicorn Inn, Cardiff

External Email: Please check senders details and use caution when accessing links and attachments.

Morning

Thank you for discussing the above application on the phone this morning. As I mentioned, please see the below list of SWP proposed conditions for consideration to be applied to the license.

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. An incident book shall be kept at the premises and maintained on site, for a period of twelve months. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:

All crimes reported to the venue

Any complaints received (of a Criminal or Licensing nature)

Any incidents of disorder

Any visit by a representative of a relevant authority or a member of the emergency services.

Any failures of the CCTV system.

3. The premises will operate a Challenge 25 policy. This policy will be brought to the attention of customers by the use of appropriate signage. Challenge 25 notices will be displayed in prominent positions throughout the premises. The only form of identification recognised will be photographic identification cards such as driving licence, passport or proof of age scheme cards.

4. All staff will receive training prior to being authorised to sell age-related goods (alcohol) as well as annual refresher training. This training shall include Age-Challenge procedures and refusal of sales (due to age/intoxication and/or proxy sales). A record of this training is to be kept on the premises for a minimum of 18 months and made available to a police employee immediately upon request.

5. At least 70% of the public space within the licensable area of the premises shall be occupied by tables and chairs.

6. No unaccompanied children are permitted on the premises.

7. The consumption of alcohol in an area attached to the premises in the open air shall terminate at 22:00hrs each day.

Please contact me with any points of discussion/questions.

Many thanks,



APPENDIX D

Neighbourhood Services (Pollution) Representation and Agreement

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:

13 June 2023 10:48

To:

Subject:

Licensing Act 2003: Application to vary a Premises Licence - Unicorn Inn, Church Road, Cardiff, CF3 6HA

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,

Licensing Act 2003: Application to vary a Premises Licence - Unicorn Inn, Church Road, Cardiff, CF3 6HA

I have reviewed the above mentioned application and I have concerns in regard to public nuisance as this is a residential area.

On the grounds of prevention of public nuisance, we request that if the requested variations are permitted then the following conditions are added to the licence:

1. All windows and doors will remain closed from 21:00 and 09:00 (other than to allow access/egress).
2. All windows and doors of the premises will remain closed (other than to allow access/egress) during performances of regulated entertainment.
3. The movement of bins and rubbish will not be undertaken between 21:00 and 09:00 in order to avoid potential disturbance.
4. No deliveries or collections relating to licensable activities at the premises will take place between the hours of 21:00 and 09:00.
5. There will be strategically placed legible notices to be displayed at entrances/exits, requesting the public to respect the needs of nearby residents and to leave the premises and area in a quiet and respectful manner.

It is the authorities position that we are objecting to the above application on the grounds of prevention of public nuisance however this objection can be overturned should the applicant agree to the above conditions.

Please let me know if you would like to discuss these conditions further.

Best regards,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 26 June 2023 14:02
To:
Cc:
Subject: FW: Licensing Act 2003: Application to vary a Premises Licence - Unicorn Inn, Church Road, Cardiff, CF3 6HA

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.

Licensing Act 2003: Application to vary a Premises Licence - Unicorn Inn, Church Road, Cardiff, CF3 6HA

I can now withdraw my objection based on the acceptance of the following conditions:

1. All external windows and doors will remain closed from 22:00 and 08:00 (other than to allow access/egress).
2. The movement of bins and rubbish by staff members will not be undertaken into receptacles outside the premises between 21:00 and 09:00 to avoid potential disturbance.
3. There will be strategically placed legible notices to be displayed at entrances/exits, requesting the public to respect the needs of nearby residents and to leave the premises and area in a quiet and respectful manner.

Please let me know if you require any further information.

From:
Sent: 26 June 2023 13:48
To:
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Unicorn Inn, Church Road, Cardiff, CF3 6HA

That's great, thank you.

I am happy for you to now withdraw your representation on this basis if that's necessary.

Thanks for your assistance.

APPENDIX E

Resident representations

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:

10 June 2023 12:42

To:

Subject:

Unicorn Pub Church Road Cardiff CF3 6HA - Objection

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.

Dear Licensing team,

We are writing regarding the proposed licensing variations for the Unicorn Inn pub on church Road.

While we are glad to see that this community facility will be re-opening soon, we are dissatisfied with the proposed licensing variations, in particular the extended opening hours.

The Unicorn is situated in a residential area with numerous young families etc. and it seems obvious that the proposed variations should not be granted on the grounds of preventing public nuisance.

thank you for your time & consideration of this objection,

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 12 June 2023 09:58
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Unicorn pub proposed licensing variation

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,

I write to object to the proposed variation in licensing for the Unicorn Pub, Church Road, St Ederyns.

I reside at _____ and my property overlooks the pub. I work for the police and therefore work shifts around the clock. From a personal perspective, I am highly concerned about the noise nuisance and it affecting my quality of life and sleep. There are already proposals to put a children's play area into the beer garden which will increase noise levels during the day time. Now the noise levels will undoubtedly be worsened with the extended licensing proposals.

Firstly, I would like to say that in general, I am happy that the pub is re-opening. However, the pub is located on a residential estate with houses in close proximity. I do not feel it is necessary for the hours of operation or for the service of alcohol to run from 0800-0030 Mon

-Thurs and 0800-0100 with the pub being allowed to stay open until 01.30. The opening times and such long and late service hours will undoubtedly cause noise disruption for the neighbouring properties causing a public nuisance. With the large beer garden, the outside noise will be very loud, especially with people being able to purchase alcohol until 1am.

When the pub was open previously, there was an increase in crime and disorder due to the very obvious links between alcohol consumption and crime. There was more police activity between the pub and Boyce Way where people utilised the footpath at the end of Boyce Way towards Llanrumney as a means to escape the police. There is already evidence of crime and disorder being worse in the neighbourhood when the pub was open 6 years ago. The pub re-opening will affect that and the licensing hours and opening hours being increased so early in the morning and so late at night will have a significant impact on crime and disorder in the area. This has already been proven. With this increase in crime and disorder, public safety will inevitably be negatively impacted.

From my policing experience, I'm well aware that public houses do not always serve alcohol responsibly & will enable customers who do not know their own limits to become far too intoxicated. Whilst this is against the law, I'm also well aware that licensing checks are not a priority and this will go unmanaged. This will undoubtedly become worse with such long service hours, causing a public nuisance and increasing disorderly behaviour.

The footpath was also used by regular people walking home from the pub late at night. It is a quiet residential street and they were intoxicated and loud. This will inevitably cause a public nuisance which at 11pm at night is tolerable but not at 1.30-2am, especially when there are weekend workers, shift workers and children living on that street and neighbouring properties. It just feels like a stretch too far and completely unnecessary for a pub on a quiet residential estate.

I look forward to hearing from you.

Regards,

Sent from [Outlook for Android](#)

OBJECTION

Barker, Kirstie

From:
Sent: 14 June 2023 09:42
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Unicorn Pub licence variation : REF PL/JW/LC

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.

REF PL/JW/LC

Dear Sirs

Further to the letter I have received regarding the Unicorn Pub licencing changes. Whilst I am very supportive of the pub to reopen after being closed for several years.

I have several concerns relating to the proposed licencing. I assume you will have a voice to raise concerns on behalf of the community.

My concerns are the extreme opening hours as follows;

- The opening hours of 8am – Monday to Saturday;
- Closing Sunday – Thursday 12:30am; and
- Closing Friday and Saturday 1:30am.

Surly these opening hours are quite extreme for a community pub, and will cause noise complaints in the future. It is not justifiable for a local pub to open so early and close so late. These hours do not seem inline with other pubs in the local area which close at a reasonable time and I have highlighted below.

The Black Griffin Inn (Lisvane) – opens at midday and closes 11pm or midnight on a Friday and Saturday

Fox and Hounds (Old St Mellons) – opens at 10 am and closes at 11pm

Ty'r Winch Pub (Old St Mellons) – opens 12-11pm

The Chruch Inn (Old St Mellons) – opens 12-11pm

The hours of the pubs above are more reasonable and less likely to cause noise disturbances.

If there is a petition being raised I will gladly sign and support the local community.

Kind regards

Sent from [Mail](#) for Windows

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 10 June 2023 16:41
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Unicorn pub licensing variations

I wish to object to the start time and terminal time of the proposed alteration of the above.

I wish to object on the following grounds

Prevention of Crime And Disorder

We have a high rate of motor vehicle crime in this area already and feel that people walking about at later hours would no longer seem to be strange and would be unable to be monitored by residents.

Prevention of public nuisance

We already get a lot of noise at my address as there is only one way into . The Unicorn pub is below my residence and the noise carries quite badly. The proposed terminal hours would become a public nuisance to residents.

Due to the close proximity of the large and walkable estate of Pontprennau nearby there may well be lots of people spilling out of pub at 1.30 am.

I feel that normal pub hours should be observed at this pub as it is possible to apply for extensions to licensing hours for special events such as World Cup sporting events etc.

Yours sincerely

Sent from my iPad

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:

13 June 2023 07:52

To:

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject:

Unicorn pub proposed licensing variation

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,

I write to object to the proposed variation in licensing for the Unicorn Pub, Church Road, St Ederyns.

I live at _____ and my property overlooks the pub and bear garden and back onto the lane that leads to the underpass. I work full time for the government starting at 7 am, 3 days of which are from home. I have mental health issues and need sleep, which doesn't come easily especially with stress, anxiety, or noise. From a personal perspective, I am highly concerned about the noise nuisance and it affecting my quality of life and sleep. There are already proposals to put a children's play area into the beer garden which will increase noise levels during the daytime. Now the noise levels will undoubtedly be worsened with the extended licensing proposals. This is currently a quiet and peaceful street/ area.

Firstly, I'm generally happy that the pub is re-opening. As its being portrayed as a family pub mainly focusing on the restaurant side. Which will be a nice addition to the area. However, the pub is located on a residential estate with houses in close proximity. I do not feel it is necessary or applicable for the hours of operation or for the service of alcohol to run from 0800-0030 Monday-Thursday and 0800-0100 with the pub being allowed to stay open until 01.30. The opening times and such long and late service hours will undoubtedly cause noise disruption for the neighbouring properties causing a public nuisance. With the large beer garden, the outside noise will be very loud, especially with people being able to purchase alcohol until 1am.

When the pub was open previously, there was an increase in crime and disorder due to the very obvious links between alcohol consumption and crime. There was more police activity between the pub and Boyce Way and even before the houses were built, where people utilised the footpath at the end of Boyce Way towards Llanrumney as a means to escape the police. There is already evidence of crime and disorder being worse in the neighbourhood when the pub was open 6 years ago. The pub re-opening will affect that, and the licensing hours and opening hours being increased so early in the morning and so late at night will have a significant impact on crime and disorder in the area. This has already been proven. With this increase in crime and disorder, public safety will inevitably be negatively impacted.

This will undoubtedly become worse with such long service hours, causing a public nuisance and increasing disorderly behaviour. I've experienced how people get so intoxicated they are not aware or have regard for people or their surroundings. Living so close this will cause me anxiety, worry and stress.

The footpath, which is located directly behind my property, was also used by regular people walking home from the pub late at night. It is a quiet residential street; they were intoxicated and loud. This will inevitably cause a public nuisance which at 11pm at night is worrisome but tolerable not at 1.30-2am, especially when there are weekend workers, shift workers, old people and children living on that street

and neighbouring properties. I feel these proposed licencing hours are a stretch too far and completely unnecessary for a pub/restaurant on a quiet residential estate.

I look forward to hearing from you.

Kind Regards,

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:

Sent:

12 June 2023 17:26

To:

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Cc:

Objection to Variation of Proposed Licensing Hours and Sale of Alcohol for The Unicorn Inn (Church Road, St Ederyn's, Cardiff. CF3 6YA)

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 letter to formally express my objection to the proposed variation of licensing hours and sale of alcohol from 08:00 Monday to Sunday, with a closing time of 00:30 on Sunday to Thursday and 01:30 on Friday and Saturday for The Unicorn Inn (Church Road, St Ederyn's, Cardiff. CF3 6YA). As a concerned resident of the neighborhood, I believe that granting such a variation could have a detrimental impact on the community, residents' well-being, the prevention of crime and disorder, public safety, and prevention of public nuisance.

It is important to note that The Unicorn Inn has been closed for a number of years while new communities have been built around it. These communities have been established with the expectation of a quiet and peaceful neighbourhood. The proposed variation of licensing hours could potentially disrupt the harmony that has been established over the years.

First and foremost, the proposed extension of licensing hours raises concerns regarding the prevention of crime and disorder. Allowing the sale of alcohol from as early as 08:00 Monday to Sunday could potentially contribute to excessive drinking, which may increase the risk of public disturbances, altercations, and antisocial behavior within the community. It is crucial to prioritise the safety and security of residents by maintaining responsible licensing hours that minimise the potential for crime and disorder.

Furthermore, the proposed extension of licensing hours will have implications for public safety. Late-night operations until 00:30 on Sunday to Thursday and 01:30 on Friday and Saturday could lead to an increased risk of accidents, potential overcrowding, and strained emergency response resources. Ensuring public safety requires careful consideration of the impact that extended hours may have on the overall well-being and security of patrons, residents, and the surrounding area.

Additionally, the potential for an increase in public nuisance cannot be overlooked. Extending licensing hours will result in heightened noise levels, disturbances, and inconvenience for the residents in close proximity to the pub. This will disrupt the quality of life and negatively impact the tranquility of the neighbourhood, including increased use and littering of a rural footpath, within an ecology strip that borders on many properties, and associated antisocial

behaviour. It is essential to strike a balance that respects the rights of both local businesses and residents, minimizing any adverse effects on the community.

In light of these concerns, I strongly object to the proposed variation of licensing hours and sale of alcohol from 08:00 Monday to Sunday, with closing times of 00:30 on Sunday to Thursday and 01:30 on Friday and Saturday for The Unicorn Inn (Pub). I kindly request that the licensing authority carefully considers the potential consequences on the community, residents' well-being, the prevention of crime and disorder, public safety, and the prevention of public nuisance before making any decisions.

Thank you for considering my objection. I trust that you will give this matter the attention it deserves. I would appreciate being kept informed of any developments or decisions regarding this issue.

Yours sincerely,

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 14 June 2023 22:41
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Representations against Unicorn Pub's proposed variations - CF3 6HA

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.

Hello,

with regards to the proposed licencing variations for the Unicorn Pub (Church Road Cardiff, CF3 6HA), I'd like to make some representations on the grounds of public nuisance and the prevention of disorder.

Specifically, the representation is in regards to the points 2 and 4 and the extension of the terminal hour for the opening hours and the sale of alcohol until 00:00am on Sunday to Thursday and 01:00am.

There are many houses in the very close proximity of the pub with several of them (including mine) which shares the fence with grounds of the pub.

Allowing the Pub to extend the opening hours until 00:30 and 01:30 (on weekends), will inevitably cause public nuisance and disturbance to the neighbourhood especially to those houses who share the boundaries with the pub.

Crime levels are already high in this area, with many thefts and other crimes being reported. I hope it will be taken into consideration that now many families live in the close proximity of the pub and the safety of these needs to be guaranteed.

I look forward to hearing from you soon,

Thank you,

OBJECTION

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 12 June 2023 13:47
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Unicorn Pub CF3 6HA Application for opening

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

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

On Mon, 12 Jun 2023 at 13:24,
dear sir/Madam

wrote:

Regarding the reopening of The Unicorn pub, Church Rd, CF3 6HA. I do have a few concerns to their proposals. I'm not against the development it's the opening hours? Will cause crime, public nuisance and remember children live here as well, which do not want drunken fights and loud noise. Plus residents do work so want their rest.

1. The application has been made to make alterations - No concerns
2. Late night opening 12.30 during week 1.30 am Friday and Saturday- this site is in the middle of a housing estate with only one way in? Do they really need to stay open that late other than greed? It was proposed to be a service for residents in the community you will hear the noise of people and vehicles passing homes late at:night constantly this is a public nuisance straight away.
3. Opening hours for sale of alcohol Mon- Sunday 8.00 am ?? - what a ridiculous time.. this will create early morning disturbances and disorder and will be a public nuisance if such clientele frequent at these times when the school run takes place. This is a safety concern protecting children from harm.
4. Terminal hour extension this is as above- far too late ? What happened to normal licence hours? E.g 11.00 am - 11.00 pm- same concerns as above
5. New Year's Eve extension- as once a year that's acceptable
6. Removal of annexes - no issues to improve property appearance

Appreciate that mine and other's concerns will be addressed in making any decision on this application

Kind Regards

SUPPORT

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 12 June 2023 18:46
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Unicorn Pub Proposed Licencing - Letter of Support

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,

I have received a letter outlining the variations to the Unicorn Inn Pubs Licence from my local councillors. Please accept this email as a letter of support.

As a local resident, I fully support the proposed changes. We were promised many community facilities by Persimmon Homes when we moved to this estate 6 years ago, none of which have come to fruition. The Unicorn Inn would be a great asset to the community and the proposed licence changes gives it a greater flexibility to strive.

Extending the licensing hours gives the whole community a place to gather and get to know each other, something we have not been able to do since the estate was built. It will allow us to hold community events and create a togetherness that is lacking.

Extending the hours allows residents to watch live sporting events such as the Football World Cup, Rugby World Cup, Lions Rugby Tour and many, many others which take place early in the morning or late at night, together as a community.

The proposed licence changes would also more than likely have a positive effect on the prevention of crime and disorder, which is an issue here, as more residents would be walking through the estate vs now where no one walks anywhere and thieves are allowed to roam around freely.

To conclude, I believe the proposed licence changes will be positive. It will give the pub the best chance of survival and provide the community with a much needed facility and meeting place.

Kind regards,

APPENDIX F

Ward Councillor representation

Barker, Kirstie

From: Littlechild, Peter (Cllr)
Sent: 06 June 2023 19:12
To: e
Cc: Williams, Joel (Cllr)
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Unicorn Inn, Church Road, Cardiff, CF3 6HA
Attachments: Unicorn Inn licencig letter.docx

Hi Kirstie,

Please see the attached document above from Cllr Joel Williams and myself to be submitted to the panel for their consideration.

Best regards

Peter Littlechild
County Councillor
Pontprennau & Old St Mellons Ward
City & County of Cardiff Council

Due to my working patterns, I may send and reply to emails during non-standard working hours. This is not an expectation for you to do the same.

Dear Licencing committee,

As Councillors for Pontprennau & Old St. Mellons we write to you regarding the application for The Unicorn Inn, Old St. Mellons.

We welcome the opening of the Unicorn, and very much look forward to supporting it as a local business. The concerns that we have are not around granting a licence, but the conditions granted and effect on residence living in the immediate area.

To set the picture The Unicorn was a rural pub set in a very small hamlet surrounded by fields, it has been closed for approx. 5/6 years and since closing, St Edeyrns Village has been built surrounding the pub. The houses built in very close proximity with some back garden's are a fence panel away from the pub car park are now inhabited as are the houses.

The pub is located on the single track road, the majority of which has no pavement, we are concerned about patrons of the pub leaving and not being seen by vehicles coming to and from the pub or local residents.

We would also request the licence holder communicates with local neighbours and considers them while running the premises in a now populated residential area.

Best regards

Cllr Peter Littlechild & Cllr Joel Williams

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 9 August 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 087598

Name of Premises: Ground Bakery, 15 Pontcanna Street, Cardiff, CF11 9HQ

Ward: Riverside

1. Application

1.1 An application to vary a Premises Licence has been received from TFSLET Limited in respect of Ground Bakery, 15 Pontcanna Street, Cardiff, CF11 9HQ.

1.2 The applicant has applied for the following:

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

"We are primarily a day time coffee house. We occasionally have resident chefs do 3 months at the venue (currently Fri/Sat nights) and we would like to have the flexibility of offering this on other evenings as well".

(2) The application requests the following:

i) 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: 08:00 to 22:00 hours

ii) The sale of alcohol for consumption on and off the premises:

Monday to Sunday: 08:00 to 21:30 hours

2. Current Licence

2.1 The current Premises Licence permits the following:

(1) 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: 08:00 to 17:00 hours

Friday and Saturday: 08:00 to 22:00 hours

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

Sunday to Thursday: 08:00 to 17:00 hours

Friday and Saturday: 08:00 to 21:30 hours

2.2 A site map showing the premises and a copy of the plan attached to the current Premises Licence can be found in **Appendix A**.

Promotion of Licensing Objectives

3.1 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.

Relevant Representations

4.1 A representation has been received from Pollution Control. The applicant has agreed that the conditions proposed by Pollution Control should be attached to the licence if granted and the representation has therefore been withdrawn. A copy of the representation, along with the subsequent agreement, can be found attached as **Appendix C**.

4.2 Representations have been received from local residents. Copies of the representations can be found attached as **Appendix D**.

Legal Considerations

5.1 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

5.2 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.

5.3 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

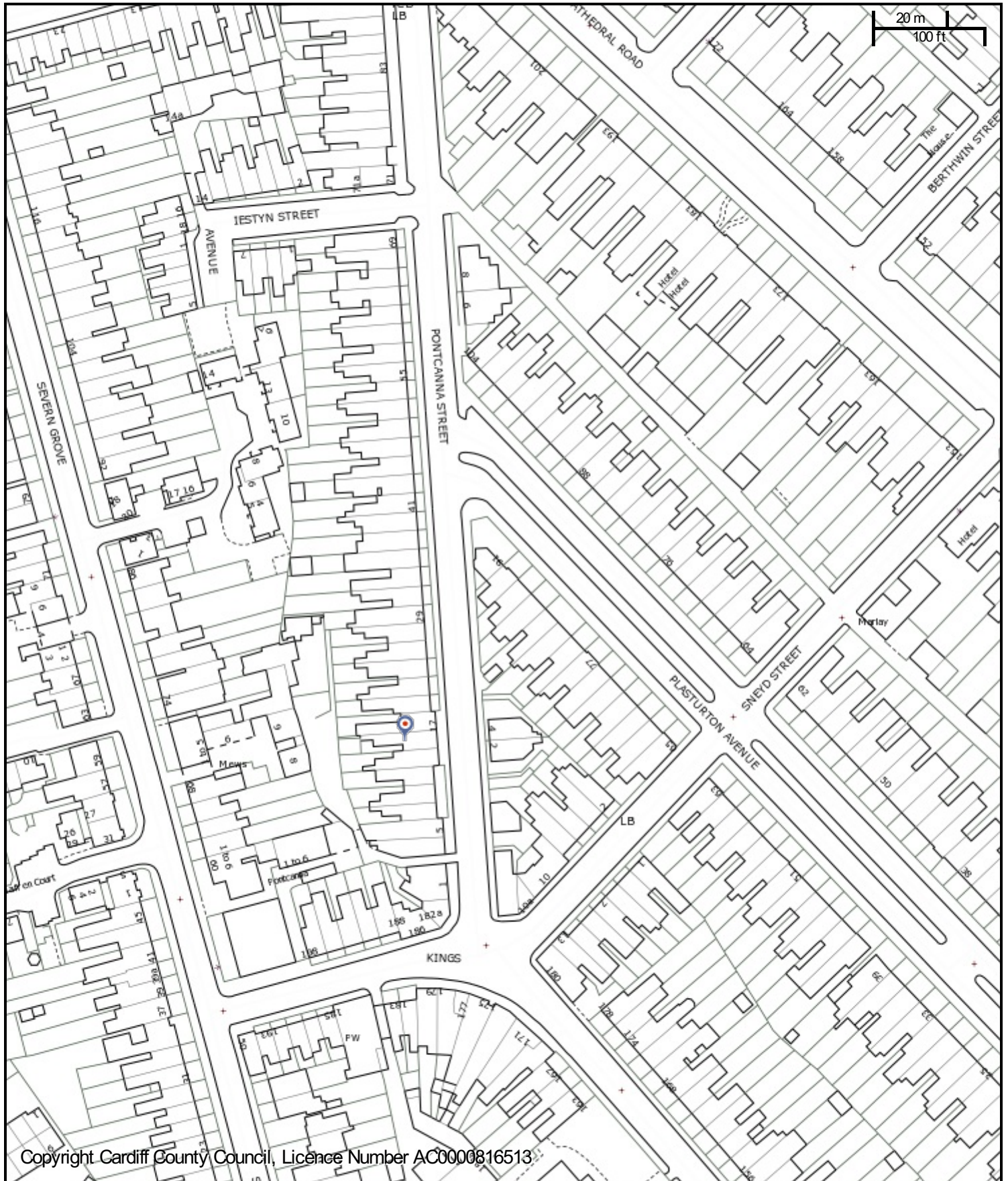
6.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Helen Picton
Regulatory Services

20th July 2023

APPENDIX A

Site Map and 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: 20/7/2023 at 9:33 AM

Coordinates:

© Crown copyright and database rights (2014).

This copy is produced specifically to supply County Council information NO further copies may be made.

Ordnance Survey AC0000816513 (2023).

APPENDIX B

Operating Schedule and Current Conditions

M

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

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

TO DATE, WE HAVE HAD NO ISSUES WITH ANY OF THE BELOW OBJECTIVES - THIS IS FOR THE DAY TIME TRADING AS WELL AS THE FRI/SAT EVENING EVENTS. WE WILL CONTINUE TO DO WHAT WE ARE DOING.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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-

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

<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

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. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to a police employee, and will record the following;

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any incidents of disorder
- d) Any refusal of the sale of alcohol.
- e) Any visit by a relevant authority or emergency service
- f) Any faults in the CCTV system

3. Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.

4. The premises will operate the 'Challenge 25' Policy. This policy will be brought to customers' attention through point of sale material at the checkout wherever alcohol is displayed for sale, including the display of appropriate signage. The only forms of identification recognised are photographic identification cards, such as driving licence or passport, PASS card or military identification card.

5. At least 70% of the public space within the licensable area of the premises will be occupied by tables and chairs.

6. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby premises. The designated premises supervisor or a suitable staff member will monitor patrons leaving at the closing time.

7. Use of any delineated external area will cease at 21:00hrs daily.

ANNEXES: CONDITIONS continued ...

- 8. Alcohol to be stored away from patrons.
- 9. All children to be chaperoned by a parent/guardian.

Helen Picton

Helen Picton
Shared Regulatory Services

23 July, 2021

APPENDIX C

Pollution Control Representation and Agreement

From:
Sent: 13 July 2023 11:13
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Ground Bakery Licence Variation

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 ,

I have reviewed the application, and I have concerns in regard to public nuisance as there are residential properties surrounding the premises.

On the grounds of prevention of public nuisance, we request that the following conditions are added to the licence:

1. Windows and doors (except for access and egress) shall be shut after 21:00 hours during licensable activity.
2. The movement of bins, glass bottles and rubbish will not be undertaken between 21:00 hours and 09:00 hours, in order to avoid potential disturbance.
4. Outdoor seating will not be used after 21:00 Sunday to Thursday.

It is the authorities position that we are objecting to the above application on the grounds of prevention of public nuisance however this objection can be overturned should the applicant agree to the above conditions.

Please let me know if you would like to discuss these conditions further.

Best regards,

Barker, Kirstie

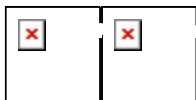
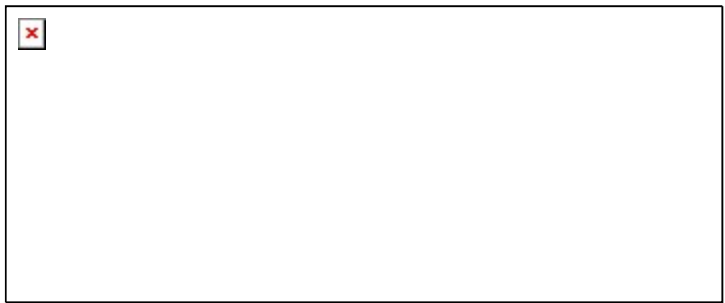
From:
Sent: 13 July 2023 11:25
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: RE: Ground Bakery Licence Variation

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.

Thanks for your email.
We would be happy to agree to those conditions.

It is in everyone's interested, ours included that any public nuisances are avoided at all costs as we've managed to build up good relationships with local residents to date.

Thanks



a w

APPENDIX D

Other Persons Representations

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 18 July 2023 23:47
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Licensing application - Ground Bakery 15 Pontcanna Street
Attachments: Representations to Ground Bakery 15 Pontcanna St Licensing Application - 18 July 2023.pdf

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

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

Dear Sir / Madam

Please see attached representations in relation to the above licensing application.

I would be grateful if you could acknowledge receipt and that the comments are given due consideration in the final decision.

Kind regards

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:	Ground Bakery
Address of premises:	15 Pontcanna Street, Cardiff
Application No. (if known)	

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 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:
<p>We write in respect of the application by TFSLET to vary the license at 15 Pontcanna St, Cardiff and the notice displayed under the Licensing Act 2003 - Public Notice of Application.</p> <p>We raised initial concerns when the original license was applied to cover Sunday - Thursday 8:00 - 17:00 and Friday and Saturday 8:00 - 22:00 and these are documented in the notes attached to the licence documenting the hearing.</p> <p>Planning permission 21/02615/MNR states under condition 5 the unit will operate 8am-10pm Mon to Sat and 8am to 5pm Sunday in order to ensure the amenity of occupiers of other premises in the vicinity are protected. The licensing needs to adhere to these restrictions in order to safeguard amenity and prevent public nuisance.</p>

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

The regular pop-up event nights by Gorse have been cleared by 10pm and therefore in line with the above condition. There have been occasional events, most recently on a Thursday night that did not accord with these conditions. We spoke directly to the applicant about this the following day who agreed it was unacceptable and would contact the event organisers. We appreciate as a regular 'pop up' it must be difficult for the applicant to oversee someone else's event as they are not present, however the conditions are there to respect neighbouring properties, specifically last orders at 9.30pm and customers to have left by 10pm. Having young children and needing to get up early for work Monday to Friday we feel particularly strongly on this point.

It is suggested the outside pavement seating is subject to additional restrictions to be vacated and cleared by 9pm.

The recent struggles of the hospitality industry are well documented and we understand that the applicant wants to make best use of their premises week long yet this needs to be balanced with the needs of the neighbouring properties and their amenity. It is considered that the licensing on Sunday should remain to coincide with the condition 5 of the planning permission ensuring the premises will close at 5pm.

In summary we would propose the following times in order to respect the residential neighbouring properties

Monday - Thursday 8:00 - 20:00
Saturday 8:00 - 21.30
Sunday 8:00 - 17:00

We are happy to supply any further information as required.

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

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 19 July 2023 14:05
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Ground Bakery 15 Pontcanna Street

Dear Sirs

Re variation 15 Pontcanna Street

I am an owner of the apartment at _____ and the shop

I would like to make the following points /objections in relation to the variation application.

1. As owner of the flat

I am concerned that drinking alcohol outside at the front , at number 15 until, potentially at least 10.30pm if a bottle of wine can be served at 9.30 pm, 7 days a week, will cause a noise nuisance to the occupiers of the flat at

I am of the view that

a) drinks should no drinking alcohol outside at the front , after 8.30pm

b) drinking at the front outside should be limited to 5 evenings per week to limit disturbance to residential occupants.

c)!Food and drink should only be served at the front of the property at seated tables within the boundary of the cafe and not on the pavement. The present situation is that Ground Bakery use the pavement as a coffee and food serving area, generally obstructing the pavement as the shop is too small to accommodate customers and the outside belonging to number 15 is taken up with tables. This causes some nuisance. If the same practice were adopted by Ground Bakery or the pop up restaurants that will be operating under the licence in relation to alcohol, I believe that there would be obstruction to the proper use of the pavement and a noise nuisance. I don't want my tenants to find groups of people drinking practically beneath their window.

Please can I also ask that smoking outside is not allowed. I don't want the frontage of my shop used as their smoking area or smoke wafting up through the windows at the front of the flat at _____ .

2 As owner of

I would ask that Ground Bakery have CCTV on the front of the cafe. Our licence requires us to do so and we are frequently asked to produce the recording. We are semi retired and often away a few days a week and have been required by the police to look at our cctv even when abroad. Although we are keen to assist the police the burden should be shared by licence holders and not only on the owners of number _____ .

As regards smoking , please see above.

Thank you

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 9 August 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: 087312

Name of Premises: Corfu by Night, 119-121 Woodville Road, Cathays, Cardiff, CF24 4DZ

Ward: Cathays

1. **Application**

1.1 An application to vary a Premises Licence has been received from Prokopis Karydis and Sokol Merdhoqi in respect of Corfu by Night, 119-121 Woodville Road, Cathays, Cardiff, CF24 4DZ.

1.2 The applicant has applied for the following:

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

"We are a family restaurant that would like to stay open serving food and drinks until 2:30am. occasionally we also have live music as well which we would like to keep until 2:30am."

(2) The application requests the following:

i) 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: 12:00 to 03:00 hours

ii) The sale of alcohol for consumption on the premises:

Monday to Sunday: 12:00 to 03:00 hours

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

Friday and Saturday: 19:00 to 03:00 hours

iv) The provision of regulated entertainment in the form of recorded music (indoors):

Monday to Sunday: 12:00 to 03:00 hours

v) The provision of late night refreshment (indoors):

Monday to Sunday: 23:00 to 03:00 hours

2. Current Licence

2.1 The current Premises Licence permits the following:

- (1) The premises may currently be open to the public during the following hours and for any hours consequential to the non-standard timings:

Monday to Sunday: 08:00 to 23:30 hours

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

Monday to Sunday: 12:00 to 23:00 hours

- (3) The provision of regulated entertainment in the form of recorded music (indoors):

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

2.2 A site map showing the premises and a copy of the plan attached to the current Premises Licence can be found in **Appendix A**.

3. Promotion of Licensing Objectives

3.1 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.

4. Relevant Representations

4.1 A representation has been received from South Wales Police. The applicant has agreed that the conditions proposed by South Wales Police should be attached to the licence if granted and the representation has therefore been withdrawn. A copy of the representation, along with the subsequent agreement, can be found attached as **Appendix C**. As part of this agreement, the applicant has agreed to amend the hours as follows:

Opening hours:

Sunday to Wednesday: 12:00 to 23:30 hours

Thursday to Saturday: 12:00 to 03:00 hours

Sale of alcohol:

Sunday to Wednesday: 12:00 to 23:00 hours

Thursday to Saturday: 12:00 to 02:30 hours

4.2 A representation has been received from Pollution Control. The applicant has agreed that the conditions proposed by Pollution Control should be attached to the licence if granted and the representation has therefore been withdrawn. A copy of the representation, along with the subsequent agreement, can be found attached as **Appendix D**. As part of this agreement, the applicant has agreed to amend the hours as follows:

Opening hours:

Monday to Sunday: 12:00 to 00:00 hours

Sale of alcohol:

Monday to Sunday: 12:00 to 23:30 hours

Recorded music:

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

Late night refreshment:
Monday to Sunday: 23:00 to 00:00 hours

- 4.3 A representation has been received from the Senior Licensing Enforcement Officer. A copy of this representation can be found attached as **Appendix E**.

5. Legal Considerations

- 5.1 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

- 5.2 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.

- 5.3 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.

6. Issues for Discussion

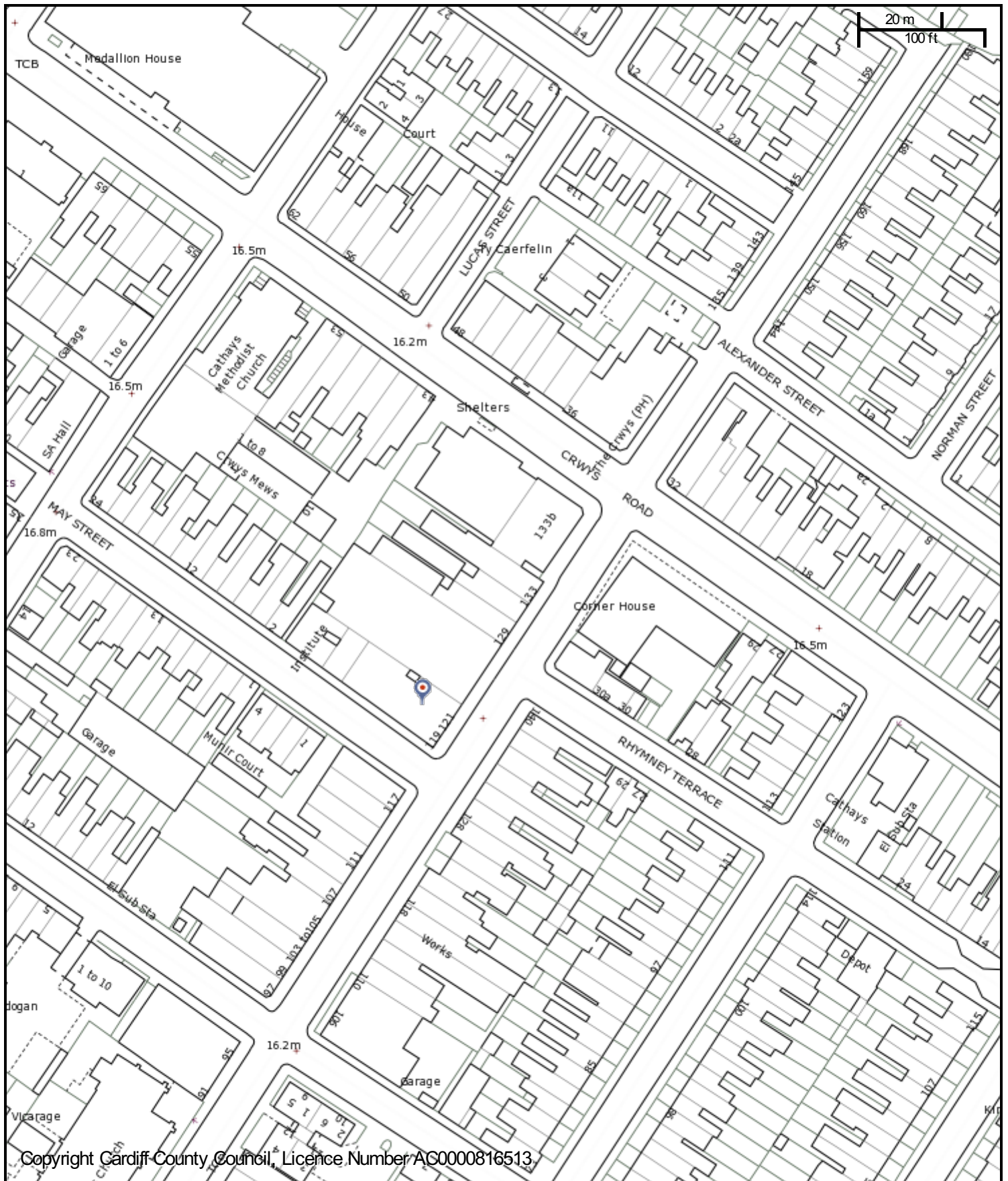
- 6.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Helen Picton
Regulatory Services

20th July 2023

APPENDIX A

Site Map and Plan



Copyright Cardiff County Council, Licence Number AC0000816513

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

Date: 20/7/2023 at 8:02 AM

Coordinates:

© Crown copyright and database rights (2014).

This copy is produced specifically to supply County Council information NO further copies may be made.

Ordnance Survey AC0000816513 (2023).

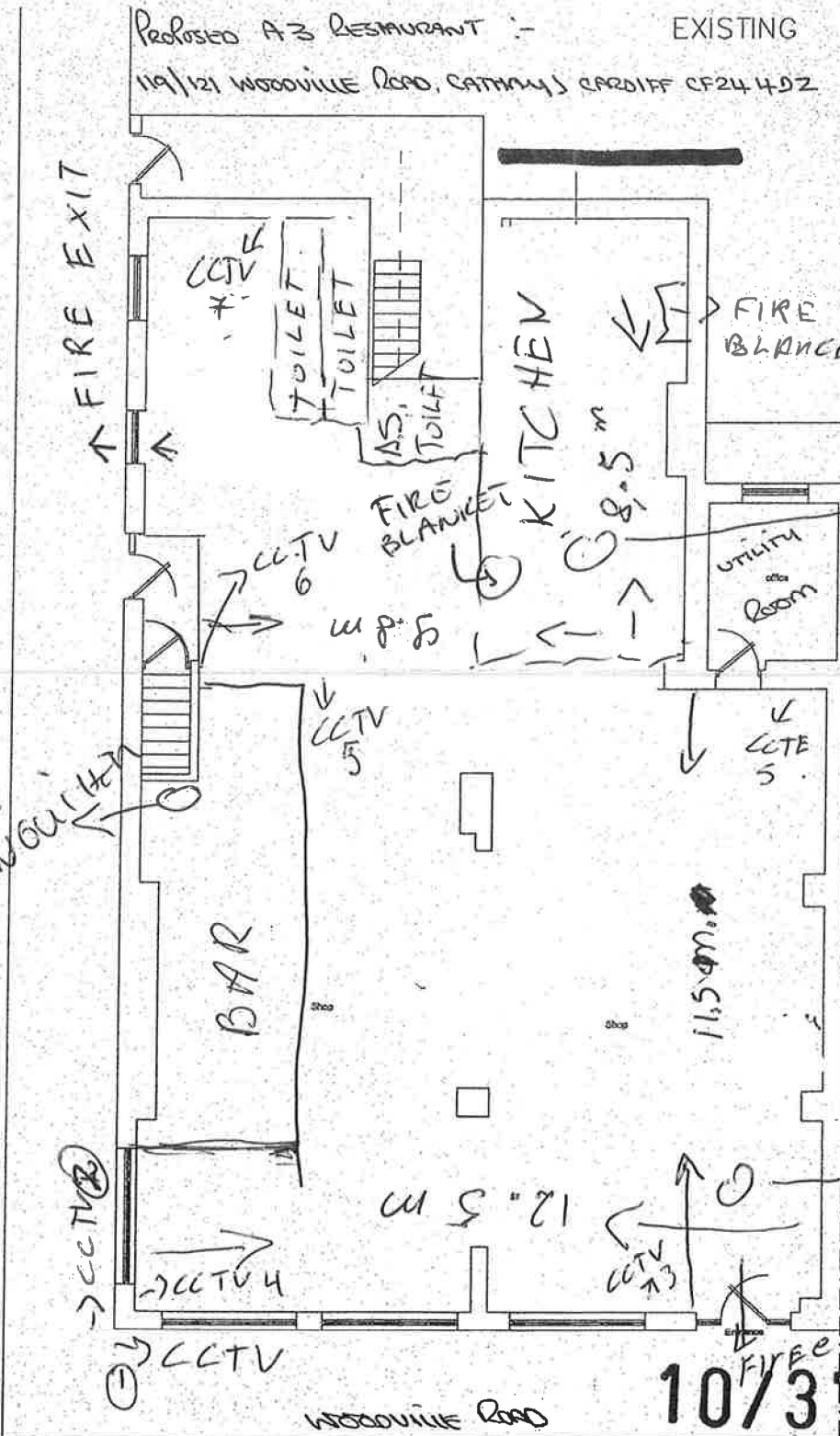
Proposed A3 RESTAURANT :-
 119/121 WOODVILLE ROAD, CATHAYS, CARDIFF CF24 4DZ

EXISTING

OPENING
 TIMES

FROM
 9 AM TO 11.30 PM

CAPACITY
 92 ppl.



Fire
 EXTINGUISHER

Fire
 EXTINGUISHER

10/378--C

Ground Floor Plan

APPENDIX B

Operating Schedule and Current Conditions

Continued from previous page...

b) The prevention of crime and disorder

We have CCTV inside and outside the premises. We also plan on having security if this application is accepted.

c) Public safety

CCTV and security. Keeping a reasonable limit on drinks served.

d) The prevention of public nuisance

keeping reasonable limit on drinks served. not playing music too loud. only allowing customers to drink inside the premises

e) The protection of children from harm

children will only be allowed in the premises until 22:30. After that any customers will have to be over 18 years old

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

Premises Licence

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-

$$P = D + (DxV)$$

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 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. The premises will operate a Challenge 25 policy. This policy will be brought to the attention of customers by the use of appropriate signage. The only form of identification recognised will be photographic identification cards such as driving licence, passport or proof of age scheme cards.

3. Challenge 25 notices will be displayed in prominent positions in the premises.

4. All permanent staff will receive the appropriate Challenge 25 training, having completed a minimum of six continuous weeks of employment.

5. An incident book shall be kept at the premises and maintained on site, for a period of twelve months. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:

i) All crimes reported to the venue

ii) Any complaints received (of a Criminal or Licensing nature)

iii) Any incidents of disorder

iv) Any refusal of the sale of alcohol

v) Any visit by a representative of a relevant authority or a member of the emergency services.

vi) Any failures of the CCTV system.

6. At least 70% of the public space within the licensable area of the premises shall be occupied by tables and chairs.

7. A Personal Licence Holder will be present at the premises between 20:00 hours and 23:00 hours on Fridays and Saturdays.

8. The sale of alcohol will be ancillary to food.

APPENDIX C

South Wales Police Representation and Agreement

Barker, Kirstie

From:
Sent: 10 July 2023 11:41
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Variation to premise licence Corfu By Night
Attachments: Corfu by Night copy.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 variation to premise licence for Corfu by Night. All timings and conditions attached have been discussed with the applicant who has agreed in full. If you require any further information please do not hesitate to contact me.

Kind regards



Ymateb nad yw'n Argyfwng \ Non-Emergency Response

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

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

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

SWYDDOGOL - OFFICIAL

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

10th July 2023

**Corfu By Night,
119 – 121 Woodville Road,
Cathays,
Cardiff.
CF24 4DZ**

APPLICATION FOR VARIATION OF A PREMISES LICENCE UNDER THE
LICENSING ACT 2003.

“CORFU BY NIGHT, 119-121 WOODVILLE ROAD, CATHAYS, CARDIFF. CF24
4DZ”

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

You as the applicant have applied for a variation to an already in place premises licence in order to extend the hours for the following;

- 1) The provision of regulated entertainment in the form of live music (indoors): Friday and Saturday 19:00 to 03:00 hours.
- 2) The provision of regulated entertainment in the form of recorded music (indoors): Monday to Sunday 12:00 to 03:00 hours.
- 3) The provision of late night refreshment (indoors): Monday to Sunday 23:00 to 03:00 hours.

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.



4) The sale of alcohol for consumption on the premises: Monday to Sunday 12:00 to 03:00 hours.

The premises is described as a family restaurant that would like to stay open serving food and drinks until 02:30am, occasionally have live music as well which you would like to keep until 02:30 hours.

At present your timings for licensable activities are as follows;

Playing of recorded music Monday to Sunday 23:00 – 23:30 hours

Supply of alcohol for consumption (on premises) Monday to Sunday 12:00 – 23:00 hours

Requested Opening times of the premise:

Monday to Sunday 12:00 – 03:00 hours

Requested hours for the supply of alcohol on the premises only:

Monday to Sunday 12:00 – 03:00 hours

Measures offered by yourself as the applicant in support of the application:

General:

Nothing offered by applicant

Prevention of Crime and Disorder:

We have CCTV inside and outside the premises. We also plan on having security if this application is accepted.

Public Safety:

CCTV and security. Keeping a reasonable limit on drinks served.

Prevention of Public Nuisance:

Keeping reasonable limit on drinks served, not playing music too loud, only allowing customers to drink inside the premises.

Protection of children from harm:

Children will only be allowed in the premises until 22:30 hours. After that any customers will have to be over 18 years old.

CONCLUSION

The following conditions are already on your existing premise licence, however South Wales Police wish for the wording of these conditions to be changed;

Condition 2 to read:

Challenge 25 shall be in use at all times licensable activities are undertaken. Any person who appears to be under the specified age will be required to prove they are over 18. The only acceptable forms of identification in these circumstances are



photographic identification documents such as passport, PASS hologram or Driving Licence. Where a customer's age is in doubt and no identification is available, no sale of alcohol will be permitted. Signs to be displayed in prominent positions throughout the premises advising customers of this policy.

Condition 3 to be removed as it is combined within the new wording for condition 2: Challenge 25 notices will be displayed in prominent positions in the premises.

Condition 4 to read:

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

Condition 5 to read:

An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or member of police staff which record the following;

- i) All crimes reported to the venue
- ii) All ejections of patrons
- iii) Any complaints received (of a criminal or licensing nature)
- iv) Any incidents of disorder
- v) Any visit by representatives of a relevant authority or emergency service
- vi) Any faults in the CCTV system

Staff will be trained in relation to their responsibility to complete an incident report. Access to incident reports shall be made available to South Wales Police on request.

Condition 7 to read:

A personal Licence Holder will be present at the premises between 20:00 hours and 03:00 hours when premises trade until those hours.

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

Prevention of Crime and Disorder

Prevention of public nuisance

Protection of children from harm

However, should you as the applicant be minded to agree to the below conditions, then South Wales Police will withdraw their objection.

South Wales Police request that the opening hours be altered to the following due to the premises being within a residential area:

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.



Sunday to Wednesday 12:00 – 23:30 hours

Thursday to Saturday 12:00 – 03:00 hours

With the supply of alcohol being:

Sunday to Wednesday 12:00 – 23:00 hours

Thursday to Saturday 12:00 – 02:30 hours

South Wales Police request that the following conditions are added to the premise licence:

1. The premises Licence shall only remain in force for as long as the daily use of the premises is that of a Restaurant.
2. There will be a minimum of two (2) SIA registered door supervisors employed at the premises from 21:00hrs until closure of the premises on days the premises trade after 23:30 hours
3. At all other times, SIA registered door supervisors will be employed at the premises in accordance with a written risk assessment carried out by the Premises. A copy of the risk assessment will be maintained for 12 months and be made available to the Police immediately upon request.
4. A register of door supervisors will be kept at the premises. The register shall contain the full name and SIA registration number of each door supervisor, stating the start and end duty times from each door supervisor. The register will be kept for a minimum of 12 months and will be made available to a Police employee on request.
5. When SIA registered door supervisors are employed at the premises they will utilise at least one body worn video device. Any such device will be capable of recording both audio recordings and visual images. The recordings will be kept for a minimum of 31 days and will be produced to a Police employee in a readily 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.
6. On those days when SIA registered door supervisors are employed at the premises, the manager of the premises will ensure that an adequate system for measuring the number of patrons in the premise is used such as clicker devices. Numbers of patrons on the premises will be recorded hourly in the door supervisor log book.
7. SIA Licensed door staff shall each carry an internal radio to allow communication between themselves and management.

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.



8. When on employed, SIA registered door staff will ensure the dispersal of all patrons at the end of the trading day.
9. All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic)
10. There will be no vertical drinking on the premises, all customers must be seated at tables.
11. Only background music to be played on the premises from 23:30 hours until close.
12. No amplified music to be played on external areas.
13. No customers shall be allowed to leave the premises while in possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.
14. Waiter / Waitress service is to be provided throughout the whole premises at all times that alcohol is sold or supplied.
15. On Thursday, Friday and Saturdays, last entry to the premises for customers will be 01:30 hours.
16. Persons under the age of 18 years of age will not be allowed to remain on the premises after 21:00 hours unless accompanied by an adult.
17. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.

If you wish any further information then please contact Police Licensing Officer Michael Stone at the Cardiff Bay Police Station ☐ 02920 633421.

AGREED



Barker, Kirstie

From:
Sent: 11 July 2023 13:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: FW: Variation to premise licence Corfu By Night

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.

Hi
Yes we do agree with there terms and conditions
Thank you

On Mon, 10 Jul 2023 at 12:55, Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk> wrote:

Please find attached Police representation, please can you can confirm if you are in agreement with the Police proposals.

Many thanks,



APPENDIX D

Neighbourhood Services (Pollution) Representation and Agreement

From:
Sent: 13 July 2023 14:26
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Licensing Act 2003: Application to vary a Premises Licence - Corfu by Night, 119-121 Woodville Road, Cathays, Cardiff, CF24 4DZ

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,

Pollution Control wish to object to the variation of the Premises licence under the Prevention of Public Nuisance Licensing Objective. There are concerns regarding the provisions of regulated entertainment in the form of live music and recorded music, the provision of late-night refreshments and the sale of alcohol for consumption on the premises.

There are concerns regarding the premises opening hours, the hours for the sale of alcohol for consumption on the premises, the provision of late-night refreshments and the provision of regulated entertainment in the form of live music and recorded music. The cumulative impact of these changes can increase the likelihood for noise nuisance from the premises, namely loud music and noise from patrons at the premises during the late evening hours or early morning hours.

The premises is located in close proximity to residential properties with residential properties located above, opposite and to the rear of the premises.

Shared Regulatory Services have received five complaints regarding noise from late night activities at this business:

On 16th May 2022, two complaints were received alleging loud music from the premises was playing beyond 0100hrs; the existing premises licence permits the premises to be open to the public until 23.30hrs.

On 26th November 2022, a complaint was received alleging loud music and karaoke. Officers working on the Night Time Noise service responded at 0140hrs. Attending Officers confirmed a statutory nuisance. The attending Officers spoke with staff at the premises on this occasion and warned them that the premises was breaching its current licence conditions and potential causing a statutory nuisance due to loud music.

On 11th February 2023, loud amplified music was reported at 0125hrs, which was past the licensing hours of 2300hrs.

On 30th April 2023, loud music was reported at premises past 0030hrs. Officers working on the Night Time Noise service attended the business at 0050hrs and witnessed loud amplified music with patrons singing and dancing within the premises. Officers discussed the complaint with employees at the business.

Following this, formal warning letters were sent to the business on 30th May 2022 advising them of the complaints received by Shared Regulatory Services and of what action the Local Authority could take if further complaints and/or a statutory nuisance from the business is witnessed.

I have contacted the applicant on 12 July 2023 to discuss the application and discuss a change in the proposed hours. It is my understanding the applicant had already reached an agreement with Police Licensing regarding the following amendments:

Opening Hours:

Sunday to Wednesday 1200hrs – 2330hrs

Thursday to Saturday 1200hrs – 0300hrs

Supply of alcohol

Sunday to Wednesday 1200hrs – 2300hrs

Thursday to Saturday 1200hrs – 0230hrs

Last entry to premises

Thursday to Saturday: 0130hrs

Only background music to be played on the premises from 2330hrs until close

Following a further discussion with the applicant, the additional points have been proposed:

Opening Hours:

Sunday to Thursday: 1200hrs – 2330hrs

Friday to Saturday 1200hrs – 0200hrs

Last entry to premises

Friday to Saturday: 0030hrs

However, due to the previous history of noise complaints against the premises, the close proximity to residential properties the proposals do not mitigate the concerns the Pollution Control department have in relation to the prevention of public nuisance.

Therefore Shared Regulatory Services object to the variation application. However, should the applicant agree to the following amendments and conditions, Shared Regulatory Services will withdraw its objection:

Opening Hours

Monday – Sunday: 1200hrs – 2400hrs

Supply of alcohol

Monday – Sunday: 1200hrs – 2330hrs

Provision of late-night refreshment

Monday – Sunday: 2300hrs – 2400hrs

Provision of regulated entertainment in the form of live music

Monday – Sunday: 1200hrs – 2300hrs

Provision of regulated entertainment in the form of recorded music

Monday – Sunday: 2300hrs – 2400hrs

Conditions:

No regulated entertainment in the form of live music and/or recorded music to be played in external areas of the premises.

I have contacted the applicant with the proposed amendments and conditions above.

Kind regards,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 17 July 2023 14:57
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: RE: Licensing Act 2003: Application to vary a Premises Licence - Corfu by Night, 119-121 Woodville Road, Cathays, Cardiff, CF24 4DZ

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.

Hi is Mr karidis from corfu by night I confirm that we have a agreement for the conditions and the times as are on our last email. Thanks very much.

Sent from my Galaxy

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 17 July 2023 15:15
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: FW: Licensing Act 2003: Application to vary a Premises Licence - Corfu by Night, 119-121 Woodville Road, Cathays, Cardiff, CF24 4DZ

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,

Following the email below from Mr Karidis, the following hours and conditions have been agreed by Shared Regulatory Services.

Opening Hours

Monday – Sunday: 1200hrs-2400hrs

Supply of alcohol

Monday – Sunday: 1200hrs-2330hrs

Provisions of late-night refreshment

Monday – Sunday: 1200hrs-2400hrs

Provision of regulated entertainment in the form of live music

Monday – Sunday: 1200hrs-2300hrs

Provision of regulated entertainment in the form of recorded music

Monday – Sunday: 2300hrs-2400hrs

Conditions:

No regulated entertainment in the form of live music and/or recorded music to be played in external areas of the premises

As a result of this agreement, I am withdrawing the previous objection.

APPENDIX E

Licensing Enforcement Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 17 July 2023 15:02
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: FW: Licensing Act 2003: Application to vary a Premises Licence - Corfu by Night, 119-121 Woodville Road, Cathays, Cardiff, CF24 4DZ

Good Afternoon,

I write further to the above application. The licensing authority wish to raise an objection to the application under the grounds of crime and disorder and the prevention of public nuisance.

It should be noted that the premises does not fall within the cumulative impact policy however the Licensing authority feel this application will have an adverse impact on the licensing objective and there is evidence of existing non compliance with their current premises licence.

Licensing enforcement officers have had cause to visit and discuss complaints of noise and disturbance from the premises with the designated premises supervisor from March 2023 onwards. During a discussion at these visits it was discovered there could have been potential breaches of their licence, advice was given regarding the best practice moving forward to avoid potential enforcement action. Further allegations we submitted from Noise pollution regarding complaints of trading past their permitted hours in May 2023. Subsequent visit with South Wales Police Licensing officers on 10 May 2023 resulted in the viewing of CCTV footage where images of customers being served alcohol and dancing past 01.00hrs could be evidenced. Further viewing of previous dates namely 15 April and 24 April 2023 also showed images of premises breaching licensing conditions. Screen shots of the CCTV footage will follow in a further email.

The applicant has repeatedly shown little regard to upholding the licensing objectives in relation to their current premises licence; serving alcohol past the permitted hours and causing such a disturbance on the premises where complaints have been received. Even after advice was given by Enforcement Officers in March 2023 the premises continued to operate in this way. The Licensing Authority believe that the granting of this variation application will further undermine the licensing objectives and therefore we object to the proposals.

Kind regards

This page is intentionally left blank