

LICENSING SUB-COMMITTEE: 2nd August 2019

Report of the Head of Regulatory Services

Consideration of Objections Received – Temporary Event Notice

Application No: CCCT/0253

Name of Premises: Rummer Tavern, 14 Duke Street, Cardiff, CF10 1AY

1. Application

1.1 A Temporary Event Notification was received on 25th July 2019 from:

Mr Brett Sullivan-Bissett

for authorisation of a temporary event at:

Rummer Tavern
14 Duke Street
Cardiff
CF10 1AY

1.2 The notification is in respect of an event which is to take place between 00:01 and 02:30 hours on 1st September 2019. The TEN is proposed to allow the sale by retail of alcohol for consumption on and off the premises and the provision of recorded music.

1.3 An objection has been received from Environmental Health and a copy of the objection is attached as **Appendix 1**.

1.4 An objection has also been received from South Wales Police. They have requested that the existing Premises Licence conditions are attached to the TEN. A copy of the objection is attached as **Appendix 2** and the conditions are attached as **Appendix 3**.

1.4 The Sub-Committee is required to determine if a Counter Notice, which would prevent the licensable activity from being authorised, should be issued.

Barker, Kirstie

From: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Sent: 29 July 2019 14:28
To: Barker, Kirstie
Subject: FW: Online TEN - Rummer Tavern 01.11.19

From: Koprowski, Sophie (Agency) <skoprowski@valeofglamorgan.gov.uk>
Sent: 29 July 2019 14:15
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>
Subject: RE: Online TEN - Rummer Tavern 01.11.19

Hello,

I would like to raise an objection to the Temporary Event Notice due to the fact that this event will likely cause a public nuisance. This is due to the additional hours of serving of alcohol on a Saturday on a night where there is a significant sporting fixture is likely to encourage behaviour that will be excessively loud.

Best regards,
Sophie Koprowski

From: Papadakis, Linda [<mailto:LPapadakis@cardiff.gov.uk>]
Sent: 15 July 2019 12:12
To: licensing@eigroupplc.com
Cc: SWPCardiffLicensing@south-wales.pnn.police.uk; Pollution Cardiff (SRS Wales)
Subject: Online TEN - Rummer Tavern 01.11.19

I acknowledge receipt of your Temporary Event Notification which was received at this office on 15 July 2019. I also acknowledge receipt of the fee of £21.00.

The Licensing Act 2003 requires that the premises user must either ensure that a copy of the Temporary Event Notice is prominently displayed at the premises, or is kept at the premises in his/her custody, or in the custody of a nominated person present and working at the premises and a notice specifying that fact and the position of that person is prominently displayed at the premises.

Under the Licensing Act 2003, the Police and Environmental Health now have 3 working days to notify us if they intend to object to your Temporary Event Notice. We will notify you if an objection is received. If no objections are received, your event is permitted to go ahead under the authorisation of this Temporary Event Notice.

If you require any further information please do not hesitate to contact the Licensing Section on 02920 871651.

Linda Papadakis | Licensing Support Assistant
Licensing Section (Cardiff) / Adran Drwyddedu (Caerdydd)
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
Phone | Ffon: (029) 20871651
Email / Epost: lpapadakis@cardiff.gov.uk

Barker, Kirstie

From: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Sent: 29 July 2019 11:59
To: Barker, Kirstie
Subject: FW: TENs Rummer Tavern 31/08/19-01/09/19

From: John.Crowther@south-wales.pnn.police.uk <John.Crowther@south-wales.pnn.police.uk>
Sent: 29 July 2019 11:55
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>
Subject: TENs Rummer Tavern 31/08/19-01/09/19

Good morning,

Please note that South Wales Police will object to the issue of the above TENs unless the applicant confirms that existing premises licence conditions 2(1) – 2(14) will be observed.

If this is not agreed, we will object under the prevention of crime and disorder licensing objective.

Many thanks

John



John Crowther 
Cwnstabl 946 / Police Constable 946
Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police
 URS y Dwyrain / Eastern BCU
 Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station
 Stryd James / James Street
 Bae Caerdydd / Cardiff Bay
 CF10 5EW

: 02920 527402 | Ext: 34950 | Mobile: 07805301222

 /SWPolice

Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101? Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to police but don't require an emergency response? Call 101? The number can be used to report a non-emergency to any force in Wales and England. In an emergency, always dial 999.

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.

Licensing Act 2003

Premises Licence

CCCP00911

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) On days considered to be major events days in the City Centre and Bay areas of Cardiff such as sporting events at the Millennium Stadium all drinks will be dispensed in plastic vessels
- (2) Door staff must be SIA registered as required by the Licensing Act. The door staff is provided on a ratio of 1 to 150 employed at all times after 21:00 hours when the premises are selling alcohol beyond 00:00 hours.
- (3) The premises shall operate the Radionet scheme at all times.
- (4) The premises will not engage in irresponsible drinks promotions that encourages binge drinking.
- (5) No children will be allowed to remain on the premises after 22:00 hours.
- (6) Fire risk assessments will be conducted at the premises and firefighting and fire safety equipment such as signage and emergency lighting shall be regularly maintained.
- (7) The Company's Health & Safety policy shall be adhered to by the licensee and staff shall monitor the premises for Health and safety risks to the public.
- (8) The Licensee to be a member of the local Pubwatch scheme.
- (9) Drug prevention measures are to be employed and signage displayed.
- (10) An accident/incident book will be provided on site to record incidents that could involve both staff and the public.
- (11) All portable electrical appliances will be tested annually.
- (12) Current gas and electrical safety certificates will be in place.



ANNEXES: CONDITIONS continued ...

- (13) When required staff will organise taxis to transport customers off the premises.
- (14) Provision may be made at all times for public entertainment in the premises by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

Non-Standard Timings

For; Opening hours, the Sale of Alcohol, Live Music, Recorded Music and Entertainment of similar description:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Day Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend, Christmas Eve and Boxing Day.

New Year's Eve: From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.



Dave Holland
Shared Regulatory Services

22 March, 2019

