

LICENSING SUB-COMMITTEE: 13th September 2019

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Licence No: CCCP02054

Name of Premises: New Haven Pizza, 132B Albany Road, Cardiff

Ward: Plasnewydd

1. Application

1.1 An application for variation of a Premises Licence has been received from New Haven Pizza Limited in respect of New Haven Pizza, 132B Albany Road, Cardiff, CF24 3RU.

1.2 The premises licence currently permits the following:

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

Monday to Thursday: 23:00 to 00:00

Friday to Sunday: 23:00 to 01:00

Christmas Eve, Christmas Day, New Year's Eve and New Year's Day: 23:00 to 02:00

1.3 The applicant has applied to vary the licence as follows:

Monday to Thursday: 23:00 to 03:00

Friday to Sunday: 23:00 to 04:00

Christmas Eve, Christmas Day, New Year's Eve and New Year's Day: 23:00 to 04:00

1.4 A site plan of the premises can be found in *Appendix A*.

2. Promotion of Licensing Objectives.

2.1 A copy of the operating schedule submitted with the application is attached as *Appendix B*, and a copy of the current licence summary and conditions attached as *Appendix C*.

3. Relevant Representations

3.1 An objection has been received from a local ward councillor. A copy of this objection is attached as *Appendix D*.

- 3.2 An objection has been received from the Noise Pollution team. A copy of this objection is attached as *Appendix E*.
- 3.1 A representation has been received from South Wales Police. A copy of this representation is attached as *Appendix F*. The conditions requested by South Wales Police have been agreed to by the applicant and as such the representation has been withdrawn. A copy of the agreement is attached as *Appendix G*.

4. **Legal Considerations.**

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

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

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

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

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

5. **Issues for Discussion.**

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

Dave Holland
Regulatory Services

22 August 2019



CHIEF EXECUTIVE

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

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

APPENDIX A

Cyngor Caerdydd

Cardiff Council



Title

Scale: 1:1417

Date: 22/8/2019 at 11:14 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).

APPENDIX B

Continued from previous page...

From:		To:
Xmas Eve	11.00 - 02.00	11.00 - 04.00
Xmas Day	11.00 - 02.00	11.00 - 04.00
New Years Eve	11.00 - 02.00	11.00 - 04.00
New Years Day	11.00 - 02.00	11.00 - 04.00

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

None.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

The applicant only has page 2 of 4 of the original premises licence dated 28/3/1018.
Said page 2 will be submitted to the licensing authority either in person or by post.

The licensing authority already have a plan of the premises on file.

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

The conditions presently incorporated into the existing premises licence at Annex 2, will remain and further applied in respect of the additional hours sought, in respect of this variation.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

Licensing Act 2003
Premises Licence **CCCP02054**

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

ANNEXES: CONDITIONS

Annex 1 Mandatory Conditions

Not applicable

Annex 2 - Conditions consistent with the operating schedule

1. A CCTV system shall be installed to a standard agreed with South Wales Police. The system shall be maintained and operated at all times the premises are open to the public. The system shall cover all parts of the licensable areas to which the public have access (excluding toilets) and any outside areas, exits and entrances used by customers. Images shall be kept for a minimum of 31 days. The images shall be produced to a Police employee immediately upon request when the premises are open and at all other times as soon as is reasonably practical. There will be sufficient staff training to facilitate the above.
2. Signage will be displayed requesting that customers leave the premises quietly.
3. Children are only permitted to enter the premises with an appropriate adult.



Dave Holland
Shared Regulatory Services

23 March, 2018



LOCAL AUTHORITY

**Cardiff Council**

City Hall
Cathays Park
Cardiff
CF10 3ND

tel: 029 20871651
web: www.cardiff.gov.uk

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

New Haven Pizza

132b Albany Road, Roath, CARDIFF, CF24 3RU.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)			
	Monday to Thursday	11:00pm	Midnight
	Friday to Sunday	11:00pm	1:00am
	Christmas Eve	11:00pm	2:00am
	Christmas Day	11:00pm	2:00am
	New Years Eve	11:00pm	2:00am
	New Years Day	11:00pm	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	5:00pm	Midnight
Friday to Sunday	5:00pm	1:00am
Christmas Eve	5:00pm	2:00am
Christmas Day	5:00pm	2:00am
New Years Eve	5:00pm	2:00am
New Years Day	5:00pm	2:00am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE



Licensing Act 2003

Premises Licence Summary

CCCP02054

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Children are only permitted to enter the premises with an appropriate adult.



Dave Holland
Shared Regulatory Services

Issued: 23 March, 2018



APPENDIX D

From: [Wong, Peter \(Cllr\)](#)
To: [Licensing \(Licensing Regulatory\) / Trwyddedu \(Rheoleiddio Trwyddedu\)](#)
Cc: [De'Ath, Dan \(Cllr\)](#); [Lent, Sue \(Cllr\)](#); [McGarry, Mary \(Cllr\)](#)
Subject: RE: Licensing Act 2003: Application to vary the Premises Licence - New Haven Pizza, 132B Albany Road, Cardiff
Date: 22 July 2019 13:24:12
Attachments: [image001.png](#)

Hi all,

Application: New Haven Pizza, 132b Albany Road, Cardiff, CF24 3RU

I'd like to object to this Licence application, for the same reasons as I objected to Chickoland's request at the same address previously.

The shop is in a residential area, with flats above and opposite. It is also situated next to a large residential housing block, and extending the hours to those times would be unacceptable.

Cyng/Cllr. Pete Wong
Cynghorydd Llafur i Plasnewydd
Labour Councillor for Plasnewydd

Barker, Kirstie <kibarker@cardiff.gov.uk>

Sent: 22 July 2019 11:30

To: De'Ath, Dan (Cllr) <Daniel.DeAth@cardiff.gov.uk>; Lent, Sue (Cllr) <Sue.Lent@cardiff.gov.uk>; McGarry, Mary (Cllr) <Mary.McGarry@cardiff.gov.uk>; Wong, Peter (Cllr) <Peter.Wong@cardiff.gov.uk>

Cc: Griffiths, Paul (PPE) <pgriffiths2@cardiff.gov.uk>; Hartrey, Claire <CHartrey@cardiff.gov.uk>; Evans, Kirsty <Kirsty.Evans@cardiff.gov.uk>

Subject: Licensing Act 2003: Application to vary the Premises Licence - New Haven Pizza, 132B Albany Road, Cardiff

I am writing to advise you that an application was received on 19th July 2019 to vary the Premises Licence under the Licensing Act 2003 in respect of the above premises. Details of the application are attached.

Representations regarding the application must be submitted to this office by 16th August 2019.

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

Regards



Kirstie Barker | Senior Licensing Officer

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

From: Best, Wayne (Agency)
To: [Licensing \(Licensing Regulatory\) / Trwyddedu \(Rheoleiddio Trwyddedu\)](#)
Subject: RE: Licensing Act 2003: Application to vary the Premises Licence - New Haven Pizza, 132B Albany Road, Cardiff. 701261
Date: 07 August 2019 16:26:32
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[New Haven Pizza Variation.719.pdf](#)
[Variation - New Haven Pizza 132B Albany Road Cardiff CF24 3RU.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. ***

Good Afternoon, having considered this application in relation to the extension of existing hours which I believe to be excessive, I would recommend refusal on the grounds of public nuisance given the proximity of this premise in relation to residential properties. Happy to discuss further if required. Thank you.

Yours sincerely



Mr Wayne Best
Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg

From: Jones, Gillian P
Sent: 23 July 2019 16:01
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>
Subject: Licensing Act 2003: Application to vary the Premises Licence - New Haven Pizza, 132B Albany Road, Cardiff, 701261

***** 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. ***

Dear Mr Paterson

I have concerns about the above application to extend the hours for the pizza takeaway at 132B Albany Road on public nuisance grounds due to the residential units located nearby. At the moment I am inclined intend to object to the application.

Kind regards

Mrs Gillian Jones
Neighbourhood Services Officer / Swyddog Gwasanaethau Cymdogaeth
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg

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

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



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

APPENDIX F

From:
To: [Licensing \(Licensing Regulatory\) / Trwyddedu \(Rheoleiddio Trwyddedu\)](#)
Cc:
Subject: LICENCE HAVEN PIZZA
Date: 16 August 2019 14:46:17
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[Letter to AP.pdf](#)

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

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

Afternoon Cameron

Please find attached police representation signed by the Chief Inspector Redrup's representative , the signed original is available should you require.

Kindly acknowledge receipt of the Police representations via email also please forward to Cardiff Licensing authority and myself confirming you are in agreement of the representations.

Please do not hesitate to contact me if I can be of any further assistance.

Many Thanks
Jon



Jon Marchant

**Cwnstabl yr Heddlu 759 / Police Constable 759.
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 527207 | Ext: 34207 | Mobile: 07584771056

/SWPolice @SWPolice @SWPolice /SWPTV



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

Dear Sir

APPLICATION FOR A VARIATION OF A PREMISE LICENCE

NEW HAVEN PIZZA LIMITED
132 ALBANY ROAD CARDIFF, CF24 3RU

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

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

Should the applicants agree with the representation prior any hearing, then please accept that the Police will automatically withdraw their request for a hearing with the Licensing Committee.

POLICE REPRESENTATION

1. An incident book, which shall be bound with sequential numbering 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
 - Any incidents of disorder
 - Any refusal of the sale of alcohol
 - Any ejections
 - Any failures of the CCTV system
 - Any visit by a representative of a relevant authority or a member of the emergency services
2. Notices will be placed on the exit door to remind customers to leave quietly.

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.

If the applicant does not agree with the afore-mentioned representations the Police objections will be based on the following:-

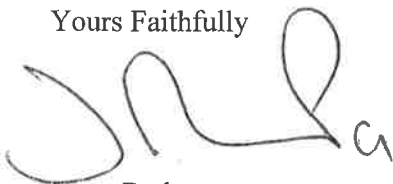
Prevention of Crime and disorder

Prevention Public nuisance

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

If you wish any further information then please contact Police Licensing Officer 759 Jon Marchant at the Cardiff Bay Police Station

Yours Faithfully

A handwritten signature in black ink, appearing to read 'J Redrup', written over a light blue circular stamp.

Jason Redrup
Chief Inspector

APPENDIX G

From: cameron paterson
To: [Barker, Kirstie](#)
Subject: FW: LICENCE HAVEN PIZZA
Date: 16 August 2019 15:10:12
Attachments:

Afternoon Kirstie.

Please find attached the e-mail I have just sent to officer Jon Marchant re the variation application for New Haven Pizza. I believe licensing have already received a copy of it , however I have asked officer Marchant to e-mail you, confirmation of our agreement to the police representations and the fact that the police are not objecting to the hours sought under the variation as lodged.

As I have received no further e-mail notifications from licensing, to say any other representations have been, made other than those previously forwarded to me, by you, I would be obliged if you would forward details of the police and my clients agreement and enquire of them as to whether in light thereof, they are prepared to withdraw their objection to the application. Especially as nobody actually living in and around the premises has lodged an objection.

I look forward to receiving your response in due course.

Cameron.

From: cameron paterson
Sent: 16 August 2019 15:00
To: Jon.
Subject: Re: LICENCE HAVEN PIZZA

Jon.

Further to our telephone conversation of a few moments ago, please accept this e-mail as confirmation of my clients agreement to comply with the representations contained therein.

As I understood our conversation the requested 04.00 hours closure is no longer opposed by South Wales police.

I will forward this e-mail to Kirstie Barker at Cardiff Licensing Authority to show our

concurrence and would be greatly obliged if you would do likewise.

Regards.

Cameron.

From:

Sent: 16 August 2019 14:45

To: licensing@cardiff.gov.uk <licensing@cardiff.gov.uk>

Cc:

Subject: LICENCE HAVEN PIZZA

Afternoon Cameron

Please find attached police representation signed by the Chief Inspector Redrup's representative , the signed original is available should you require.

Kindly acknowledge receipt of the Police representations via email also please forward to Cardiff Licensing authority and myself confirming you are in agreement of the representations.

Please do not hesitate to contact me if I can be of any further assistance.

Many Thanks

Jon



Jon Marchant 📍

**Cwnstabl yr Heddlu 759 / Police Constable 759.
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

📧 /SWPolice 📺 @SWPolice 📺 @SWPolice 📺 /SWPTV

