

LICENSING SUB-COMMITTEE: 11 OCTOBER 2019

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 041458

Name of Premises: Ivy Collection, Unit LG69/70, St David's, 43 The Hayes, Cardiff, CF10 1GA

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Troia (UK) Restaurants Limited in respect of Ivy Collection, Unit LG69/70, St David's, 43 The Hayes, Cardiff, CF10 1GA.

1.2 The applicant has applied for the following:

(1) In respect of licensable activities:

- (i) The sale by retail of alcohol for consumption on and off the premises
- (ii) The provision of regulated entertainment in the form of recorded music (indoors).
- (iii) The provision of late night refreshment (indoors & outdoors)

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

“It is a food based operation offering high quality food and wines.”

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

Monday to Sunday: 08:00 to 01:30 hours

Non-Standard Timings:

New Year's Eve: Until the start of permitted hours on New Year's Day

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

- (i) The sale by retail of alcohol for consumption on and off the premises:
Monday to Sunday: 09:00 to 01:00 hours

Non-Standard Timings:

New Year's Eve: Until the start of permitted hours on New Year's Day

- (ii) The provision of regulated entertainment in the form of recorded music (indoors):
Monday to Sunday: 08:00 to 01:00 hours

Non-Standard Timings:

New Year's Eve: Until the start of permitted hours on New Year's Day

- (iii) The provision of late night refreshment (indoors & outdoors)
Monday to Sunday: 23:00 to 01:00 hours

Non-Standard Timings:

New Year's Eve: Until the start of permitted hours on New Year's Day

- 1.3 A site plan of the premises can be found in ***Appendix A***.
- 1.4 A map showing the location of the premises can be found in ***Appendix B***.

2. Promotion of Licensing Objectives.

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

3. Relevant Representations

- 3.1 A representation was received from South Wales Police in respect of this application. A copy of the Police representation can be found in ***Appendix D***.
- 3.2 A representation was received from the Senior Licensing Enforcement Officer in respect of this application. A copy of the representation can be found in ***Appendix E***.

4. Legal Considerations.

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

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

- 4.2 In each case the Sub-Committee may make the following determination
 - a) To grant the application.
 - b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
 - c) Reject the whole or part of the application.
- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

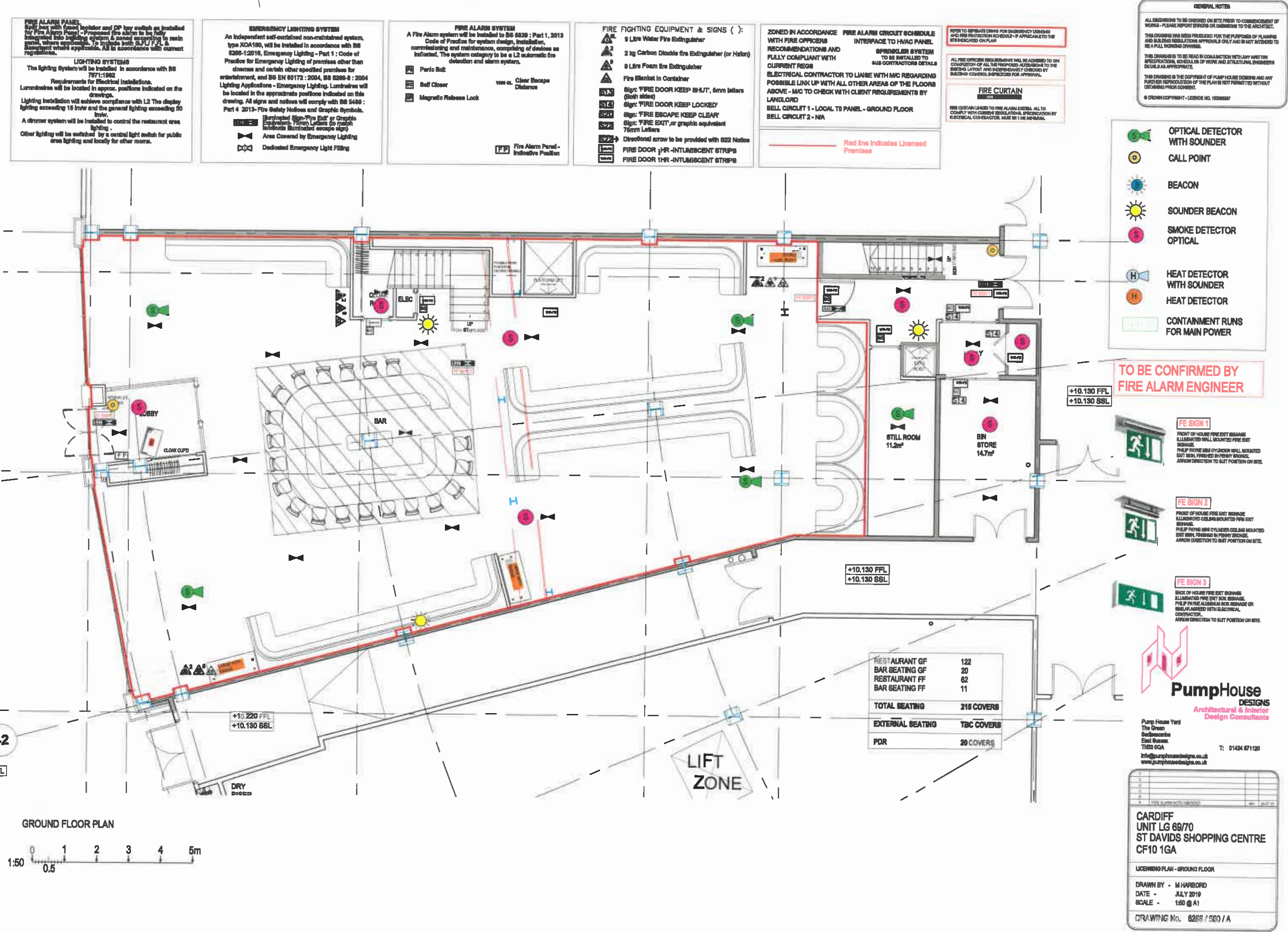
5. Issues for Discussion.

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

Dave Holland
Regulatory Services

25 September 2019

APPENDIX A (I)



APPENDIX A (II)

FIRE ALARM PANEL
Self test with reset indicator and DP key switch as installed for Fire Alarm Panel - Proposed fire alarm to be fully integrated into existing system & zoned according to main areas, where applicable, to include both S171 & S172 as appropriate. All in accordance with current regulations.

LIGHTING SYSTEMS
The lighting system will be installed in accordance with BS 7671:1992
Requirements for Electrical Installations.
Luminaires will be located in approx. positions indicated on the drawings.
Lighting installation will achieve compliance with L2 The display lighting exceeding 16 lmw and the general lighting exceeding 90 lmw.
A dimmer system will be installed to control the restaurant area lighting.
Other lighting will be switched by a central light switch for public area lighting and locally for other rooms.

EMERGENCY LIGHTING SYSTEM
An independent self-contained non-maintained system, type XQA180, will be installed in accordance with BS 6298-1:2010, Emergency Lighting - Part 1: Code of Practice for Emergency Lighting of premises other than dwellings and certain other specified premises for entertainment, and BS EN 60172: 2004, BS 6298-2: 2004 Lighting Applications - Emergency Lighting. Luminaires will be located in the approximate positions indicated on this drawing. All signs and notices will comply with BS 5449: Part 4 2013- Fire Safety Notices and Graphic Symbols.
(Illuminated Sign-Fire Exit or Graphic Symbol - 70mm Letters (to match landlord's illuminated escape sign)
Area Covered by Emergency Lighting
Dedicated Emergency Light Fitting

FIRE ALARM SYSTEM
A Fire Alarm system will be installed to BS 6838: Part 1, 2013 Code of Practice for system design, installation, commissioning and maintenance, comprising of devices as indicated. The system category to be a L2 automatic fire detection and alarm system.
Panic Bolt
Self Closer
Magnetic Release Lock
Fire Alarm Panel - Inductive Position

FIRE FIGHTING EQUIPMENT & SIGNS ():
9 Litre Water Fire Extinguisher
2 kg Carbon Dioxide fire Extinguisher (or Halon)
9 Litre Foam fire Extinguisher
Fire Blanket in Container
Sign: 'FIRE DOOR KEEP SHUT', 6mm letters (both sides)
Sign: 'FIRE DOOR KEEP LOCKED'
Sign: 'FIRE ESCAPE KEEP CLEAR'
Sign: 'FIRE EXIT', or graphic equivalent 76mm Letters
Directional arrow to be provided with S22 Notice
FIRE DOOR 1HR-INTUMESCENT STRIPS
FIRE DOOR 1HR-INTUMESCENT STRIPS

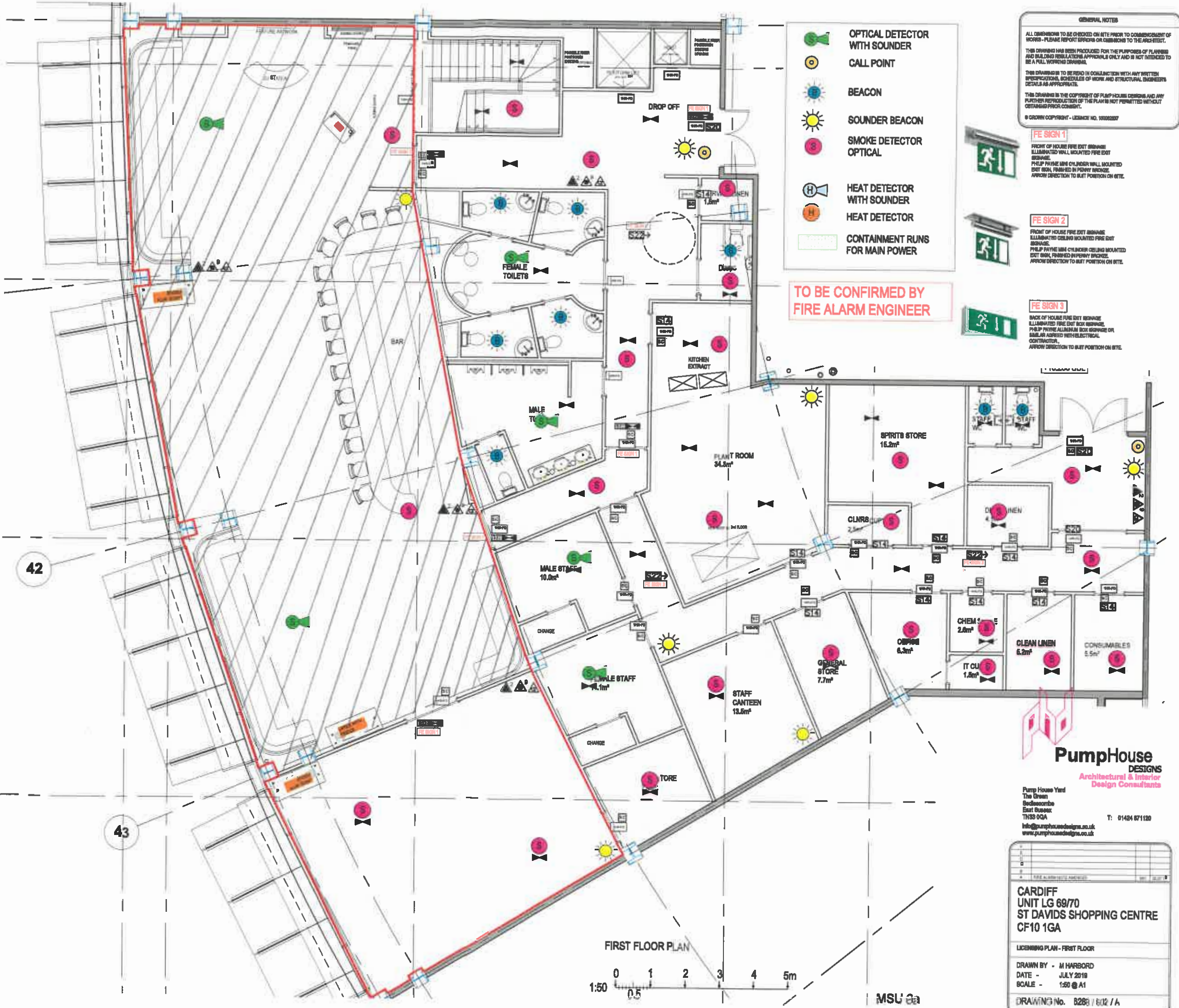
ZONED IN ACCORDANCE WITH FIRE OFFICERS RECOMMENDATIONS AND FULLY COMPLIANT WITH CURRENT REGS
ELECTRICAL CONTRACTOR TO Liaise WITH M/C REGARDING POSSIBLE LINK UP WITH ALL OTHER AREAS OF THE FLOORS ABOVE - M/C TO CHECK WITH CLIENT REQUIREMENTS BY LANDLORD
BELL CIRCUIT 1 - LOCAL TO PANEL - GROUND FLOOR
BELL CIRCUIT 2 - N/A

FIRE CURTAIN
FIRE CURTAIN LINKED TO FIRE ALARM SYSTEM. ALL TO COMPLY WITH CURRENT REGULATIONS, SPECIFICATION BY ELECTRICAL CONTRACTOR, MUST BE 1 HR MINIMUM.

Red line indicates Licensed Premises

REFER TO SEPARATE DRAWING FOR EMERGENCY LIGHTING AND FIRE PROTECTION SCHEDULE - IF APPLICABLE TO THE BUILDING ON PLAN

ALL FIRE OFFICERS REQUIREMENTS WILL BE ADHERED TO ON COMPLETION OF ALL THE PROPOSED ALTERATIONS TO THE BUILDING LAYOUT AND INDIVIDUALLY CHECKED BY BUILDING CONTROL INSPECTORS FOR APPROVAL.



GENERAL NOTES
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS - PLEASE REPORT ERRORS OR OMISSIONS TO THE ARCHITECT.
THIS DRAWING HAS BEEN PRODUCED FOR THE PURPOSES OF PLANNING AND BUILDING REGULATIONS APPROVAL ONLY AND IS NOT INTENDED TO BE A FULL WORKING DRAWING.
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ANY WRITTEN INFORMATION, SCHEDULES OF WORK AND STRUCTURAL ENGINEERS DETAILS AS APPROPRIATE.
THIS DRAWING IS THE COPYRIGHT OF PUMP HOUSE DESIGNS AND ANY FURTHER REPRODUCTION OF THE PLAN IS NOT PERMITTED WITHOUT OBTAINING PRIOR CONSENT.
© PUMP HOUSE DESIGNS - LICENSE NO. 10002887

FE SIGN 1
FRONT OF HOUSE FIRE EXIT SIGNAGE
ILLUMINATED CEILING MOUNTED FIRE EXIT SIGNAGE
PHILIP PAYNE MINI CYLINDER WALL MOUNTED EXIT SIGN, FINISHED IN POLYMER BRONZE, ARROW DIRECTION TO EXIT POSITION ON SITE.

FE SIGN 2
FRONT OF HOUSE FIRE EXIT SIGNAGE
ILLUMINATED CEILING MOUNTED FIRE EXIT SIGNAGE
PHILIP PAYNE MINI CYLINDER CEILING MOUNTED EXIT SIGN, FINISHED IN POLYMER BRONZE, ARROW DIRECTION TO EXIT POSITION ON SITE.

FE SIGN 3
BACK OF HOUSE FIRE EXIT SIGNAGE
ILLUMINATED FIRE EXIT BOX SIGNAGE, PHILIP PAYNE ALUMINIUM BOX SIGNAGE OR SIGNAGE ADHERED WITH ELECTRICAL CONTINUITY, ARROW DIRECTION TO EXIT POSITION ON SITE.

PumpHouse DESIGNS
Architectural & Interior Design Consultants

Pump House Yard
The Green
Beddington
East Sussex
TN33 0QA
info@pumphousedesigns.co.uk
www.pumphousedesigns.co.uk

T: 01424 671120

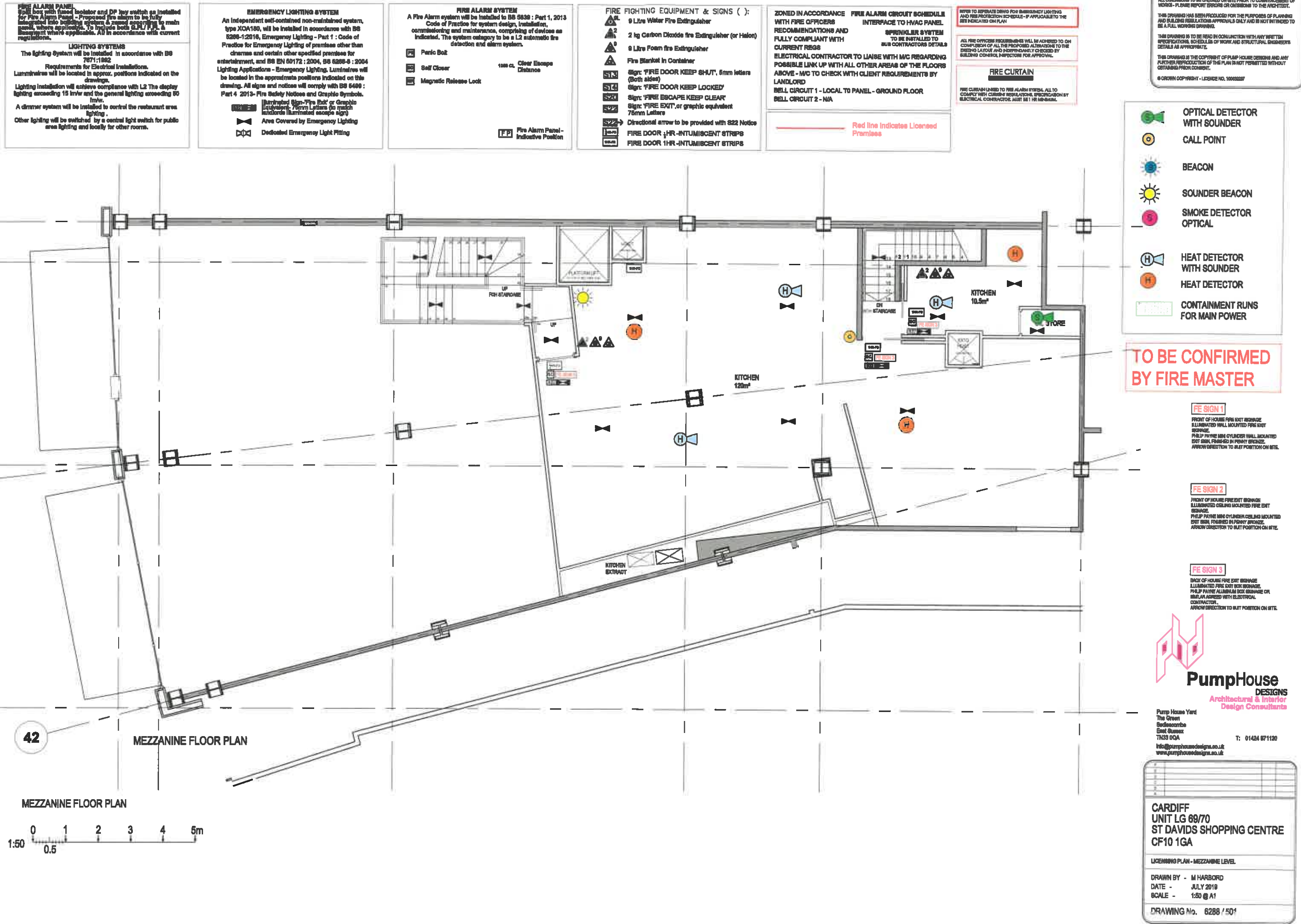
CARDIFF
UNIT LG 69/70
ST DAVIDS SHOPPING CENTRE
CF10 1GA

LICENSING PLAN - FIRST FLOOR

DRAWN BY - M HARBORD
DATE - JULY 2019
SCALE - 1:50 @ A1

DRAWING No. 5288 / 602 / A

APPENDIX A (III)



APPENDIX A (IV)

GENERAL NOTES

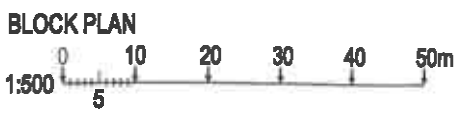
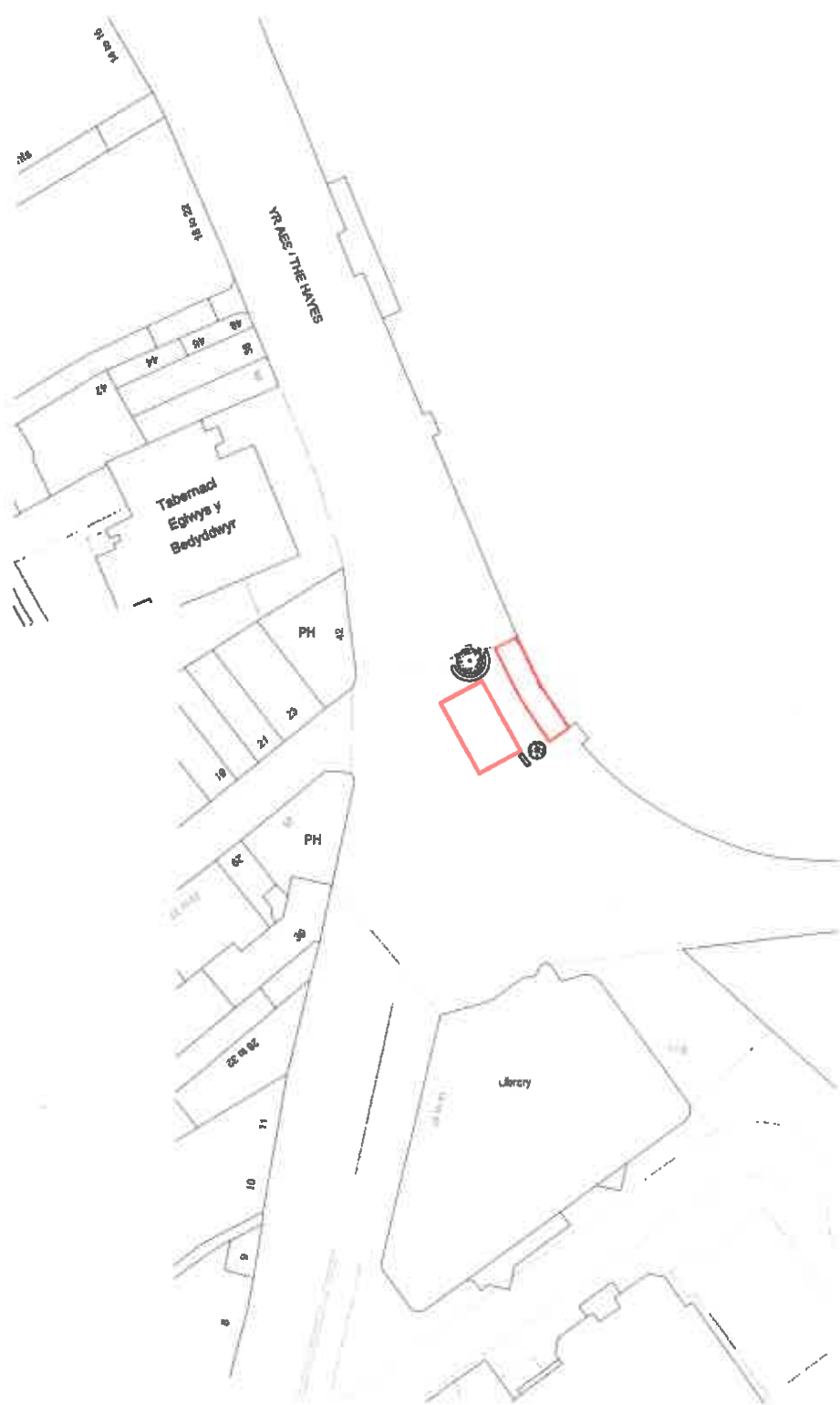
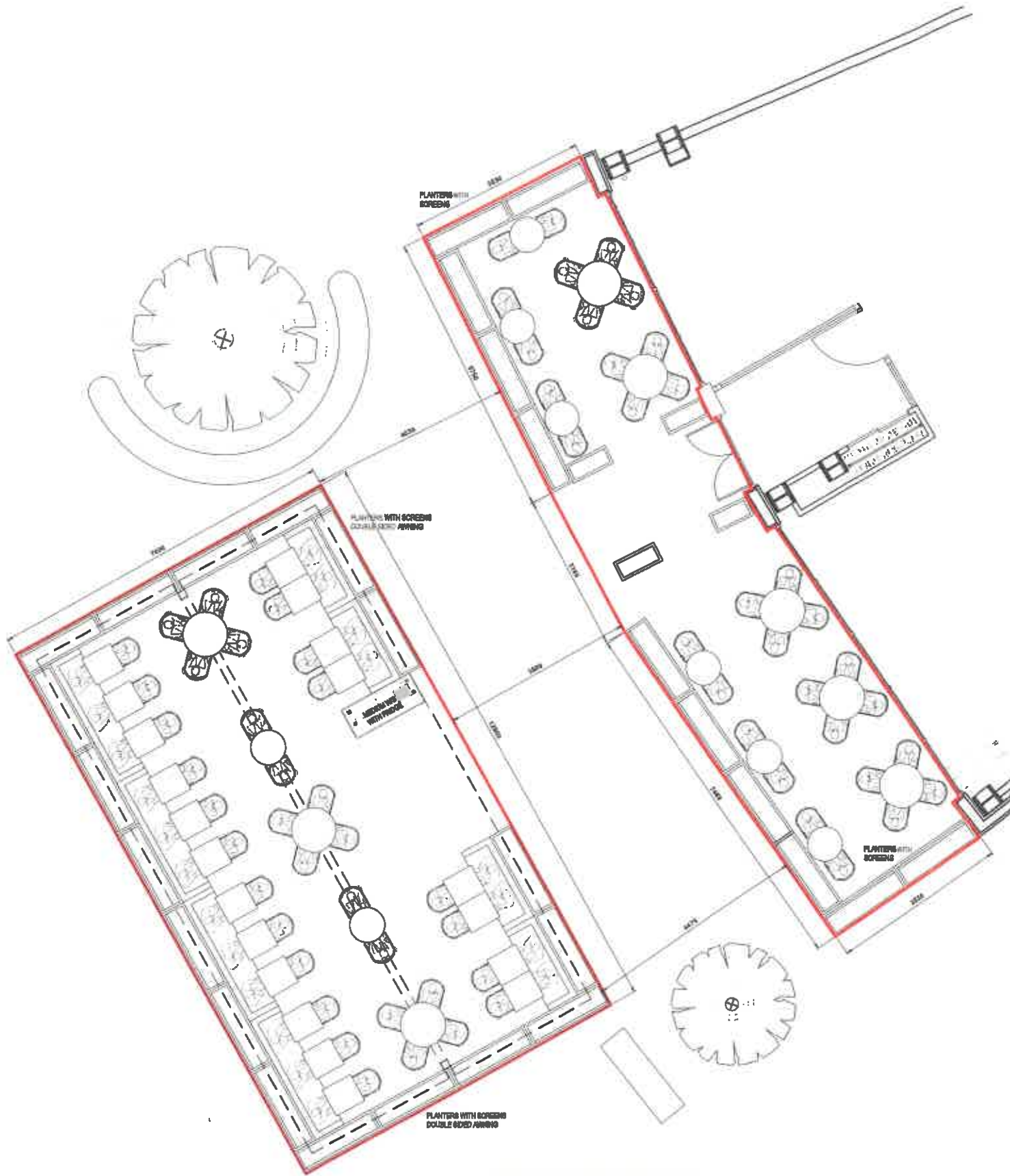
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS - PLEASE REPORT ERRORS OR OMISSIONS TO THE ARCHITECT.

THIS DRAWING HAS BEEN PROVIDED FOR THE PURPOSES OF PLANNING AND BUILDING REGULATION APPROVALS ONLY AND IS NOT INTENDED TO BE A FULL WORKING DRAWING.

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ANY WRITTEN SPECIFICATIONS, SCHEDULES OF WORK AND STRUCTURAL ENGINEER DETAILS AS APPROPRIATE.

THIS DRAWING IS THE COPYRIGHT OF PUMP HOUSE DESIGNS AND ANY FURTHER REPRODUCTION OF THE PLAN IS NOT PERMITTED WITHOUT OBTAINING PRIOR CONSENT.

© CROWN COPYRIGHT - LICENSE NO. 10038857

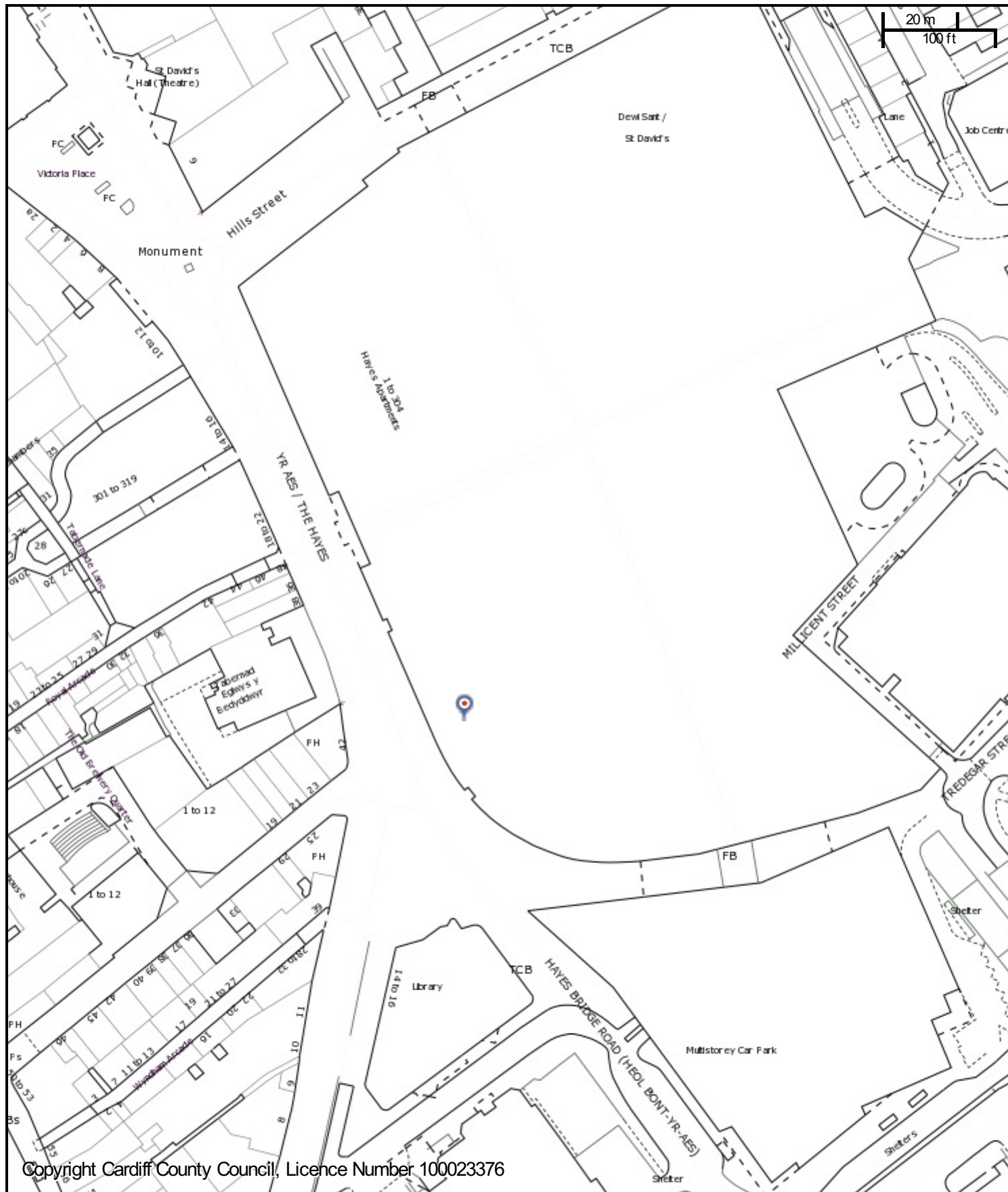


PumpHouse
DESIGNS
Architectural & Interior
Design Consultants

Pump House Yard
The Green
Seddonville
East Sussex
TN39 6DA
info@pumphousedesigns.co.uk
www.pumphousedesigns.co.uk

T: 01424 871120

CARDIFF UNIT LG 69/70 ST DAVIDS SHOPPING CENTRE CF10 1GA	
PROPOSED LICENSING PLAN - EXTERNAL SEATING	
DRAWN BY -	M HARBORD
DATE -	JULY 2019
SCALE -	1:50 / 1:500 @ A1
DRAWING No. 4322 / 424 / 503 A	



Copyright Cardiff County Council, Licence Number 100023376

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



APPENDIX B



Title

Scale: 1:1417

Date: 25/9/2019 at 14:56 PM

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 C

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

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

Please see attached list of proposed conditions which will promote the four licensing objectives.

The premises falls within the Cardiff City Centre Cumulative Impact Policy (CIP). The hours applied for are in line with the core hours set out in Cardiff's Licensing Policy for restaurant premises and the applicant has included the "additional measures" set out in the Policy within their operating schedule.

The premises will trade predominantly as a restaurant with alcohol being served as ancillary to a table meal save for areas on the ground and first floors as indicated on the licensing layout drawing where the applicant would like the flexibility to serve alcohol without the requirement of a full table meal.

Taking into account the hours sought and conditions that have been offered, the granting of the application will not have a negative impact on the four licensing objectives.

b) The prevention of crime and disorder

Please see box a) and attached list of conditions.

c) Public safety

Please see box a) and attached list of conditions.

d) The prevention of public nuisance

Please see box a) and attached list of conditions.

e) The protection of children from harm

Please see box a) and attached list of conditions.

Please tick yes

- ☒ I have made or enclosed payment of the fee or ☒
- ☐ I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐

**Ivy Collection, Unit 69/70 St David's, 43 The Hayes, Cardiff, CF10
1GA**

Premises Licence Application

Conditions

1. At least 70% of the public space will be occupied by tables and chairs.
2. All meals will be consumed at tables with non-disposable crockery.
3. The sale of alcohol for consumption on the premises will be ancillary to the taking of a substantial table meal with the exception of those customers in the hatched areas as indicated on the licensing layout drawing. In the hatched areas, substantial food shall be available throughout the premises at all times during the permitted hours.
4. There will be no self-seating, customers will be shown to their table by staff.
5. Food will be served by waiter/waitress service only.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
8. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
 - (a) The need to ensure the responsible sale and supply of alcohol
 - (b) The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
 - (c) The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old
9. There will be appropriate signage at the premises requesting customers to leave quietly.
10. All external doors and windows at the premises shall remain closed at all times when regulated entertainment is provided save for ingress and egress.

11. Staff will routinely check the premises during the opening hours to ensure that the premises are clean and tidy
12. Empty glasses will be regularly collected and any spillage dealt with as soon as practicable.
13. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram.
14. No bar for the purpose of dispensing alcohol will be set up in the outside area.
15. On major event days in the Cardiff City Centre no glass vessels will be allowed in the outside area.
16. 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 all outside areas and exits and entrances used by customers. Images shall be kept for a minimum of 31 days.
17. The images shall be produced to an authorised 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.
18. No recorded music shall be played in the outside area after 23:00 hours each day.
19. There will be no entertainment of a sexual nature such as striptease or lap dancing.

APPENDIX D

From:

Cc: [Licensing \(Licensing Regulatory\) / Trwyddedu \(Rheoleiddio Trwyddedu\)](#)
Subject: objection letter prem application IVY COLLECTION
Date: 11 September 2019 13:39:32
Attachments: [objection letter prem application IVY COLLECTION.doc](#)

***** 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, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

Dear Kerry, Lisa and Council Licensing,

Please find attached the police objection in relation to the application for a premises licence for IVY COLLECTION in Cardiff.

The signed original is available for me to post it to you should you require.

Regards

Tony

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.

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

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

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

11th September 2019

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

"IVY COLLECTION", Unit LG69/70 St. DAVIDS, 43 THE HAYES, CARDIFF CF10 1GA

I, Chief Inspector J. REDRUP of the South Wales Police for the district of Cardiff, hereby give notice that an objection shall be made to the application for the grant of a premises licence for "IVY COLLECTION", Unit LG 69/70, St. DAVIDS, CARDIFF CF10 1GA.

This objection is made under the licensing objectives of;

The prevention of crime and disorder,
Public safety.

The prevention of public nuisance.

The protection of children from harm.

(The premises are in a saturation policy zone, there is a disproportionate amount of alcohol related crime, disorder and public nuisance in the area.)

Should the committee be minded to grant this application South Wales Police ask that the below conditions be attached to the licence.

p.t.o.

1. The sale/supply of alcohol will be ancillary to the partaking of a table meal.

(Requested to meet the requirements of Cardiff Council Statement of Licensing Policy which is based on the licensing objective of the prevention of crime and disorder).

2. SIA registered door supervisors will be employed from 2100 hours to close when the premises are to be open past 00:00. They will be provided on a ratio of a minimum of one to one hundred customers.

3. The premises will operate a radio system capable of being monitored by South Wales Police and the local authority when licensable activities are being conducted.

4. On days designated as “major event days” by South Wales Police, two SIA door staff will be employed at the premises during the opening hours.

5. No bar for the purpose of dispensing alcohol will be set up in the outside area.

(Requested to minimise the impact of the sale of alcohol that could find its way onto nearby streets).

Should you have any queries regarding the above objection, please contact Licensing

faithfully,

J. REDRUP
CHIEF INSPECTOR.

APPENDIX E

From: [Morgan, Rhys](#)
To: [Barker, Kirstie](#)
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Ivy Collection, Unit LG69/70 St David"s, 43 The Hayes
Date: 11 September 2019 14:58:00

Hi Kirstie,

Licensing Act 2003: Application for the grant of a Premises Licence – Ivy Collection, Unit LG69/70 St Davids 43 The Hayes.

In regard to the above application to grant premises license, I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

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

The policy creates a presumption that new applications for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives.

The premises detailed above falls within the boundary of the Cumulative Impact Zone and therefore an objection is submitted in respect to the following Licensing Objectives.

The prevention of crime and disorder.
The prevention of public nuisance.

There has been detail submitted in the application and within the operating schedule for how the operator will promote the licensing objectives within cumulative impact policy along with the prevention of crime and disorder and Public Nuisance. However the premise has requested that alcohol sold within the designated marked area on the plan shall not be ancillary to the partaking of a substantial table meal. The ground floor shows a small area located around the bar servery which in principal falls within the policy but could be considered as a compromise given the remaining additional measures have been adopted. However the first floor on the plan is completely marked as a hashed area effectively making the provision for alcohol sales not ancillary to a table meal in this entire area. This inclusion pushes the application within the red classification under the statement of licensing policy and Consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Cumulative Impact Policy. The licensing Authorities position

You will need to demonstrate to the Licensing Sub-Committee that there will be no negative cumulative impact on one or more of the licensing objectives if the Premises Licence were to be granted.

Kind regards

Rhys Morgan
Licensing Section / Adran Drwyddedu
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan