CARDIFF COUNCIL CYNGOR CAERDYDD Agenda Item CO.

LICENSING SUB-COMMITTEE: 17th January 2020

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 045339 Premises: Depot, Williams Way, Butetown, Cardiff, CF10 5DY Ward: Butetown

1. <u>Application</u>

- 1.1 An application for a Premises Licence Granthas been received from Depot Warehouse Limited in respect of Depot, Williams Way, Butetown, Cardiff, CF10 5DY.
- 1.2 The applicant has applied for the following:
 - (1) In respect of the following licensable activities:

1. The sale by retail of alcohol for consumption on the premises: Monday to Sunday: 10:00 to 00:00 New Year's Eve: 10:00 to 03:00

2. The provision of regulated entertainment in the form of plays, films, indoor sports, boxing or wrestling, live music, recorded music, performance of dance and entertainment of a similar description (indoors and outdoors):
Monday to Sunday: 10:00 to 00:00
New Year's Eve: 10:00 to 03:00

3. The provision of late night refreshment (indoors and outdoors): Monday to Sunday: 23:00 to 00:00 New Year's Eve: 23:00 to 03:00

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

"The proposed use would be an event space (which is unclassified as sui generis), to allow a variety of functions. Room One is the event space with bar areas for the serving of drinks. The remainder of the rooms are ancillary with an office, storage and toilets. The type of events will depend on the bookings and will be varied. The intention is to provide a creative

space that allows for a range of different events to be held, including live gigs; parties; themed events; food festivals etc".

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

2. <u>Promotion of Licensing Objectives.</u>

2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached as *Appendix C.*

3. <u>Relevant Representations</u>

- 3.1 A representation has been submitted by South Wales Police, a copy of which is attached as *Appendix D.*
- 3.2 A representation has been submitted by the Noise Pollution team of Shared Regulatory Services, a copy of which is attached as *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

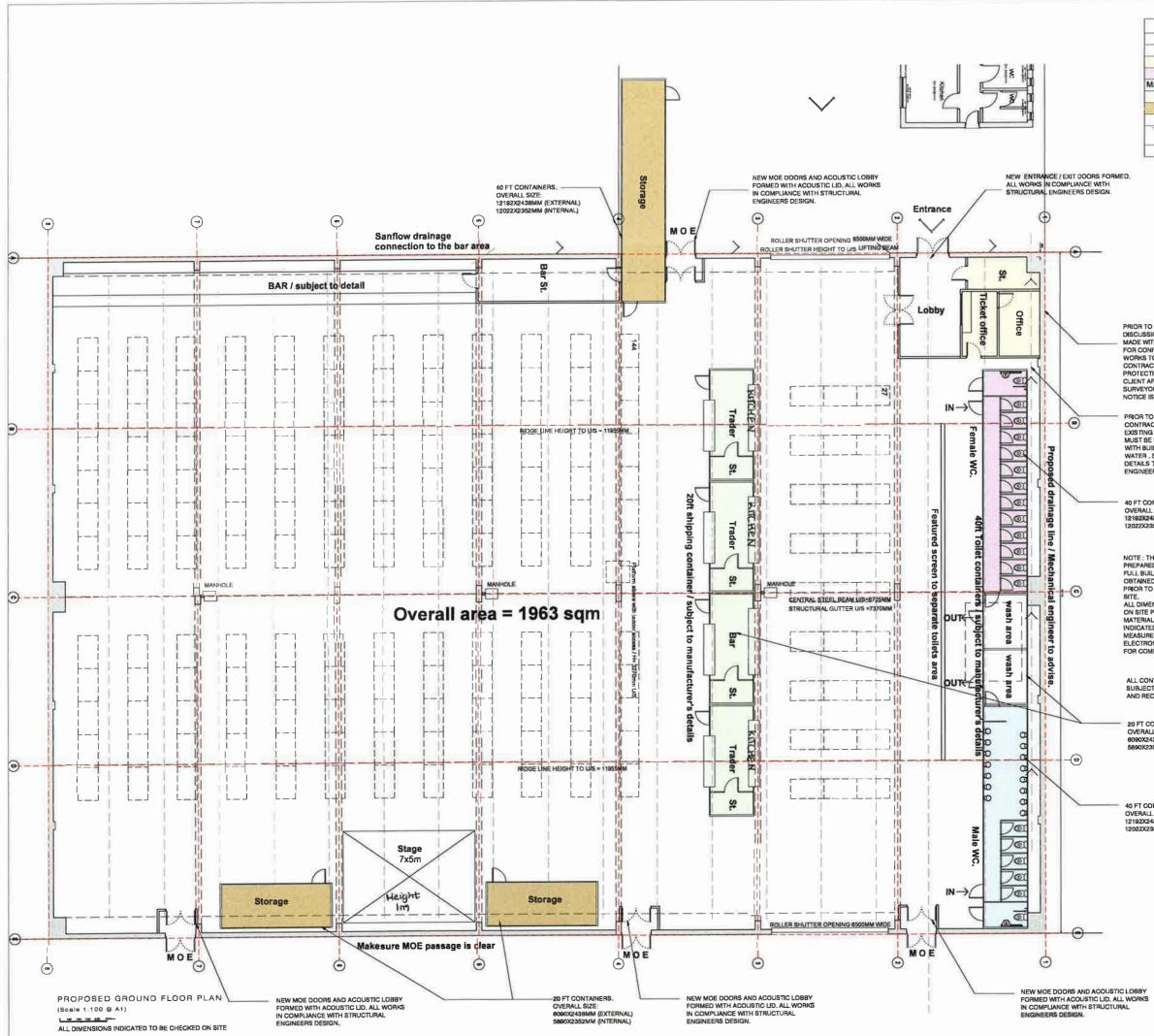
- 4.2 In each case the Sub-Committee may make the following determination
 - a) To grant the application.
 - b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
 - c) Reject the whole or part of the application.
- 4.3 All decisions taken by the Sub-Committee 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 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. <u>Issues for Discussion.</u>

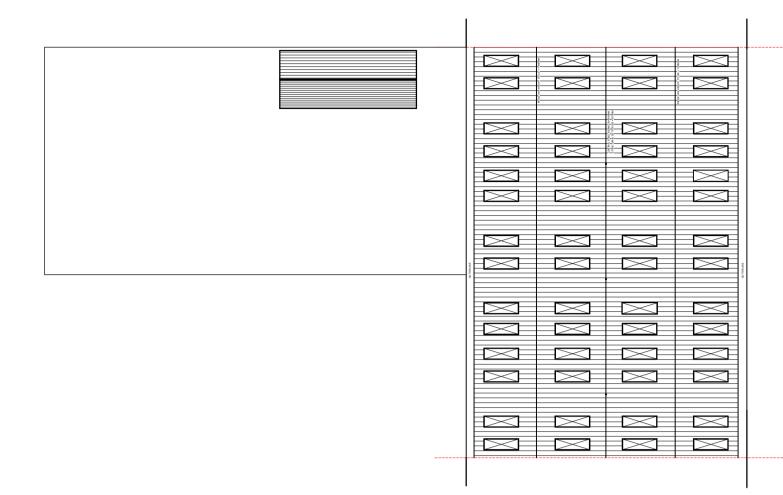
5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland Regulatory Services 31 December 2019

APPENDIX A



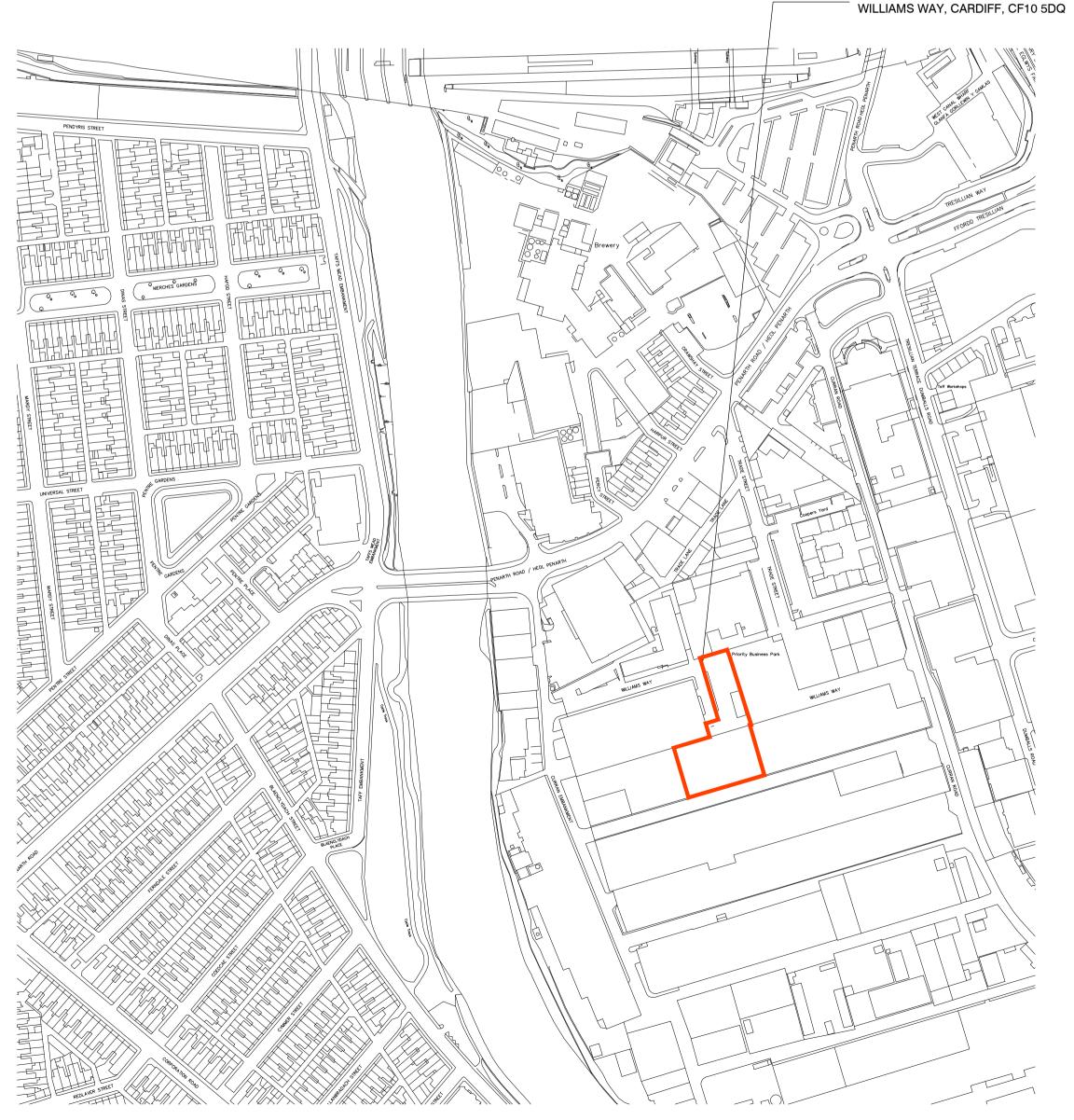
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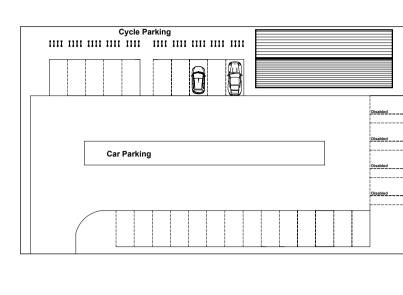
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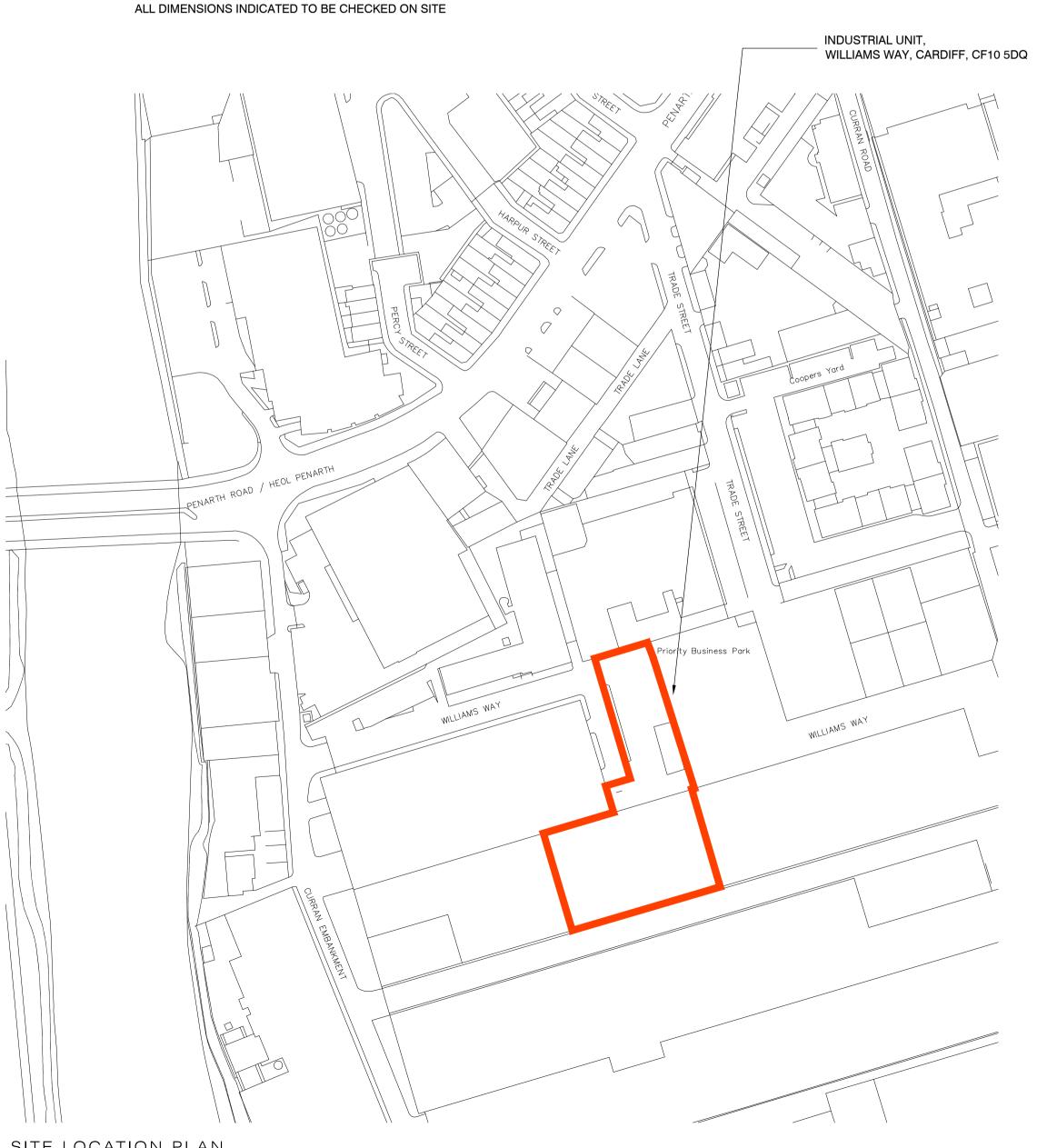


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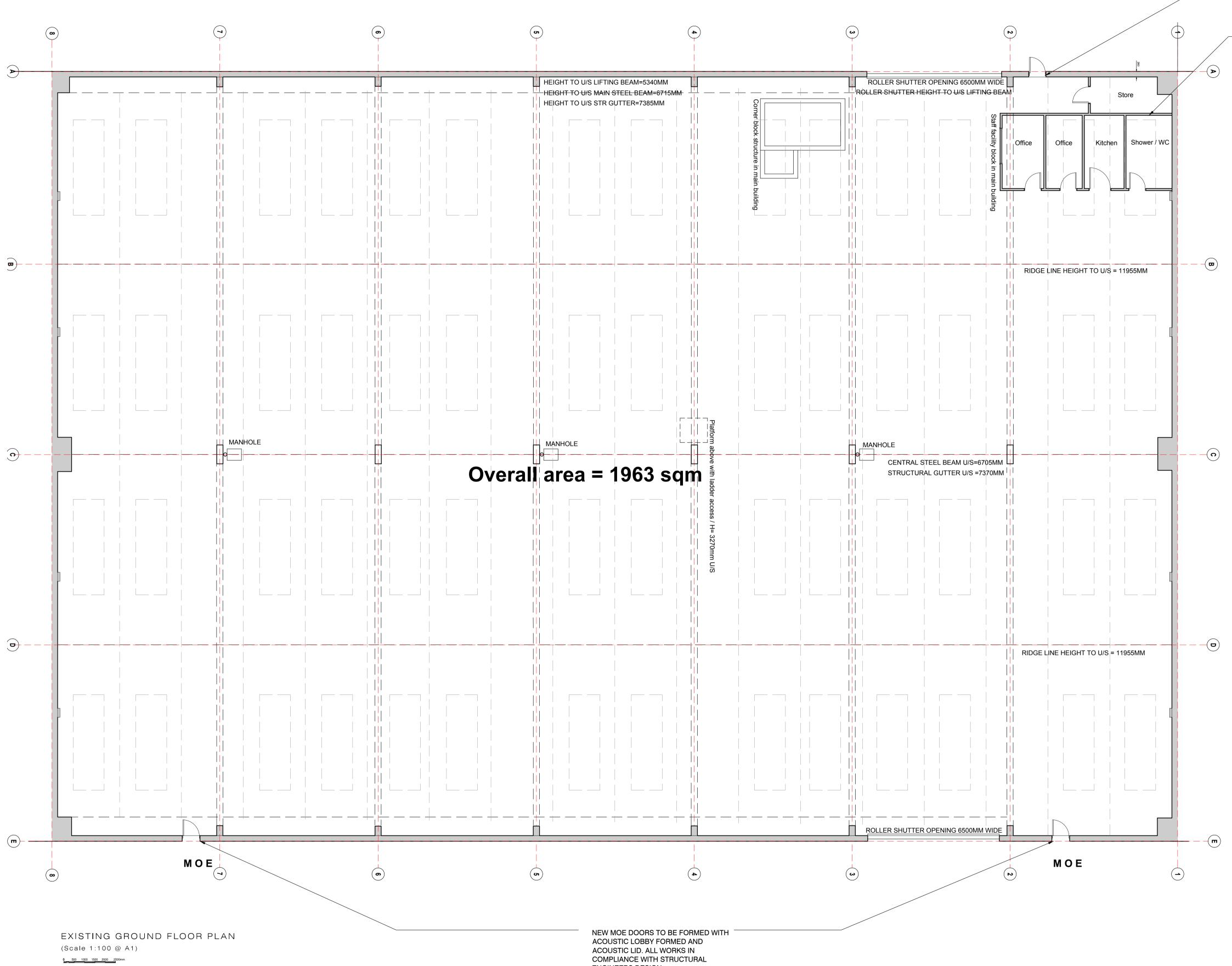
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T 02920 390099 E info@franksandtoms.com



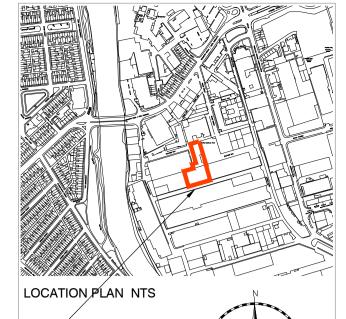
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ENGINEERS DESIGN.

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OFFICE / SHOWER / WC AREA RECONFIGURATION TO ACCOMMODATE NEW ENTRANCE TICKET AREA.



WILLIAMS WAY, -CARDIFF, CF10 5DQ

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NOTE : THESE DRAWINGS HAVE BEEN PREPARED FOR PLANNING PURPOSES ONLY. FULL BUILDING CONTROL APPROVAL TO BE OBTAINED BY THE CLIENT/ CONTRACTOR PRIOR TO COMMENCEMENT OF WORKS ON SITE.

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CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE, BEFORE COMMENCEMENT OF ANY WORKS, ANY ANOMALIES MUST BE REPORTED. DO NOT SCALE FROM DRAWINGS, FIGURED DIMENSIONS ONLY TO BE USED.

REV: REVISION NOTE:

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CLIENT: DEPOT

PROJECT: Proposed change of use, refurbishment & external works, in Williams Way, Cardiff.

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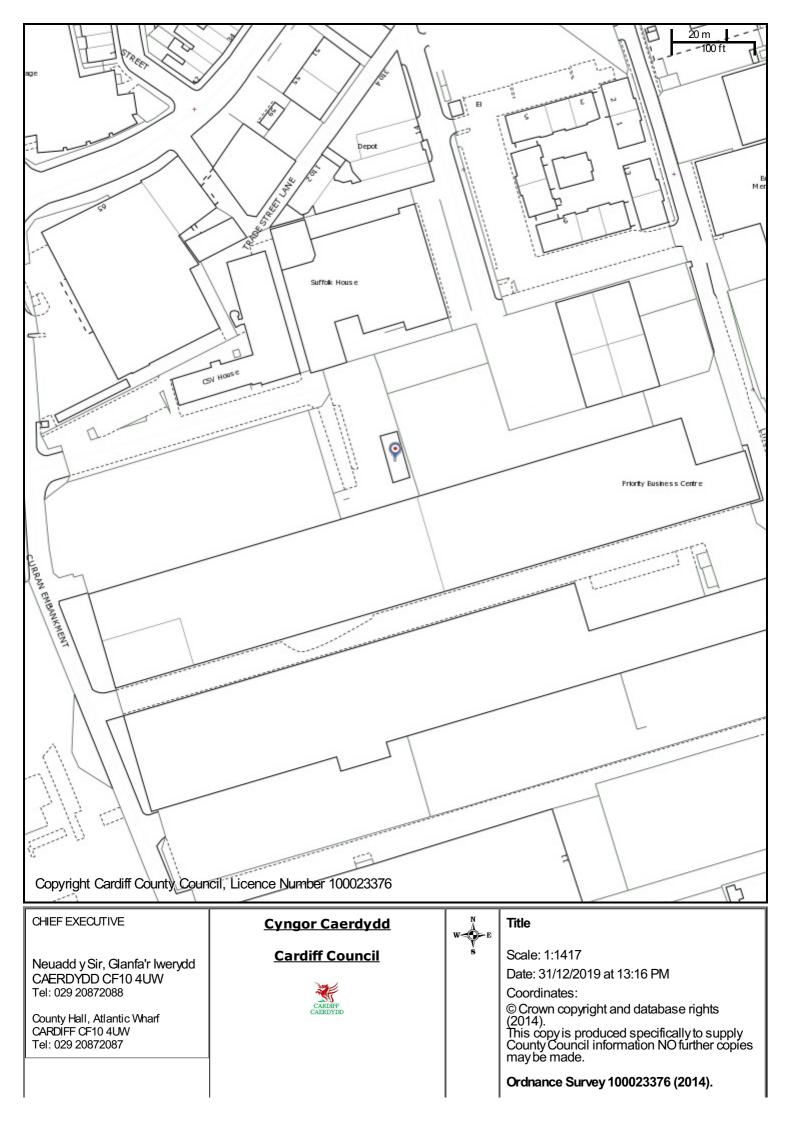
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APPENDIX B



APPENDIX C

Continued from previous page...

drinking up time from 3am to 3:30am.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

Please see attached the following documents:

Dispersal Policy Neighbour Charter Schedule of Works Coach Policy Coach Risk Assessment June 2016 Speaker Layout Policy Drugs Policy Final Planning Design and Access Statement Noise Assessment Report (August 2019 & October 2019)

Additionally the premises has public liability insurance, fire extinguishers on every exit and five members of the management team have undergone first aid training.

Please note the Coach Risk Assessment has been reviewed in respect of the application for the new premises and the current policy in place is suitable for the new premises and no amendments are required.

Finally, a Fire Alarm Plan is due to be approved and will be sent following the appropriate approval by 22 November 2019.

b) The prevention of crime and disorder

The venue would be managed by the applicant (Nicholas Saunders) and there would be a security company to ensure the safety of the public whilst in the venue. A suite of policies have been prepared, including crowd and noise control. This is to prevent any anti-social behaviour in and around the venue to ensure the amenity of neighbouring residents is protected. We intend on using polycarbonate drinking vessels on an individual risk assessment basis of event - mainly be used for major events days.

c) Public safety

A security company will be employed in order to ensure the safety of the public whilst in the venue. CCTV will also be in operation. A Fire Strategy has been prepared and a separate Building Regulations application made. A number of new exits are being created to ensure there are the correct avenues for people leaving the venue in the event of a fire. All containers will have ventilation for food hygiene purposes and a table and bottle bin will be positioned just inside the venue, by the door to the foyer, to collect glasses and bottles. Security to actively encourage customers to disperse to the north of the venue, away for the residential area, to discourage loitering outside the venue and to advise customers to keep the volume down. There will be a coach policy in place and this will be provided to all pre-booked coaches so that they are aware of the correct procedure in order to ensure public safety before arrival.

d) The prevention of public nuisance

A noise report has been prepared by Wardell Armstrong, the noise report recommends measures to ensure music from the

Continued from previous page...

event space does not exceed the specified level. These measures are outlined in Section 5.7 of the Final Planning Design and Access Statement. Depot will start discussions with the local taxi firms, to make the pick-up point further north of the venue, in order to reduce the noise impact on nearby residents. Depot are also considering sound proofing measures as highlighted in the speaker layout policy. Security to actively encourage customers to disperse to the north of the venue, away for the residential area, to discourage loitering outside the venue and to advise customers to keep the volume down.

e) The protection of children from harm

There will be a challenge 25 policy in place at all bars and at the entrance. The entrance to the venue will be manned by SIA Security and valid age verification will be required in order to gain access to the venue.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

APPENDIX D

From:

Subject:	New Premises Application- The Depot, Williams Way Cardiff.
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*** 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. ***

Please find attached representations made by South Wales Police in respect of the application for a new premises licence, The Depot, Williams Way, Cardiff.

South Wales Police object to the grant of this licence under the following licensing objectives;

Prevention of Crime and Disorder.

Public Safety.

Protection of Children from Harm.

However, should the applicant confirm their agreement with the proposed conditions as set out in the above representations, then South Wales Police will withdraw their objection to the application.



Rob Gunstone Cwnstabl yr Heddlu 3487 / Police Constable 3487. 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

Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch?

CADW DE CYMRU'N DDIOGEL • KEEPING SOUTH WALES SAFE



SWYDDOGOL - OFFICIAL

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

16th December 2019

The Depot. Williams Way. Butetown. Cardiff. CF10 5DY

APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003. THE DEPOT. WILLIAMS WAY, BUTETOWN.CARDIFF. CF10 5DY.

To whom it may concern,

I have caused enquiries to be made into this application. The premises is located within an industrial area at Williams Way, Butetown in Cardiff. At this time South Wales Police object to the granting of new premises licence as applied for under the following licensing objectives, namely;

The Prevention of Crime and Disorder.

Public Safety.

Protection of Children from Harm.

However, should the applicant confirm their agreement with the below proposed representations, deemed to be appropriate and proportionate to promoting and upholding the licencing objectives, then any such objection will be withdrawn.

Mae Heddlu De Cymru yn croesawu derbyn goheblaeth yn Gymraeg a Saesneg. Byddwn yn ateb goheblaeth 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.

NOT PROTECTIVELY MARKED

POLICE REPRESENTATIONS.

The applicant has indicated that they will implement a number of proposed measures as part of the application. They are as follows;

General.

Dispersal Policy. Neighbour Charter. Schedule of Works. Coach Policy. Coach Risk Assessment. Speaker Layout Policy. Drugs Policy. Final Planning Design and Access Statement. Noise Assessment Report { August 2019 & October 2019}

Additionally the premises has public liability insurance, fire extinguishers on every exit and five members of the management team have undergone first aid training.

Please note the Coach Risk Assessment has been reviewed in respect of the application for the new premises and the current policy in place is suitable for the new premises and no amendments are required.

Finally, a fire alarm plan is due to be approved and will be sent following the appropriate approval by 22 November 2019.

Prevention of Crime and Disorder.

The venue would be managed by the applicant { Nicholas Saunders } and there would be a security company to ensure the safety of the public whilst in the venue. A number of policies have been prepared, incvluding crowd and noise control. This is to prevent any anti-social behaviour in and around the venue to ensure the amenity if neighbouring residents is protected. We intend on using polycarbonate drinking vessels on an individual risk assessment basis of event-mainly be used for major events days.

Public Safety

A security company will be employed in order to ensure the safety of the public whilst in the venue. CCTV will also be in operation. A fire strategy has been prepared and a separate Building Regulations application made. A number of new exits are being created to ensure there are the correct avenues for people leaving the venue in the event of fire. All containers will have ventilation for food hygiene purposes and a table and bottle bin will be positioned just inside the venue, by the door to the foyer, to collect glasses and bottles. Security to actively encourage customers to disperse to the north of the venue, away from the residential area, to discourage loitering outside the venue and to advise customers to keep the volume down. There will be a coach policy in place and this will be provided

to all pre-booked coaches so that they are aware of the correct procedure in order to ensure public safety before arrival.

The prevention of public nuisance.

A noise report has been prepared by Wardell Armstrong, the noise report recommends measures to ensure music from the event space does not exceed the specified level. These measures are outlined in Section 5.7 of the Final Planning Design and Access Statement. Depot will start discussions with the local taxi firms, to make the pick up point further noth of the the venue, in order to reduce the noise impact on nearby residents. Depot are also considering sound proofing measures as highlighted in the speaker layout policy. Security to actively encourage customers to disperse to the north of the venue, away from the residential area, to discourage loitering outside the venue and to advise customers to keep the volume down.

The protection of children from harm.

There will be a challenge 25 policy in place at all bars and at the entrance. The entrance to the venue will be manned by SIA Security and valid age verification will be required in order to gain access to the venue.

Whilst noting the above measures, South Wales Police request that the following conditions be added to the premises 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 where the public have access {excluding toilets} 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 will be kept and maintained at the premises at all times. It shall be made available on request to a Police employee. This book will record the following: All crimes reported at the venue All refusals of sales of alcohol Any ejections of patrons Any disorder on the premises Any visit by representatives of a relevant authority or emergency service Any failure of the CCTV system.

3. On those days designated by South Wales Police as major event days in the City Centre of Cardiff, all drinks will be dispensed in 'non glass' vessels.

4. SIA registered Door Supervisors will be employed when the premises is open to the public. There shall be a minimum of 6 SIA registered Door Supervisors on duty from opening until closure of the premises. Once the number of attendees exceeds 450, additional Door Supervisors shall be provided at the ratio of 1:75 or part thereof. Door supervisors shall each be equipped with a two-way radio to facilitate communication between themselves/management.

5. A register of door supervisors shall 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 shall be kept by the DPS for a minimum of 12 months and will be made available to a Police employee on request.

6. Body worn cameras shall be utilised by door supervisors at the premises on a ratio of one body worn camera to every three SIA registered door supervisors. The device(s) used shall be capable of recording video images and sound. Images from the body worn cameras shall be stored for a minimum of 31 days and shall be produced to a police employee in a readily playable format, immediately upon request when the premise is open to the public and at all other times as soon as reasonably practicable, subject to data protection legislation. There will be sufficient trained staff to facilitate the above condition.

7. From 22:45hrs, when the venue is open and for an additional period of at least 30 minutes after the last patron leaves, the premises will provide at least 2 SIA registered door supervisors in high visibility tabards or jackets outside the venue to assist in the safe dispersal of patrons as they leave the premises and the management of traffic on the approaches to the premises. These door supervisors will wear body worn cameras at all times whilst outside the premises. As the numbers of patrons reduces within the premises additional SIA registered door supervisors will be employed in this capacity.

8. On those occasions when a pre-planned event at which the numbers of patrons are likely to exceed 450, crowd control barriers will be erected along the highway {Williams Way} from 22:45hrs, to create a pedestrian walkway. These barriers will be in a triangular formation at the entrance to Williams Way with stewards directing patrons to and from the premises. There will be a designated crossing area to the north of the entrance which is to be monitored by staff from the premises wearing Hi-vis clothing.

9. On those occasions when a pre-planned event at which the numbers of patrons are likely to exceed 450, there shall be route Marshalls positioned within line of sight of each other along the most suitable route to and from the premises, advising attendees of the designated travel path.

10. Searching and wanding (with a metal detecting wand or similar) will take place on the front door as risk assessed by the Designated Premises Supervisor (DPS) and door team (notices to advise of this shall be on display). A search policy shall be in place and will include procedures for the confiscation of prohibited articles, such as drugs and weapons. Searches shall be conducted at the discretion of SIA registered Door Supervisors.

11. The premises will adopt the drug safe scheme. A lockable Drugs safe will be installed at the premises and accessible only to a Police officer or member of Police staff. Any drugs seized at the premises will be recorded in the premises incident book. This entry will record the date and time of the seizure, the details of the person seizing the items, a description of the items and the circumstances of the seizure. Where it is suspected that a person is supplying drugs then Police will be contacted at the time.

12. Suitably medically trained staff will be on the premises whenever said premise is open to the public. A dedicated area shall be provided for the purpose of providing care to patrons who are in

NOT PROTECTIVELY MARKED

need of assistance through injury or intoxication, or awaiting collection. In cases where patrons refuse all offer of assistance, all steps taken by staff at the premise shall be recorded, to evidence what efforts were made to ensure the safety of the individual concerned.

13. Clear notices must be prominently displayed requesting customers to leave the premises and the area in a quiet and orderly manner.

14. Toilet checks will be conducted hourly, at irregular intervals, to deter patrons from illegal activity. A register of toilet checks will be kept by the DPS for a minimum of 31 days and will be made available to a police employee upon request.

15. Individuals shall not be allowed to purchase more than 4 drinks at any single visit to the bar. A drink consists of one pint, one half, a glass of wine or a single measure of spirit.

16. When boxing, wrestling or other combat sport fighting events are taking place at the premises, or musical events at the premises, a detailed operating schedule will be submitted to South Wales Police at least 28 days prior to the event. The schedule will include details of the proposed event and include risk assessments. The Police will impose any further conditions deemed necessary and proportionate which will be valid for the entire duration of the proposed event.

17. Purchase of alcoholic beverages will be possible only from static bars and table service. There will be no mobile alcohol sales persons of any sort.

18. Young persons under the age of 18 years will not be permitted to consume beer, cider or wine with meals, irrespective of an adult purchase.

19. When boxing, wrestling or other combat sport fighting events are taking place at the premises, members of the public {not actually involved in the event} must be seated at tables.

20. When boxing, wrestling or other combat sport fighting events are taking place at the premises, The Promoter shall ensure that a minimum of two doctors, one of whom must be practised in the management of an unconscious or partially conscious patient, who have been approved by the Area Medical Officer, attend at all Promotions. A doctor practised in the management of an unconscious or partially conscious patient must be seated at the ringside at all times during a Contest.

21. When boxing, wrestling or other combat sport fighting events are taking place at the premises, all Boxers shall be medically examined after the weigh-in or immediately prior to the commencement of the Promotion. Each Boxer must also be medically examined after every Contest. If the examining doctor considers it necessary to do so they shall send a report to the Board or Area Council. A doctor must be available to give immediate attention to any Boxer should this be required.

22. When boxing, wrestling or other combat sport fighting events are taking place at the premises, a suitable equipped ambulance will on site for the duration of the event, subject to the need to convey patients.

23. The consumption of alcohol is restricted to areas identified on the premises licence plan attached.

24. Signage will be provided to remind patrons to leave all drinking vessels on the premises.

NOT PROTECTIVELY MARKED

25. Details of staff training will be recorded, in writing and these records will be retained for a period of no less than 12 months.

26. No unaccompanied children will be permitted on the premises.

27. Children must be supervised by a parent, authorised guardian or an enhanced DBS vetted staff member when theatre or cinema matinees taking place.

28. The Designated Premises Supervisor or a Personal Licence holder shall be present at all times.

29. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.

30. A sign will be displayed at the entrance to the premises, entrance to the toilets and within the toilets advising of zero tolerance of the possession or use of controlled drugs.

31. On those occasions when a pre-planned event at which the numbers of patrons are likely to exceed 450, dedicated staff will be employed to assist the door staff with the primary responsibility of identifying potentially intoxicated individuals and to help them accordingly; there shall be a minimum of two such staff members whenever licensable activities take place.

Yours faithfully S. Murray.

Superintendent.

COPY TO:

Dan Cooke. Operations Manager, Licensing and Strategic Services. Cardiff City Council. City Hall, Cardiff. CF10 3ND

APPENDIX E

From:	Jones, Gillian P
To:	
	726397Depot Warehouse Limited, Williams Way, Butetown, Cardiff, CF10 5DY
Date:	13 December 2019 13:09:48
Attachments:	image001.png
	image002.png
	726397 SRSEP031-CardiffCouncilRepresentationFormWORD 20191213125153.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, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. ***

Dear all

Please find attached my representation form regarding the new location of Depot. 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.



British Hallmarking Council The National Association of levelless WINNER 2019

CITY OF CARDIFF COUNCIL



Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications

Details of person or body making representation		
Your Name:	Gillian Jones	
Your Address:	City of Cardiff Council, City Hall, Cathays Park, Cardiff CF10 3ND	
Phone Number:		
E-mail:		

Details of premises representation is about	
Name and Address of Premises: Construction House, Dumballs Road, Butetown, Cardiff	
Application Number: (if known)	726397

Please tick one or more of the licensing objectives that your representation relates to:		
Prevention of crime and disorder		
Public Safety		
Prevention of public nuisance		Yes
Protection of children from harm		

Please summarise your concerns about this application:

I wish to object to this application, I have concern regarding the application on the grounds of the prevention of public nuisance, especially from loud amplified music, shouting and regulated entertainment at the venue. There are residential properties nearby that could be disturbed.

Please give further details of <u>why</u> you believe this application will have an adverse effect on the licensing objectives:

I write in relation to the licensing objective, the prevention of public nuisance, I believe that the new premises will disturb the occupiers of nearby residential properties by playing loud music and shouting from customers. The information provided with the application does not give meaningful data to give suitable and sufficient conditions for a premises licence. I am of the opinion that the existing premises licence conditions for their existing location at Construction House, Dumballs Road are not detailed enough or measureable for this new location. Therefore, I am open to having a discussion with the applicant regarding conditions. If we can agree a list of comprehensible/measurable conditions I may consider lifting my objection.

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, City of Cardiff Council, Room 203 City Hall, Cardiff CF10 3ND	
By E-mail:	licensing@cardiff.gov.uk	