

LICENSING SUB-COMMITTEE: 2 October 2020

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 054300

Name of Premises: Metchy's Café, 1 Cathays Terrace, Cathays, Cardiff, CF24 4HS

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Unvar Hospitality Limited in respect of Metchy's Café, 1 Cathays Terrace, Cathays, Cardiff, CF24 4HS.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

(i) The sale by retail of alcohol for consumption on the premises

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

"The business is in a stand alone position on Cathays Terrace and has the capacity to hold 40 to 50 customers at any one time. The business is currently operating as a cafeteria from the hours of 8 am to 7pm, seven days a week. However, we have the opportunity to extend our opening hours to 10pm as per our license agreement, this would support our business to financially withstand the implications of COVID 19 and will hopefully lead to growth. Having considered this we feel that in order to draw customers in the sale of alcohol on the premises only, would support this. Food will continue to be served therefore, the business will not remain open for the sole purpose of selling alcohol".

(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 22:00 hours

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

i) The sale by retail of alcohol for consumption on the premises:

Monday to Saturday: 11:00 to 22:00 hours

Sunday: 12:00 to 22:00 hours

1.3 A site map showing the premises and a plan of that premises can be found in **Appendix A**.

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 B**.

3. Relevant Representations

- 3.1 A representation has been received from South Wales Police in respect of this application. The conditions suggested by the Police have been agreed by the applicant. A copy of the Police representation and the agreement from the applicant can be found in **Appendix C**.
- 3.2 A number of representations have been received from other persons and these can be found in **Appendix D**.

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.

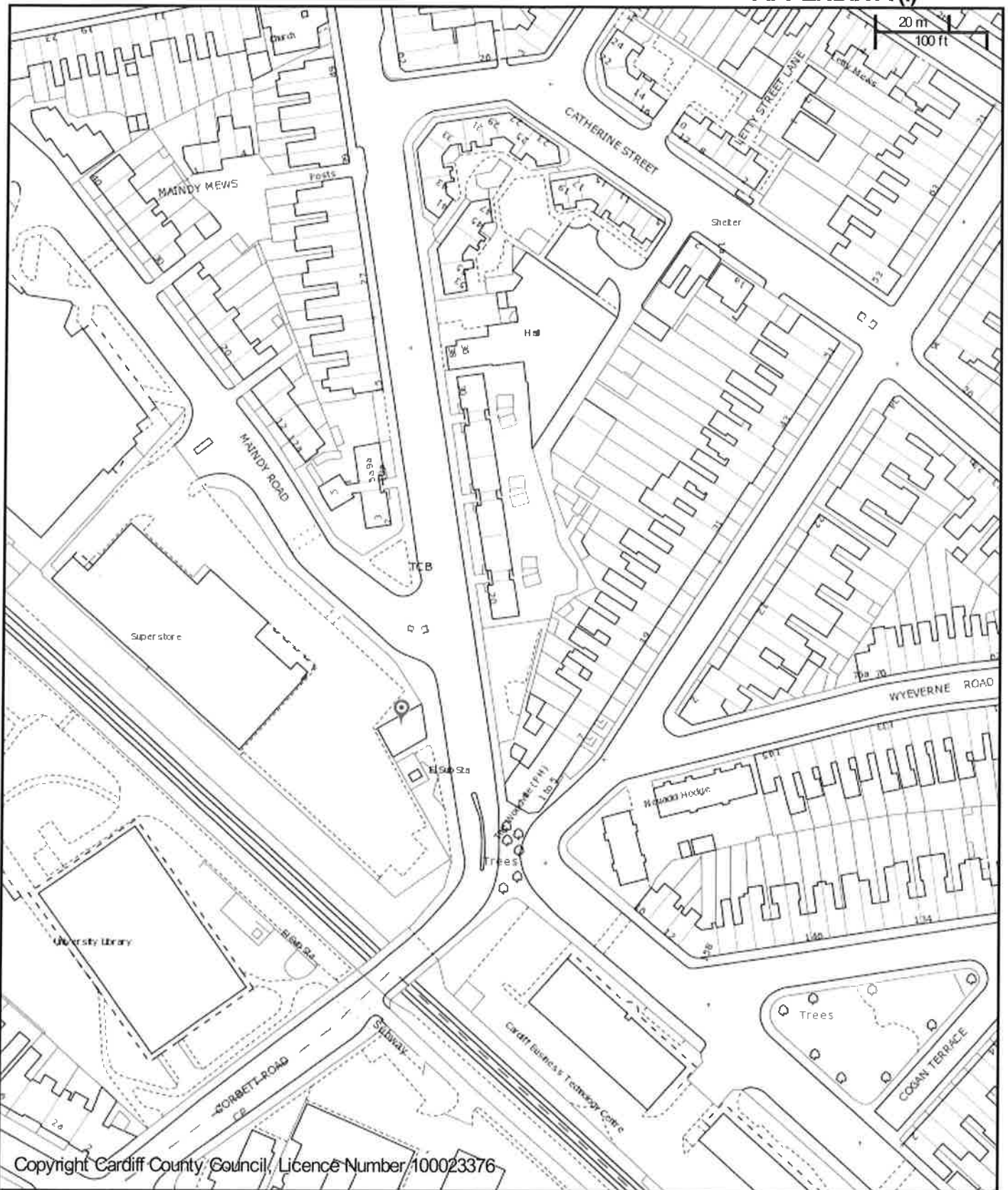
- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (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.

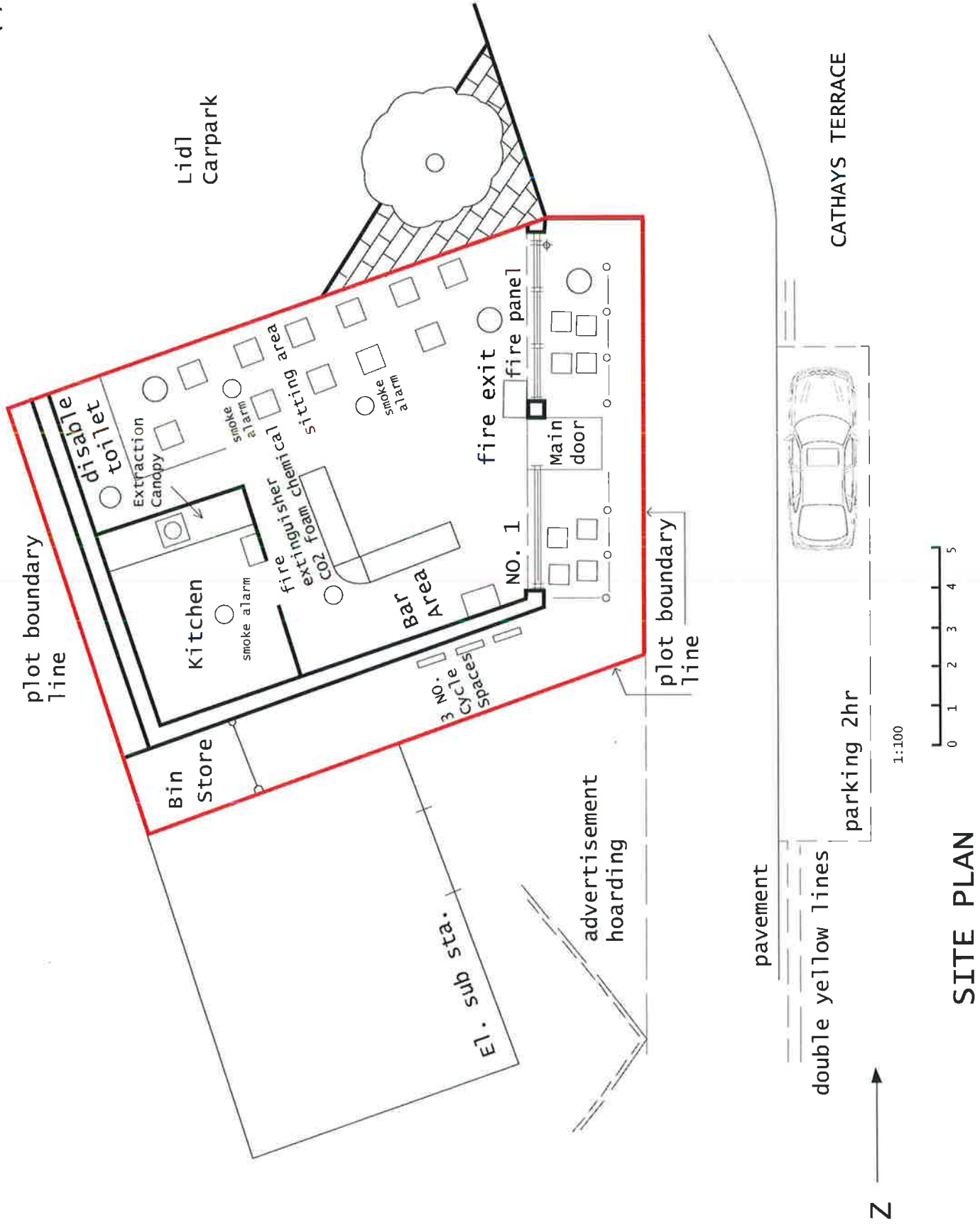
Dave Holland
Regulatory Services

17 September 2020



<p>CHIEF EXECUTIVE</p> <p>Neuadd y Sir, Glanfa'r Iwerydd CAERDYDD CF10 4UW Tel: 029 20872088</p> <p>County Hall, Atlantic Wharf CARDIFF CF10 4UW Tel: 029 20872087</p>	<p align="center">Cyngor Caerdydd</p> <p align="center">Cardiff Council</p> 		<p>Title</p> <p>Scale: 1:1417 Date: 17/9/2020 at 13:56 PM Coordinates: © Crown copyright and database rights (2014). This copy is produced specifically to supply County Council information NO further copies may be made.</p> <p>Ordnance Survey 100023376 (2014).</p>
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APPENDIX A (II)



SITE PLAN

APPENDIX B

Continued from previous page...

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

We will adhere to legislation.
We will act with due diligence when serving alcohol.
We will ensure that health and safety is always prioritised to include customers and the local community.
We will not exceed our hours of opening.
We will request police assistance if required.
ID will be requested for the sale of alcohol where necessary.

b) The prevention of crime and disorder

No persons under the age of 18 years will be served alcohol or accepted to consume alcohol.
Consumption of alcohol to excess will not be accepted or tolerated, this should prevent any anti-social or challenging behaviour. Anti-social behaviour will not be tolerated.
Alcohol will only be sold on the premises.
The business will be serving food as well as beverages.
The business will close at 22:00 and therefore, will not attract customers to attend the unit following attendance at local public houses or bars.

c) Public safety

No one under the age of 18 years will be served alcohol or accepted to consume alcohol.
Consumption of alcohol to excess will not be accepted or tolerated, this should prevent any anti-social or challenging behaviour. Anti-social behaviour will not be tolerated.
The business will be serving food as well as beverages.
The business has all health and safety, including fire prevention measures in situ.
Overcrowding will not be accepted.
The business will close at 22:00 and therefore, won't attract people to attend late at night following attendance at local public houses or bars.

d) The prevention of public nuisance

The business is in a stand alone position and therefore, there is no neighbouring residents.
We have already noticed an improvement in crime and anti-social behaviour in the local vicinity of the business due to the extended opening hours compared to that of previously. Therefore, the presence of an operating business appears to have deterred crime and anti-social behaviour to include engagement in graffiti and suspicious activity around Lidl car park, which is located next to and behind the building.
As above, alcohol will only be sold on the premises.
Alcohol will not be sold to any persons under the age of 18 years.
Consumption of alcohol to excess will not be tolerated.

e) The protection of children from harm

Children will be protected from harm and families can rest assured that their safety is paramount.
No persons under the age of 18 years will be served alcohol or accepted to consume alcohol.
Alcohol will only be sold on the premises.
The risk can be compared to that of attendance at any restaurant due to the business continuing to serve food as well as beverages and closing at 22:00 hours.
This will discourage anti-social or challenging behaviour.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

APPENDIX C

Barker, Kirstie

From:
Sent: 26 August 2020 15:46
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: reps re METCHYS CAFE
Attachments: reps re METCHYS CAFE.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, 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.

Dear Mr. Unvar,

As discussed, please find attached the conditions that the police seek to have placed on your new premises licence.

If you are in agreement please reply in the affirmative and copy in Cardiff Council Licensing.

Any questions, don't hesitate to ring or email me.

Regards

Tony Bowley

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

25th August 2020

Mehmet UNVAR,
METCHYS CAFÉ,
1 Cathays Terrace,
Cardiff
CF23 4HS

**Re APPLICATION FOR THE GRANT OF A PREMISES
LICENCE “METCHYS CAFE” 1 CATHAYS TERRACE,
CARDIFF, CF24 4HS.**

I have caused enquiries to be made 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.

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

Should the applicants agree to comply with the representation made to meet the Licensing Objectives before a hearing then please accept that the Police will automatically withdraw their request for a hearing with the Licensing Committee.

POLICE REPRESENTATION

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. There will be no vertical drinking of alcohol. Customers will be seated at tables and chairs.

3. The premises will operate the 'Challenge 25 Policy. This policy will be brought to customers' attention through the display 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 (PASS) card.

4. A written record to be kept for a minimum twelve month period of the following,

Incidents of crime and disorder

Any refusals of the sale of alcohol

Ejections from the premises

Failure of the CCTV system

Visits by responsible authorities

The record will be produced to an employee of South Wales Police or the Local Authority should it be requested.

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

The prevention of crime and disorder.

Public safety.

Protection of children from harm.

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

If you wish any further information then please contact Police Licensing Officer Tony Bowley at the Cardiff Bay Police Station ☎

Yours faithfully,

M. CONQUER
Chief Inspector.

Barker, Kirstie

From:
Sent: 31 August 2020 21:59
To:

Subject: Re: reps re METCHYS CAFE

k

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 Mr Tony Bowley,

I confirm that I am in agreement with the conditions proposed by yourself as a representative of South Wales Police in relation to the potential granting of an alcohol license at Metchy's Cafe and will conform to these.

Metchy's Cafe has Cctv installed that is already in compliance with your request and of course I am happy for this to be checked and monitored.

No vertical alcohol consumption is completely fine.

As is adherence to challenge 25 and appropriate signage along with acceptable forms of Id.

Finally the monitoring of any incidents over the initial 12 months will of course be maintained and updated accurately and will be made available as and when required to any necessary persons.

Kind regards,

Mr Mehmet Unvar
Proprietor of Metchy's Cafe

APPENDIX D

FF COUNTY COUNCIL

15.1 SEP 2020

LICENSING SECTION

To Whom it may Concern

I am writing to object to an application made by Mercy's Cafe 1 Cathays Terrace for an alcohol license.

There are already at least 7 premises in Cathays Terrace with an alcohol license.

The reason for my objection is because we have a lot of anti social behaviour in this area caused by the students fuelled by alcohol. They have done serious

damage to our property
myself alone have
had to have the roof
of my car replaced
twice, a gate stolen
along with all my
plants pots and ringing
my door bell and kicking
my front door to try
to gain access. It's
time the long term
residents were listed to.

Yours Faithfully

REF SM/CW/NM/AA
KETCHY'S CAFE
ALCOHOL LICENCE.

CARDIFF COUNTY COUNCIL

19 1 SEP 2020

7/9/2020.

LICENSING SECTION

DEAR SIR,

WE WISH TO REGISTER OUR OBJECTION TO
THE KETCHY CAFE ON THE CORNER OF MAINWAY
ROAD BEING GRANTED AN ALCOHOL LICENCE TILL
10-0 PM IN THE EVENING.

WE ALREADY HAVE AT LEAST SIX LICENCED
PREMISES AND OUTLETS IN CATHAYS TERRACE
ALONE, ENOUGH IS ENOUGH.

AS RESIDENTS AND RATEPAYERS WE NEED
SOME CONSIDERATION AS WE ALREADY SUFFER
ENOUGH NOISE, ANTISOCIAL BEHAVIOUR AND
DAMAGE TO OUR VEHICLES FROM INDIVIDUALS
WHO ARE SIMPLY DRUNK!

YOURS SINCERELY

9/9/2020

The Residents of Maindy Rd feel
with 2 Pubs 2 supermarkets Community
Centre Calabrisella Sprints Bar 105
Terrace View Lounge Cathays sports club
all between Llantrisant Street and Maindy
Road this is quite sufficient we object

£200 di

28 Mandy Rd.

~~£200 di~~

24 Mandy Rd.

The Residents
of Maundy Rd

This is there address and Signature
Christina Davies 18 Maundy Rd cathays

ROBERT DAVID 58 MAINDY RD
Cardiff

HINDA BARRY 56 MAINDY RD

LES SPRING 52 " "

D. Uelgen 14 MAINDY ROAD

K. P. Nixon 41 Maundy News

J. Hubbard 26 Maundy Road

J. Puri 36 MAINDY RD

J. Puri 30 MAINDY RD

W. P. 32 Maundy Rd.

V. Fear 34 Maundy Rd.

W. P. 3 Maundy News

T. M. Jones 54, MAINDY RD

Barker, Kirstie

From:
Sent: 02 September 2020 13:48
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Application for the grant of a Premises Licence - Metchy's Cafe

Hi,

I am writing in response to a letter I have received informing me that Metchy's Cafe has applied for an alcohol license. I would like to express my support for this application - Metchy's is a lovely local business and I think that if this application were to be granted it would be an excellent addition for them.

Yours sincerely,

