CARDIFF COUNCIL CYNGOR CAERDYDD

Agenda Item CO.

LICENSING SUB-COMMITTEE: 23 December 2020

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 056985

Name of Premises: Neighbourhood Kitchen, 80 Tudor Street, Riverside, Cardiff, CF11 6AL

Ward: Riverside

1. Application

- 1.1 An application for the Grant of a Premises Licence has been received from Neighbourhood Bedrooms Ltd in respect of Neighbourhood Kitchen, 80 Tudor Street, Riverside, Cardiff, CF11 6AL.
- 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 and off the premises
 - (ii) The provision of regulated entertainment in the form of recorded music (indoors)
 - (2) Description of Premises (as stated by applicant):

"The premises is a small restaurant with seating for around 20 people. It will operate primarily as a takeaway, with a limited amount of seating available for eating and drinking on site.

All seating is in one area, which will also have a small bar".

(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:

Sunday to Thursday: 08:00 to 23:00 hours Friday and Saturday: 08:00 to 00:00 hours New Year's Eve: 08:00 to 01:00 hours For private events: 08:00 to 01:00 hours

- (4) To provide licensable activities during the following hours:
 - i) The sale by retail of alcohol for consumption on and off the premises:

Sunday to Thursday: 09:00 to 22:30 hours Friday and Saturday: 09:00 to 23:30 hours New Year's Eve: 09:00 to 00:30 hours For private events: 09:00 to 00:30 hours

ii) The provision of regulated entertainment in the form of recorded music (indoors):

Friday and Saturday: 23:00 to 00:00 hours New Year's Eve: 23:00 to 01:00 hours For private events: 23:00 to 01:00 hours 1.3 A site map showing the premises and a plan of that premises can be found in *Appendix A*.

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

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 number of representations have been received from local residents in respect of this application. Copies of these representation can be found in *Appendix C*.
- 3.2 Representations have been received from local ward Councillors in respect of this application. A copy of this representation 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

5 December 2020



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



Scale: 1:1417

Date: 2/12/2020 at 8:38 AM

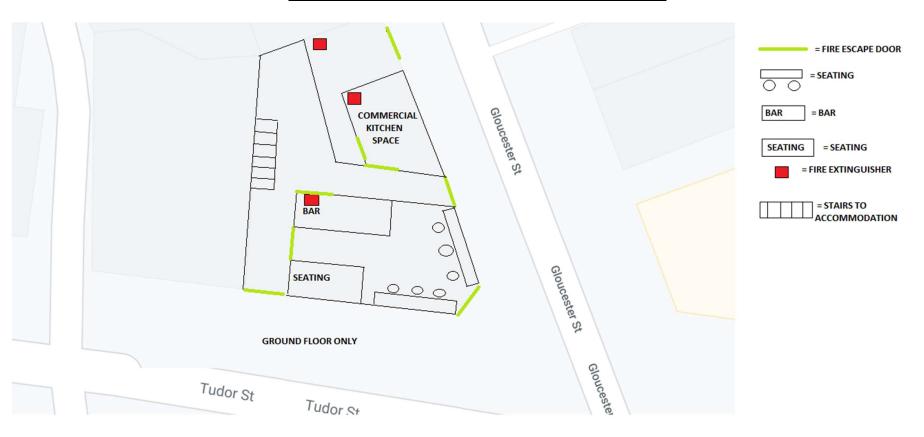
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Ordnance Survey 100023376 (2014).

Proposed Licensed Area of 80 Tudor Street, CF11 6AL



Continued from previous page...

On New Year's Eve, the premises can remain open until 1am.

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.

- 1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits and any external areas used by customers. The images will be kept for a minimum period of 31 days. The images will be produced to a police employee, in a readily playable format, immediately upon request when the premises are 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. Signs will be prominently displayed, advising customers that CCTV is in operation at the premises.
- 2. An incident book, or record, will be kept and maintained at the premises. Each entry made shall carry the day, date and time that each report was made and pages shall carry sequential numbering. It will record the following;
- A. All crimes reported to the venue or which staff are aware of.
- B. All ejections of patrons, with descriptions of the individual(s).
- C. All refusals of sale.
- D. All incidents of disorder.
- E. The seizure of drugs and/or offensive weapons.
- F. All visits by a responsible authority or emergency service.

The Designated Premises Supervisor (DPS) shall retain the incident book for a minimum of 12 months. The incident book will be made available to the police on request. Each reported incident will be dated and signed by the person making the report and that person's name will be clearly legible alongside the signature.

- 3. On days when the premises is open for licensable activity beyond 23:30hrs the DPS or another Personal Licence holder shall be present for the duration of the event.
- 4. There will be a Challenge 25 policy in use at all times when sale of alcohol is involved. Patrons who appear to be younger than 25 years old will be expected to produce valid photographic identification, such as a passport, driving licence or PASS hologram, to prove they are over 18. In the event that such a person has no valid identification, there will be no sale of alcohol. Signs will be prominently displayed alerting customers to this policy.
- 5. On days designated by South Wales Police as 'Major Event Days' in Cardiff, no glass bottles will be sold or supplied to customers and all drinks will be served in non-glass vessels.
- 6. There will be no external audio speakers used at the premises.
- 7. Persons under 16 years of age will be required to be accompanied by an adult at all times whilst at the premises.
- 8. Alcohol sold for consumption off-Premises shall not be supplied in open vessels. This condition does not apply to residents of the accommodation tied to the Premises.
- 9. Signs will be prominently displayed at exits, requesting that patrons leave the premise and surrounding area in an orderly fashion.
- 10. Where alcohol is served for consumption on the Premises, customers must be seated at a table. The only exception to this will be persons attending a private event to which the general public is not allowed access.

Continued from previous page
11. 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 training prior to them being authorised to sell or supply alcohol and, thereafter, at 12 month intervals. Such training shall include;
(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 to be under the age of 25 years old.
The Designated Premises Supervisor (DPS) shall retain training records for a minimum of 18 months. The records shall be made available to Police, upon request when open to the public and as soon as practicable at all other times.
12. The Designated Premises Supervisor shall be a member of the Cardiff Licensees Forum and will attend meetings in person or by sending a suitable proxy.
13. Alcohol for home delivery shall only be sold/supplied as an ancillary to a meal order.
14. A daily register of alcohol sold for home delivery must be kept by the licence holder for a rolling 12 month period. The register shall contain details of the following:- a. The date and time of each transaction involving alcohol.
b. The quantity of alcohol purchased. c. The description of alcohol purchased. d. The price of the alcohol purchased.
d. The price of the alcohol purchased. e. Name and residential address of the person placing the order. f. The name and residential address of the person to whom and where the delivery is made if different from the above. g. All refusals of the sale, or delivery, of alcohol, with the reason.
15. No alcoholic drinks supplied by home delivery as ancillary to a meal will be in vessels which were sealed on the premises.
b) The prevention of crime and disorder
c) Public safety
d) The prevention of public nuisance
e) The protection of children from harm

From:

Sent: 10 November 2020 14:46

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) **Subject:** RE: Objection to Premises Licence (80 Tudor Street. Riverside, CF11 6AL)

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 Licensing Representative,

Further to my email below, I believe there has been a miscommunication. The residents of the area (myself included) were led to believe that the purpose of the building was for a nightclub / bar. Today I have spoken to the license applicants and this apparently could not be further from the truth. I am told that the intention is for the building to be a café / restaurant, with the application to be for drinks whilst eating and music for background ambience.

I believe that many of the local residents are complaining because of the idea that the venue will be a bar / club. If there was an opportunity for the applicants to present their idea for the place, I think a lot of the objections and petitions would be reconsidered.

Because of this, I would like to readjust my objection below. I am no longer objecting provided that the venue is being used as a café / restaurant and not a bar / nightclub. If there is a panel hearing, I would like to be invited to explain why I believe the business would be good for the area. I believe that a café / restaurant would be a great addition and something that the area lacks. This twinned with the regeneration project could attract different kinds of people to the area and hopefully it would encourage people on our street to have coffee in a café, rather than at the point when we hang outside of our houses on the street.

However, I do think a lot of work is needed to communicate and engage the community for them to feel confident it is not a bar / nightclub or going to turn into one. There is a petition currently going round with 3 A4 pages of signatures against the licence because they believe it is for a bar / nightclub.

Kind regards,

From:

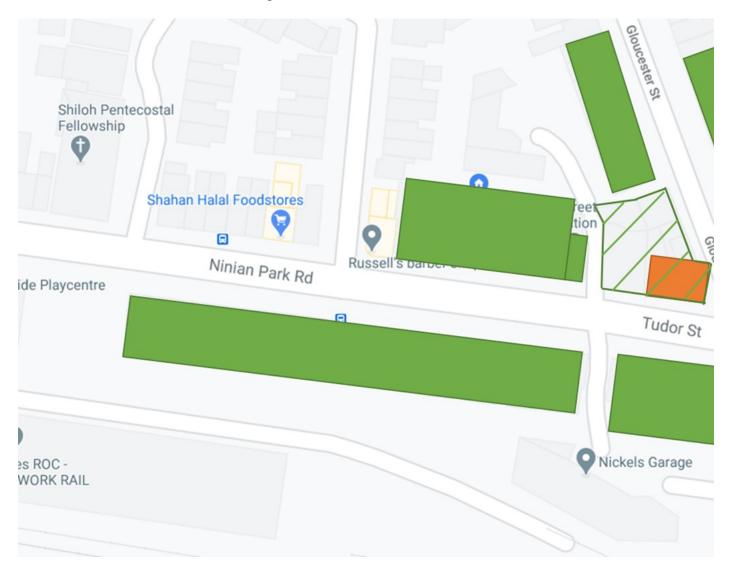
Sent: 09 November 2020 15:02 **To:** licensing@cardiff.gov.uk

Subject: Objection to Premises Licence (80 Tudor Street. Riverside, CF11 6AL)

Dear Licencing Representative,

I am writing to you with regards to the application for a premises licence at 80 Tudor Street, Riverside, Cardiff, CF11 6AL. As a mortgage owner of (5 houses away from the application), I am extremely concerned about this application. The adjacent street (Gloucester Street), Ninian Park Road and Tudor Street at this end are all residential properties or convenience shops which close at 20.00. The conversion of 80 Tudor Street into an alcohol premises, opening until 22:30 / 23:30 is completely unsuitable given that the surrounding properties are residential, with many families living and young children living in the vicinity. I am concerned about the noise the venue would generate, the increase in litter, alongside anti-social behaviour with visitors of the venue likely to hang outside the venue during and after the opening hours. Alongside this, there are no obvious locations for taxis to pick up visitors and given that parking restrictions are not enforced during late evening hours, I'm certain that non-residents would use the area to park. There is a clear distinction between the shops and services of Tudor Street against the residential properties of Ninian Park Road and Gloucester Street. This distinction must be kept to ensure the residents of my street continue to live in residential area only not a residential area with a late night venue.

The image below shows that the area is largely residential. The orange box represents 80 Tudor Street, the solid green boxes represent residential housing and the green boxes with green dashes show first floor / second floor flats. A late night venue is in complete contrast with the residential nature of the surrounding streets.



During these recent months of lockdown, crime in the area has risen significantly. Both my car and my partner's car has been damaged (my car has been keyed and his car grill and antenna have been stolen) and this has been very difficult for us. It makes me feel anxious to live here, often wondering if something worse would happen to my home. The change of 80 Tudor Street to a venue would increase this worry and increase the likelihood of anti-social behaviour.

Furthermore, given that the area is currently undergoing a regeneration with Tudor Street having its' cycleway upgraded, with on-street planting and new shop facades, I feel that there is an opportunity here for people to take pride in the place they live and make the area feel more welcoming. However a late-night venue is going to deter families from living here, it will increase the amount of litter and anti-social behaviour and it will ultimately make the area a less desirable place to live. I therefore fully object to the application and ask that you consider this when taking this application forward.

If I can provide any further information please let me know.

I look forward to hearing from you.

Kind regards,

From:

Sent: 03 December 2020 19:03

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Cc: Gordon, Iona (Cllr); Singh, Kanaya (Cllr); Wild, Caro (Cllr)

Subject: The Sale and consumption of Alcohol and Provision of Music Licence at 80 Tudor

Street, Riverside, Cardiff

Attachments: 80 Tudor Street - Objection Letter.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. ***

*** 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. ***

Please find the attached letter outlining our strong objections to the above Licence Application.

With kind regards

Riverside,
Cardiff,
CF11 6AL

2nd December 2020

Cardiff County Council,

Regulatory Services

Licencing Section,

City Hall,

Cardiff,

CF10 3ND

Dear Sir,

Re: The sale by retail of alcohol for consumption on and off the premises and the provision of regulated entertainment in the form of recorded music (indoors).

At 80 Tudor Street, Riverside, Cardiff, CF11 6AL

We strongly wish to object to the above application on the following grounds.

We live in the adjoining property that is divided by a single wall. At present we can hear people at 80 Tudor Street talking, climbing stairs etc. We consider that the above premises are not suitable or adapted for the music licence, having regards to the fact that there would be insufficient sound insulation the noise would create nuisance and would disturb our right to a peaceful and quieter life.

So far as the alcohol licence is concerned, we consider that there are a sufficient number of licenced premises within 1-4 minutes of walking distance and many more within 4-5 minutes of drive away that more than caters for the needs of the local population.

There are several licenced and music venues such as Tramshed, Wynford Hotel/OYO, Rocking Chair, Linden Club etc. literally on the doorstep and numerous clubs, bars, and pubs in the city centre which is 5-6 minutes of the walking distance. There is no need for one more such venue in this locality.

As it is there are considerable issues with parking in the nearby streets. Parking is mainly for residents. Any other vehicles not owned by residents or that do not have parking permit would cause extra parking/traffic problems.

It is our understanding that the upstairs will be used as an Airbnb and downstairs as bar area. As it is there is a lack of amenity space we feel that those visiting the place could use the lanes and streets surrounding the premises to smoke and drink alcohol. This would be totally unacceptable to us and for our neighbours as many of them have young children.

This side of Tudor Street is a residential area, made up of both family homes and long-term rental accommodation. In our opinion it is much safer with many elderly and children living in harmony with each other. We do not wish it to be compromised by granting of the music and alcohol licence in the middle of this neighbourhood.

In conclusion we consider that 80 Tudor Street, Cardiff is not suitable for the alcohol and music licence.

Yours faithfully

CC: Riverside Ward Councillors – Cllr Wild, Cllr Iona Gordon and Cllr Kanaya Singh

CC: Member of the Senedd for Cardiff West - Mr Mark Drakeford

CC: Member of Parliament for Cardiff West – Mr Kevin Brennan

From:

Sent: 09 November 2020 21:32

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: Objection to neighbourhood kitchens proposal

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.

Hi,

I have lived on Beauchamp Street all my life, I want to object to neighbourhood kitchens proposal due to all the noise pollution, anti social behaviour it will bring.

This is a residential area with families and young children living here in peace.

I'm sure they can find many other places which are away from streets where families and young children live on.

Please can you have second thoughts before actually granting them a licence for this because its really going to cause a lot of issues for the people living on the street, also for the whole Riverside area due to anti social behaviour.

I hope you will not let us down and I am 100% I wont be the only person emailing about this.

Many thanks

CHIRMIN COUNTY COUNCES.

0 2 DEC 2020

Riverside

LINCONSTRUCTION

Cf116HW

8th November 2020

Ref: License proposal for property at 80 Tudor Street Riverside Cardiff by Caroline Barber and Tudor
Alan Barber

Myself and many of my neighbours have concern regarding the alcohol and music license that has been applied for at 80 Tudor Street. There are several pubs and shops to buy alcohol from within 5 minuets walk and it is less than a 10 minuet walk from the main town centre. The Tram Shed is 2 minuets walk which provides music and other entertainment, Nos Das which is along the Taff Embankment holds regular live bands and other entertainment. We have had no issues with the establishments we are surrounded by due to them having on site security to control any potential issues that may arise. What must also be taken into account is the fact that the large majority of the neighbours living along Tudor Street and Ninian Park Road work full time. If the proposed license was issued it could pose many problems within our community with the noise and people leaving the premises late at night when people are trying to sleep. Please find attached petition for the refusal of the licence applied for.

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From:

Sent: 12 November 2020 13:15

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: 80 Tudor street./bar

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.

Hello,,I wish to object to the licence being obtained for no,80,Tudor street,I live opposite this property,I have concerns about,asb,crime,as well as issues with parking,Riverside is a strong community,i feel another place for music/alcohol is something we do not need,.kind regards

From:

Sent: 09 November 2020 17:16

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Cc: Singh, Kanaya (Cllr); Wild, Caro (Cllr); Gordon, Iona (Cllr)

Subject: 80 tudor st, music venue

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear sir/madam

I wish to register my objection to the above proposed development of a music venue, as it will cause significant noise pollution, increased traffic, an increase in anti social behaviour, more litter and much more alcohol led violence in a residential and family friendly environment and in an area which is already suffering from many of these kind of behaviours due to the number of services dotted around riverside, I.e. the alcoholic wethouses, inroads needle services, probation hostel, etc..

Many thanks

From:

Sent: 08 November 2020 13:19

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: premises licence of alcohol

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

I am writing this letter to oppose permission for the sale of alcohol on the premises of the address of neighbourhood kitchen,80 Tudor Street, Riverside Cardiff CF11 6AL, I am a resident at Tudor Street I Live directly opposite the property. I have small children plus i am a foster carer i am afraid of the Disturabance and noise my children have school during the week.

Many Thanks

From:

Sent: 09 November 2020 17:34

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: Neighbourhood kitchen, 80 Tudor Street, CF11 6AL

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ALLANOL: Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear Sir/Madam

I STRONGLY REJECT the proposal put forward by neighbourhood kitchen. All the houses in this area are residential, mostly with families and young children. I am concerned about anti social behaviour, Noise pollution, litter, drugs being sold and taken etc

Get Outlook for Android

From:

Sent: 27 November 2020 15:57

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: 80 Tudor Rd - Objection letter **Attachments:** 80 Tudor Rd - Objection.docx

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*** 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 Sir/Madam,

Please attachment of objection letter which we object of.

Please can you contact me with the outcome of this please

Thank you

Licensing
Cardiff Council
City Hall
Cardiff
CF10 3ND

Dear Sir/Madam,

We all living at the above property – all object this off licence approval.

I noticed and I read an application for an off-licence notice outside the premises on 80 Tudor Street, Riverside, Cf11 6AL.

My initial thought is, we already have three off-licences in the community and 2 nightclub (Tramshed and Ovo hotel nightclub) selling alcohol. What we don't need is another one, particularly as it is just down the road from South Riverside community centre and Riverside play centre.

There are lots of valid objections to this:

- The Noise levels, rubbish or nuisance from the premises would affect the neighbourhood
- Fear of crime will increase
- Damage to property i.e. homes and parked residential vehicles

All this is a major factor and need to rejected. The community are not happy and there has been a petition to stop this happening

Please can you take this into real consideration and not hurt and destroy the community here by letting this happen who have lived here for many years.

From:

Sent: 09 November 2020 20:52

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: Neighbourhood Kitchen, 80 Tudor Street, Riverside, Cardiff, CF11 6AL.pdf

Attachments: Neighbourhood Kitchen, 80 Tudor Street, Riverside, Cardiff, CF11 6AL.pdf

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To whom it may concern,

As residents of this area, we object this proposal as it will cause more bad than good.

Increased drug use, increased alcohol abuse and increased antisocial behavior will not be welcomed at any given time in a neighbourhood where we already lack funding - we do not want the situation to get worse.

The area has many families present with young children, this would not be advantageous for them.

Kindest Regards,

Sent from my Huawei phone

From: Singh, Kanaya (Cllr)
Sent: 09 November 2020 19:47

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Subject: 80 Tudor Street, music venue

Hi,

I wish to register my objection to the above planning application. This is a residential area already under pressure from several facilities that cause anti-social behaviour this will simply compound the issue. This will lead to more drinking, fighting and loud music etc.

With lots of young families this will not be good for the local environment.

Thanks

Kanaya

Kanaya Bingh

Riverside Ward Councillor

Tel: 07976 440516

Email: Kanaya.Singh@cardiff.gov.uk

From: Gordon, Iona (Cllr)
Sent: 04 December 2020 17:27

To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

Cc: Singh, Kanaya (Cllr); Wild, Caro (Cllr)

Subject: 80 Tudor Street - Objection to retail sale of alcohol, on and off premises and music

license

On behalf of Cllr Singh and Cllr Wild, we wish to register our objection to the license application for sale of alcohol on and off premises and a music license for recorded music indoors at 80 Tudor Street.

The reasons for our objection are: Noise and disturbance to neighbours.

There is already a sufficient number of alcohol outlets in Tudor Street, and many more, a few minutes' walk over Wood Street Bridge in the City Centre. We have an issue with street drinkers in the area and would not wish to see another magnet for them in the area.

This side of Tudor Street is largely residential and a business like this will be to the detriment of the neighbourhood and the quality of life of local families.

Please note our objection, and inform us if this application will come before committee.

Kind regards,

Iona

Councillor Iona Gordon Cynghorydd Iona Gordon

Riverside Ward Glan yr Afon Cardiff Caerdydd

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