

LICENSING SUB-COMMITTEE: 29 June 2021

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 061923

Name of Premises: Bacareto, 13 Church Street, Cardiff, CF10 1BG

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Bacareto Ltd in respect of Bacareto, 13 Church Street, Cardiff, CF10 1BG.

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 films (indoors), live music (indoors and outdoors) and recorded music (indoors and outdoors).
- (iii) The provision of late night refreshment (indoors and outdoors).

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

"13 Church Street is a 3-storey terraced premises. The ground floor and part of the first floor is a cafe/bar unit, part of the first floor is a shop unit, and the top floor is private offices. We will be supplying alcohol for consumption on the premises and the outside front seating area, consistent with other licensed premises on the street (pavement cafe license is being applied for separately). We also wish to provide off-sales of alcohol to takeaway from the premises either in takeaway containers or bottles of wine and beer".

(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 Wednesday: 08:00 to 00:00 hours
Thursday to Saturday: 08:00 to 01:00 hours
Christmas Eve: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00
Sunday preceding a Bank Holiday: 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:

Monday to Wednesday: 08:00 to 00:00 hours
Thursday to Saturday: 08:00 to 01:00 hours
Christmas Eve: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00
Sunday preceding a Bank Holiday: 08:00 to 01:00 hours

- (ii) The provision of regulated entertainment in the form of films (indoors), live music (indoors and outdoors) and recorded music (indoors and outdoors):

Monday to Wednesday: 08:00 to 00:00 hours
Thursday to Saturday: 08:00 to 01:00 hours
Christmas Eve: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00
Sunday preceding a Bank Holiday: 08:00 to 01:00 hours

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

Monday to Wednesday: 23:00 to 00:00 hours
Thursday to Saturday: 23:00 to 01:00 hours
Christmas Eve: 23:00 to 01:00 hours
New Year's Eve: 23:00 to 02:00
Sunday preceding a Bank Holiday: 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**.

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**.

Relevant Representations

- 3.1 A representation has been received from South Wales Police. A copy of the representation is attached as **Appendix C**.
- 3.2 A representation has been received from Pollution Control. A copy of the representation is attached as **Appendix D**.
- 3.4 A representation has been received from Licensing Enforcement. A copy of the representation is attached as **Appendix E**.

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

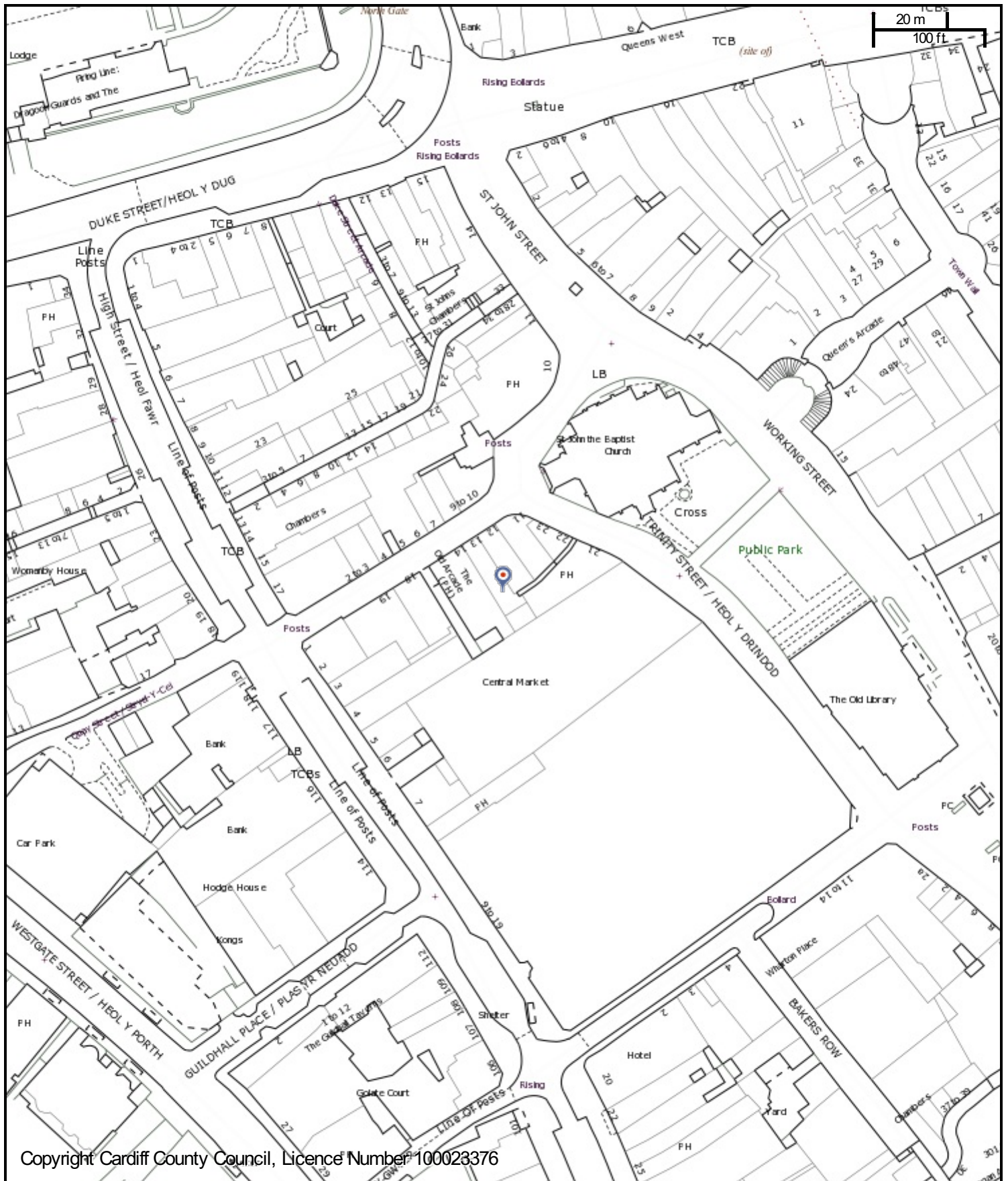
5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

**Dave Holland
Regulatory Services**

14th June 2021

APPENDIX A

Site Map & Plan



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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



Title

Scale: 1:1417

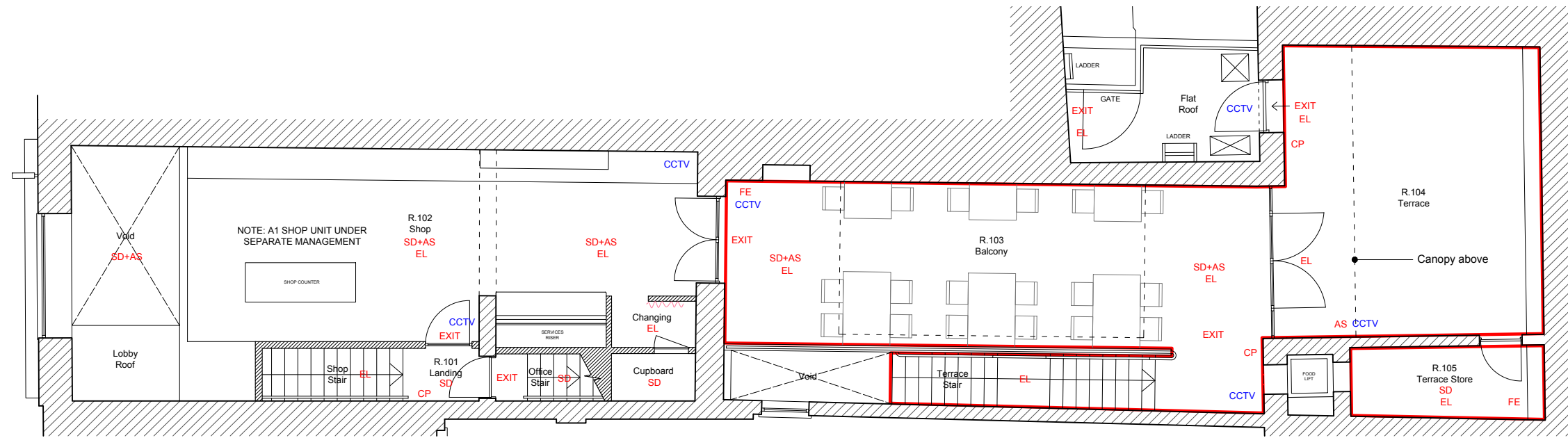
Date: 14/6/2021 at 10:24 AM

Coordinates:

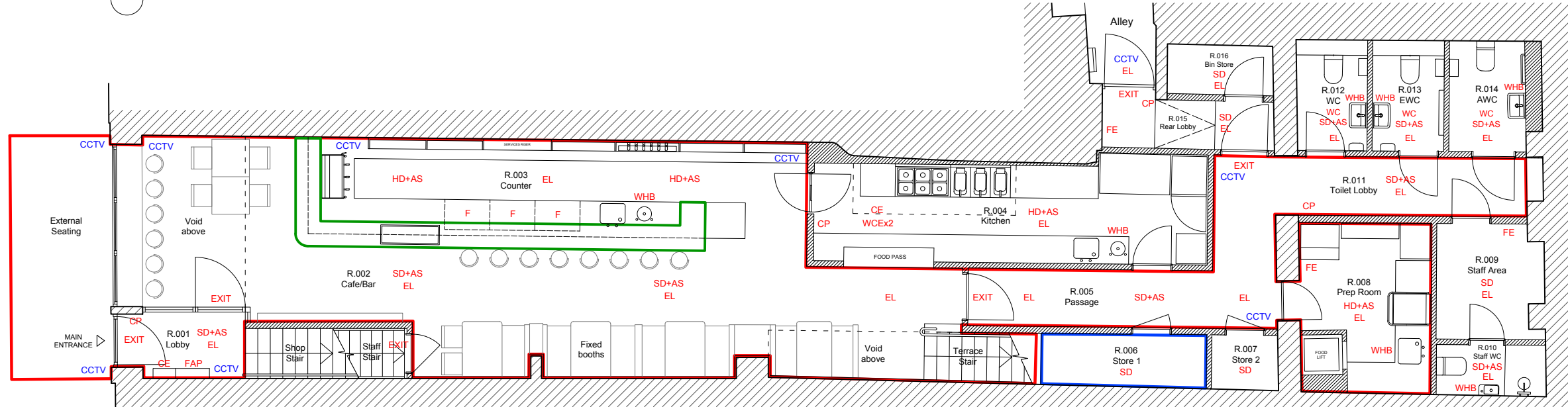
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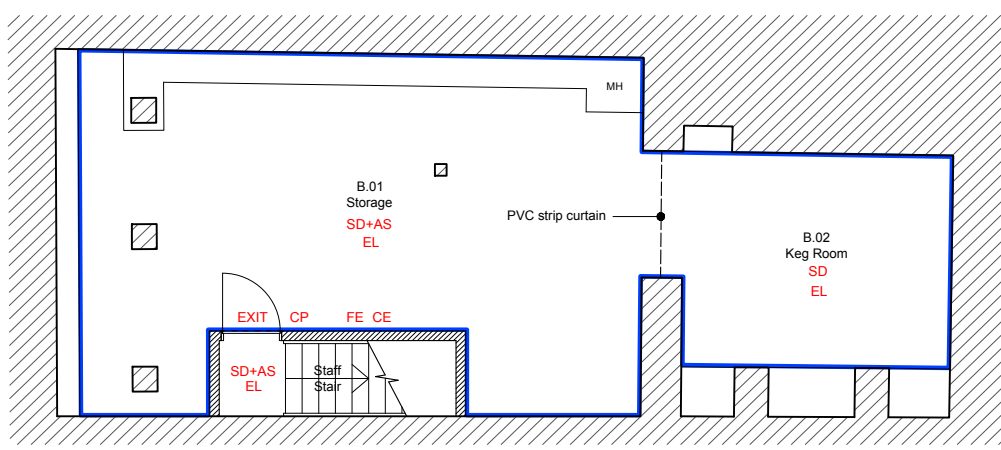
Ordnance Survey 100023376 (2014).



01 FIRST FLOOR PLAN



02 GROUND FLOOR PLAN



03 BASEMENT PLAN

- KEY**
- Licensed Area
 - Storage Area (Alcohol)
 - Main Point of Sale (Alcohol)
 - EXIT Illuminated Exit Sign
 - EL Emergency Lighting
 - CP Call Point
 - SD Smoke Detector
 - HD Heat Detector
 - AS Alarm Sounder/Beacon Base
 - CE Carbon Dioxide Extinguisher
 - WE Water Extinguisher
 - WCE Wet Chemical Extinguisher
 - FAP Fire Alarm Panel
 - WC Toilet
 - WHB Wash Hand Basin
 - F Alcohol Fridge
 - CCTV CCTV IP dome camera



A3

NOTES
Do not scale from this drawing. Dimensions are in millimetres unless noted otherwise. All dimensions and levels to be checked on site and any discrepancies notified to the architect. This drawing to be read in conjunction with other relevant drawings and documents. This drawing is copyright and is not to be reproduced without prior consent.

REVISION	DATE	DESCRIPTION

KEY

DRAWING TITLE Premises Plans		
PROJECT/SITE 13 Church Street, Cardiff CF10 1BG	CLIENT Maximum Respect Property Ltd	
SCALE 1:100 at A3	DRAWING STATUS INFORMATION	FIRST ISSUED 06.05.21

NIALL GALLACHER ARCHITECT Niall Gallacher Ltd, Host, 658 High Road, London E10 6JP T:+44(0)7917132550 E:info@niallgallacher.co.uk	
DRAWING NUMBER 412/P/300	REVISION -

APPENDIX B

Operating Schedule

Continued from previous page...

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

The promotion of the licensing objectives will be written into all relevant company policies and procedures.
A CCTV system will be installed and operational at all times.
Staff will be trained to be able to adhere to the objectives and be aware of conditions in relation to the premises license and their responsibilities in relation to it.
The Designated Premises Supervisor will have overall responsibility for implementing and managing these objectives.

b) The prevention of crime and disorder

A CCTV system will be installed and footage retained for a minimum of 28 days. It will cover all publicly accessible areas of premises, excluding toilets. Warning notices to the public that CCTV is in operation on the premises will be displayed.
Playback and recordings will be available to the police on request.
Any incidents will be recorded in the Incident Book - e.g. all refusals of sale of alcohol, anyone asked to leave the premises, anyone found to be acting illegally as well as issues that may affect this such as faults with CCTV system etc
Indoor and outdoor areas of the premises are well lit.

c) Public safety

We will be insured for the public to be in our premises.
A public risk assessment will be carried out and reviewed every 6 months.
Staff will be trained to keep the public safe in line with our company policies and procedures.
Staff serving alcohol will be trained in their role, aware of licensing law and conditions of our license.
We will not run any irresponsible drinks promotions.
Tap water available for free on counter at all times.
We will regularly clear empty glasses and bottles to prevent breakages.
Taxi numbers will be available and we can call taxis for customers if they wish.
We will have one First Aider on site at all times.
We will have a fire safety policy and alarm system installed and maintained.

d) The prevention of public nuisance

We are not in a residential area.
We will take care and consideration as to customers consumption of alcohol. Staff will patrol and supervise the premises to ensure correct conduct of customers.
We will control noise levels of any activity in the building.

e) The protection of children from harm

We will have a child protection policy.
We will age challenge those attempting to purchase alcohol who we feel may be underage.
We will have a proof of age policy and signs for 'no ID no sale'.
Will be vigilant on anyone attempting to buy for anyone underage.
Refusals for sale will be recorded in the incident book.
Staff serving alcohol will be aware of licensing law and trained in their role and understand their responsibilities - this training will be reviewed and refreshed every 6 months.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 10 June 2021 16:14
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: Bacareto, 13 Church Street, Cardiff.
Attachments: Headed Paper- Bacareto 13 Church Street..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, 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.

To whom it may concern,

Please find attached representations made by South Wales Police in respect of the above application. South Wales Police object to the grant of the application as applied for under the provisions of Cardiff City Council Cumulative Impact Police and request that this matter be heard before Cardiff City Council Licensing Committee in order to determine the grant of the application.

Yours sincerely;

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

 /SWPolice  @SWPolice  @SWPolice  /SWPTV

**Ymateb nad yw'n
Argyfwng\ Non-
Emergency Response**

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys arnoch? Gallwch roi gwybod am fater drwy ein gwefan south-wales.police.uk, anfon neges breifat atom drwy gyfrif Facebook neu Twitter swyddogol Heddlu De Cymru, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod

am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website south-wales.police.uk, send us a private message via an official South Wales Police Facebook or Twitter account, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

URhS Caerdydd a'r Fro
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Telffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**
Gwefan: www.heddlu-de-cymru.police.uk

Cardiff & Vale BCU
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**
Website: www.south-wales.police.uk

SWYDDOGOL – OFFICIAL

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

9th June 2021

Bacareto.
13 Church Street,
Cardiff
CF10 1BG

**APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003
BARCARETO. 13 CHURCH STREET,CARDIFF CF14 1DL**

To whom it may concern,

I have caused enquiries to be made into this application. The premises is located on Church Street in Cardiff City centre and sits amongst a number of other hospitality venues. It has previously been utilised as a Chinese Restaurant and most recently that of a bookmakers and extends over three storeys. The proposed use of the premises will be that of a café/bar to the ground floor and part of the first floor which will accommodate a small terraced area which is open to the elements to the rear of the property.

The Application.

Within the application, the premises and its proposed use is described as follows;

“13 Church Street is a 3-storey terraced premises. The ground floor and part of the first floor is a cafe/bar unit, part of the first floor is a shop unit, and the top floor is private offices. We will be supplying alcohol for consumption on the premises and the outside front seating area, consistent with other licensed premises on the street (pavement cafe license is being applied for separately). We also wish to provide off-sales of alcohol to takeaway from the premises either in takeaway containers or bottles of wine and beer”

The applicant has requested permissions to conduct the following licensable activity;



The sale by retail of alcohol for consumption on and off the premises:

Sunday to Wednesday: 08:00 to 00:00
Thursday to Saturday: 08:00 to 01:00
Christmas Eve & Bank Holiday Sunday: 08:00 to 01:00
New Year's Eve: 08:00 to 02:00

Exhibition of films (indoors), live music (indoors & outdoors) and recorded music (indoors & outdoors):

Sunday to Wednesday: 08:00 to 00:00
Thursday to Saturday: 08:00 to 01:00
Christmas Eve & Bank Holiday Sundays: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00

Provision of late night refreshment (indoors & outdoors):

Sunday to Wednesday: 23:00 to 00:00
Thursday to Saturday: 23:00 to 01:00
Christmas Eve & Bank Holiday Sundays: 08:00 to 01:00 hours
New Year's Eve: 08:00 to 02:00

The opening hours of the premises as per the application are as follows;

Sunday to Wednesday: 23:00 to 00:00
Thursday to Saturday: 23:00 to 01:00

Measures offered by the applicant in support of the application.

General.

The promotion of the licensing objectives will be written into all relevant company policies and procedures.

A CCTV system will be installed and operational at all times.

Staff will be trained to be able to adhere to the objectives and be aware of conditions in relation to the premises license and their responsibilities in relation to it.

The Designated Premises Supervisor will have overall responsibility for implementing and managing these objectives.

The Prevention of Crime and Disorder.

A CCTV system will be installed and footage retained for a minimum of 28 days. It will cover all publicly accessible areas of premises, excluding toilets. Warning notices to the public that CCTV is in operation on the premises will be displayed. Playback and recordings will be available to the police on request.



Any incidents will be recorded in the Incident Book - e.g. all refusals of sale of alcohol, anyone asked to leave the premises, anyone found to be acting illegally as well as issues that may affect this such as faults with CCTV system etc
Indoor and outdoor areas of the premises are well lit.

Public Safety.

We will be insured for the public to be in our premises.
A public risk assessment will be carried out and reviewed every 6 months.
Staff will be trained to keep the public safe in line with our company policies and procedures.
Staff serving alcohol will be trained in their role, aware of licensing law and conditions of our license.
We will not run any irresponsible drinks promotions.
Tap water available for free on counter at all times.
We will regularly clear empty glasses and bottles to prevent breakages.
Taxi numbers will be available and we can call taxis for customers if they wish.
We will have one First Aider on site at all times.
We will have a fire safety policy and alarm system installed and maintained.

The Prevention of Public Nuisance.

We are not in a residential area.
We will take care and consideration as to customers consumption of alcohol. Staff will patrol and supervise the premises to ensure correct conduct of customers.
We will control noise levels of any activity in the building.

The Protection of Children from Harm.

We will have a child protection policy.
We will age challenge those attempting to purchase alcohol who we feel may be underage.
We will have a proof of age policy and signs for 'no ID no sale'.
Will be vigilant on anyone attempting to buy for anyone underage.
Refusals for sale will be recorded in the incident book.
Staff serving alcohol will be aware of licensing law and trained in their role and understand their responsibilities - this training will be reviewed and refreshed every 6 months.

Police Representations.

Whilst the above measures as offered by the applicant are acknowledged, South Wales Police object to the grant of the application as applied for under the provisions of the Cardiff City Council Cumulative Impact Policy. Therefore South Wales Police request that this application is heard before the Cardiff City Council Licensing committee. Following this hearing, should the Licensing Committee be so disposed to grant the application, then South Wales Police request that the following conditions are added to the premises licence;



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. It will cover the external front of the premises used by patrons. The images will be kept for a minimum period of 31 days. Images will be produced to a Police employee, in a readily playable format, upon request when the premises are open to the public 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 authorities
 - Any failure of the CCTV system.
3. On those days when licensable activity is to be conducted past 00:00, there will be a minimum of two SIA registered door supervisors employed at the premises from 21:00hrs until closure of the premises. Should the numbers of patrons at the premises exceed 100, then an additional SIA registered door supervisor will be employed.
4. On those days designated by South Wales Police as Major Event days in the City Centre, SIA registered door supervisors will be employed at the premises from either 4pm that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises. There will be a minimum of two SIA registered door supervisors employed on the above days. Should the numbers of patrons at the premises exceed 100, then an additional SIA registered door supervisor will be employed.
5. At all other times, SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the DPS. A copy of the risk assessment will be maintained for 12 months and be made available to the Police immediately upon request.
6. A register of door supervisors will 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.



7. When SIA registered door supervisors are employed at the premises they will utilise at least one body worn video device. Any such device will be capable of recording both audio recordings and visual images. The recordings will be kept for a minimum of 31 days and will be produced to a Police employee in a readily available 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.
8. On those occasions when SIA registered door supervisors are employed at the premises, the DPS will ensure that an adequate system for measuring the number of patrons in the premise is used by such as clicker devices. Numbers of patrons on the premises will be recorded hourly in the door supervisor log book.
9. The premises shall adopt the use of a radio system which is monitored by the Local Authority and South Wales Police.
10. The Designated Premises Supervisor or a Personal Licence holder shall be present at all times that alcohol is offered for sale.
11. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.
12. Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.
13. At least 70% of the public space will be occupied by tables and chairs at all times.
14. 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.
15. On days considered to be major events in the City Centre area such as sporting events at the Principality Stadium , all alcohol shall be sold in non-glass containers.
16. 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.

Yours faithfully,

M. Conquer

Chief Inspector.

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.



APPENDIX D

Pollution Control Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Jenkins, Tomos
Sent: 07 June 2021 11:48
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: FW: Licensing Act 2003 - Bacareto, 13 Church Street, Cardiff CF10 1BG
Attachments: Bacareto Grant. 521.pdf; New Premises - Bacareto, 13 Church Street, Cardiff CF10 1BG.pdf; DPS Consent Form. 521.doc; Bacareto Plan.521.pdf

Importance: High

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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.

Amy

As discussed, reference activity 2 on the New Premises Public Notice attached

Exhibition of films (indoors), live music (indoors & outdoors) and recorded music (indoors & outdoors):

Sunday to Wednesday: 08:00 to 00:00

Thursday to Saturday: 08:00 to 01:00

Christmas Eve & Bank Holiday Sundays: 08:00 to 01:00 hours

New Year's Eve: 08:00 to 02:00

The only matter of concern is the provision of Live Music outdoors and recorded music outdoors. In essence, this would permit you to have live band/DJ operate until 0100 hours in the area marked Terrace R.104 and Balcony R.1023 which even in a central location would prove extremely difficult to manage, and so I would seek to draw this time earlier.

Similarly, just picking up on something you said a moment ago if there is a resident landlord who shares a party wall to your premises (or any residential for that matter) to permit Live Music internal of a new premises this is subject to a Live Music test ensuring the walls are designed and adequately sound proofed etc use e.g live bands, DJs etc. Just reviewing your website as it details you have ambition to promote such performances which is positive, just need to be sure between us this is well considered and so promotes the Public Nuisance objectives. Are there particular rooms you plan to use for performances, are these the same rooms that are party to the resident?

In essence, a Live Music Test would review:

Is the building fabric suitable;

Sound Insulation between the commercial units and the residential party wall;

Noise breakout from windows; access and egress doors – look at double door entry systems on both access and egress entrances

detailed description of works required to ensure there is no noise breakout

Look at independent noise limiters for rooms.

Context for the time of day you are seeking to stop such performances eg. 0100 hours.

Although I am content on all other matters on the Licence Application this is something that may cause issue, can you come back to me on the above and advise.

Many thanks



Mr Tomos Jenkins

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

e-mail / e-bost:

APPENDIX E

Licensing Enforcement Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Sampson, Jay
Sent: 11 June 2021 15:38
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Evans, Kirsty
Subject: RE: Licensing Act 2003 - Bacareto, 13 Church Street, Cardiff CF10 1BG

Hello,

In relation to the above application to grant of a Premises Licence at Bacareto, 13 Church Street, Cardiff. I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

An objection is submitted in respect to the following Licensing Objectives:

- The Prevention of Public Nuisance.

Specifically with regard to:

- The playing of recorded music outside until 00:00
- Live Music until 00:00 Monday to Thursday and 01:00 Thursday to Sunday outdoors. However goes on to say any outdoor performance will end at 00:00.
- Off sales of Alcohol.
- Hot food won't be served until terminal hour in comparison to Alcohol sales, making it primarily a 'Wet' led premises.

The premises is located in an area that is subject to a Cumulative Impact Policy, and the timings and proposed Operating Schedule within the application would class this premises within the 'red' category in Table 1 of the Cumulative Impact Policy (CIP).

The 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 rebuttable 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 Area and therefore, whilst the applicant has offered a number of conditions in relation to how the premises intend to promote the licensing objectives, there is little consideration to the potential cumulative impact given the proposed location of the premises.

The application therefore falls within the CIP and in my opinion the application does not rebut this presumption.

The applicant 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.