

LICENSING SUB-COMMITTEE: 17 September 2021

Report of the Head of Regulatory Services

Licensing Act 2003 - Application for Provisional Statement

Application No: 063840

Name of Premises: Unit B, High Street Arcade, High Street, Cardiff, CF10 1QR

Ward: Cathays

1. Application

1.1 An application for a Provisional Statement has been received from MRF Managing Trustee No.1 Ltd in respect of Unit B, High Street Arcade, High Street, Cardiff, CF10 1QR.

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

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

"A new open-air courtyard in the heart of Cardiff's historic Castle Quarter.

Work will start this summer to demolish a former nightclub which sits in the space behind High Street and Duke Street Arcades.

In its place, eight new spaces designed for independent hospitality businesses will be created around a central open courtyard.

Adding to the feel of a 'hidden' courtyard, a new entrance will be created through an existing passageway off High Street Arcade.

A new balcony will run around three sides of the courtyard at first floor level, opening up previously unused spaces above shops and uncovering and enhancing more of the Grade II Listed Arcade's original features.

Designed with independent food and drink businesses in mind, the new Castle Quarter Courtyard spaces are set to attract some of the best known names in hospitality, boosting Cardiff's growing reputation as a food city".

(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: 07:00 to 00:30

Friday and Saturday: 07:00 to 01:30

Sunday preceding a Bank Holiday: 07:00 to 01:30

New Year's Eve: 07:00 to 02:30

(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: 10:00 to 00:00
Friday and Saturday: 10:00 to 01:00
Sunday preceding a Bank Holiday: 10:00 to 01:00
New Year's Eve: 10:00 to 02:00
- (ii) The provision of regulated entertainment in the form of recorded music (indoors):
Sunday to Thursday: 10:00 to 00:00
Friday and Saturday: 10:00 to 01:00
Sunday preceding a Bank Holiday: 10:00 to 01:00
New Year's Eve: 10:00 to 02:30
- (iii) The provision of late night refreshment (indoors and outdoors):
Sunday to Thursday: 23:00 to 00:30
Friday and Saturday: 23:00 to 01:30
Sunday preceding a Bank Holiday: 23:00 to 01:30
New Year's Eve: 23:00 to 02:30

1.3 The applicant has given the following details of the work being done or about to be done at the premises:

"Plans of the proposed units that are the subject of the application premises are submitted with the application.

These comprise 8 units in the High Street Arcade.

This is in line with the planning permission issued by Cardiff City Council

Works to be undertaken to each unit to place it in a position where the fundamentals of the structure of the building, in accordance with the plans submitted, have been completed to allow prospective tenants/operators to fit out their proposed scheme".

1.4 A site map showing the premises along with the plan referred to above 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 along with supporting information provided can be found in Appendix B.

3. 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 Public Health Wales. A copy of the representation is attached as **Appendix D**.

3.4 A representation has been received from Pollution Control. A copy of the representation is attached as **Appendix E**.

3.5 A representation has been received from Cardiff Council Licensing. A copy of the representation is attached as **Appendix F**.

4. Legal Considerations

- 4.1 The licensing authority must decide whether, if the premises were constructed or altered in the way proposed in the schedule of works and if a premises licence was sought for those premises, it would consider it appropriate for the promotion of 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

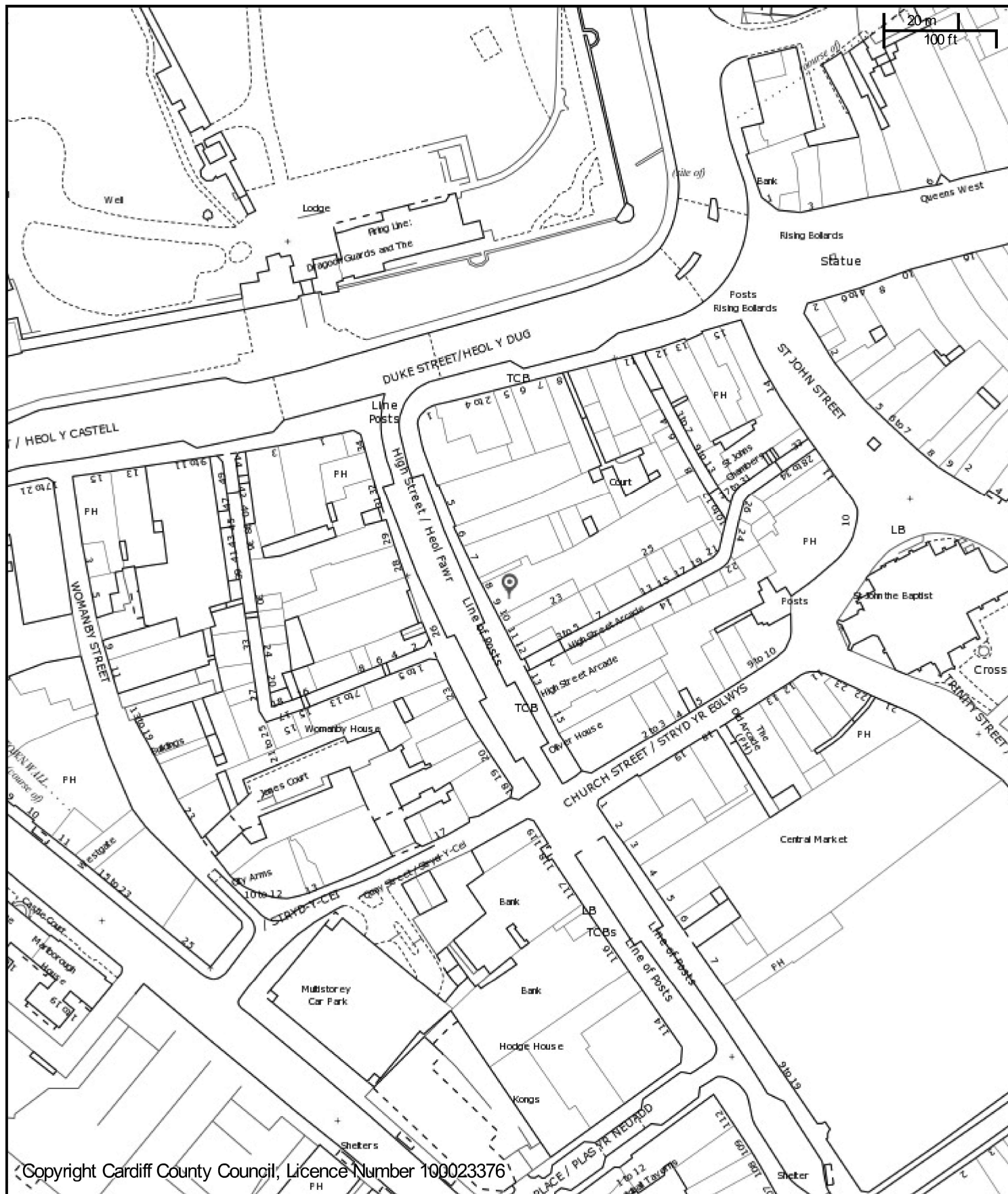
- 5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

24 August 2021

APPENDIX A

Site Map & Plan



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

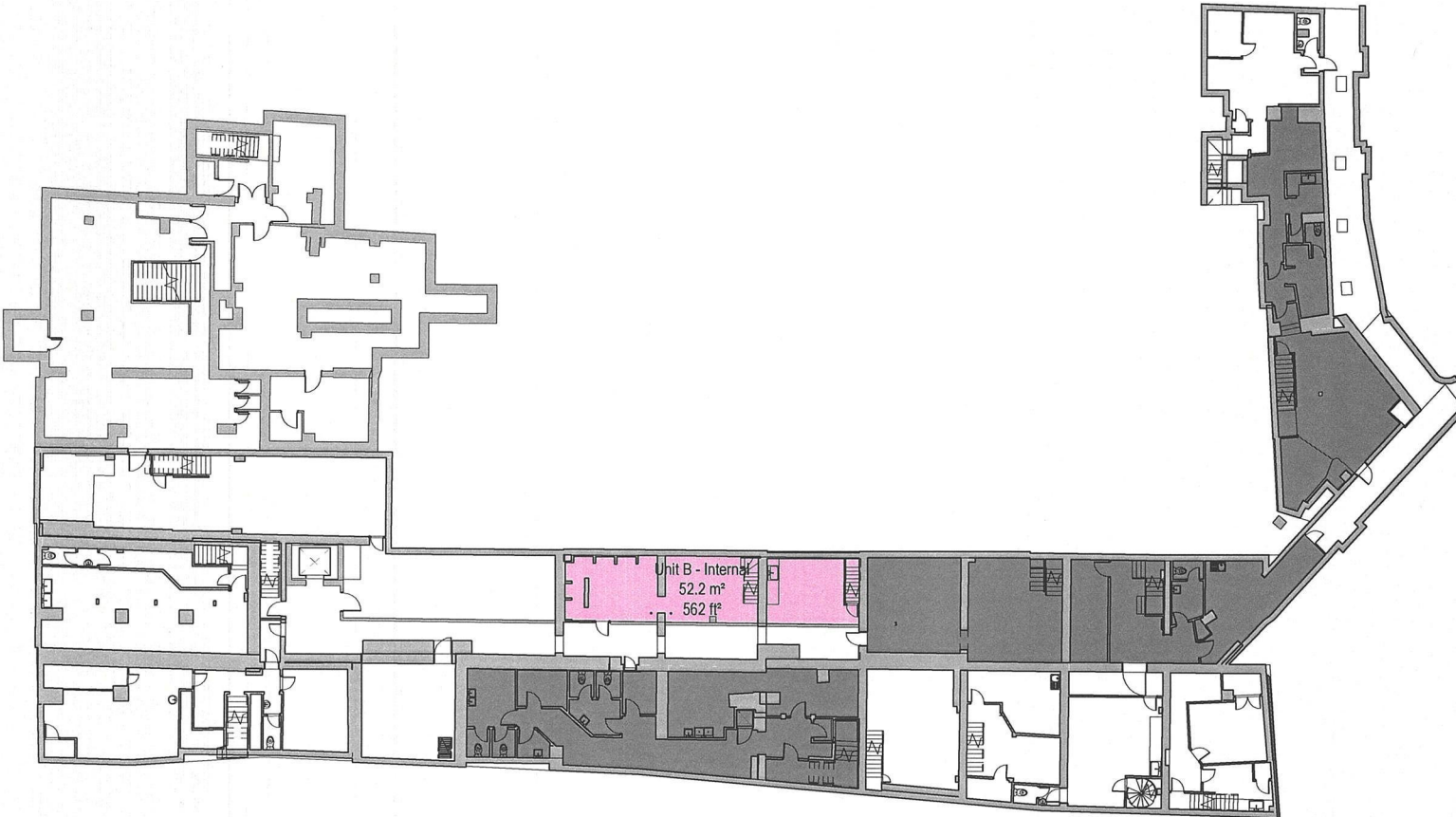
Date: 24/8/2021 at 10:59 AM

Coordinates:

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Ordnance Survey 100023376 (2014).



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Rev	Description	Rev'd	Chk'd	Date
1	General Update	JV	DL	14.07.21

STATUS:

SUITABILITY NUMBER KEY:	DOCUMENTATION - SIGN-OFF
WIP	A - Fit for construction
S0 - Work in Progress*	B - Fit for construction, with comments
SHARED	C - Comprehensive revisions needed
S1 - Fit for co-ordination**	ARCHIVE
S2 - Fit for Information	AB - As Built
S3 - Fit for internal review and comment	FC - Final Construction
S4 - Fit for construction approval	
DOCUMENTATION	
D1 - Fit for costing	
D2 - Fit for tender	
D3 - Fit for contractor design	
D4 - Fit for manufacture/procurement	

* For internal pre-issue usage only.
** For model file usage only.



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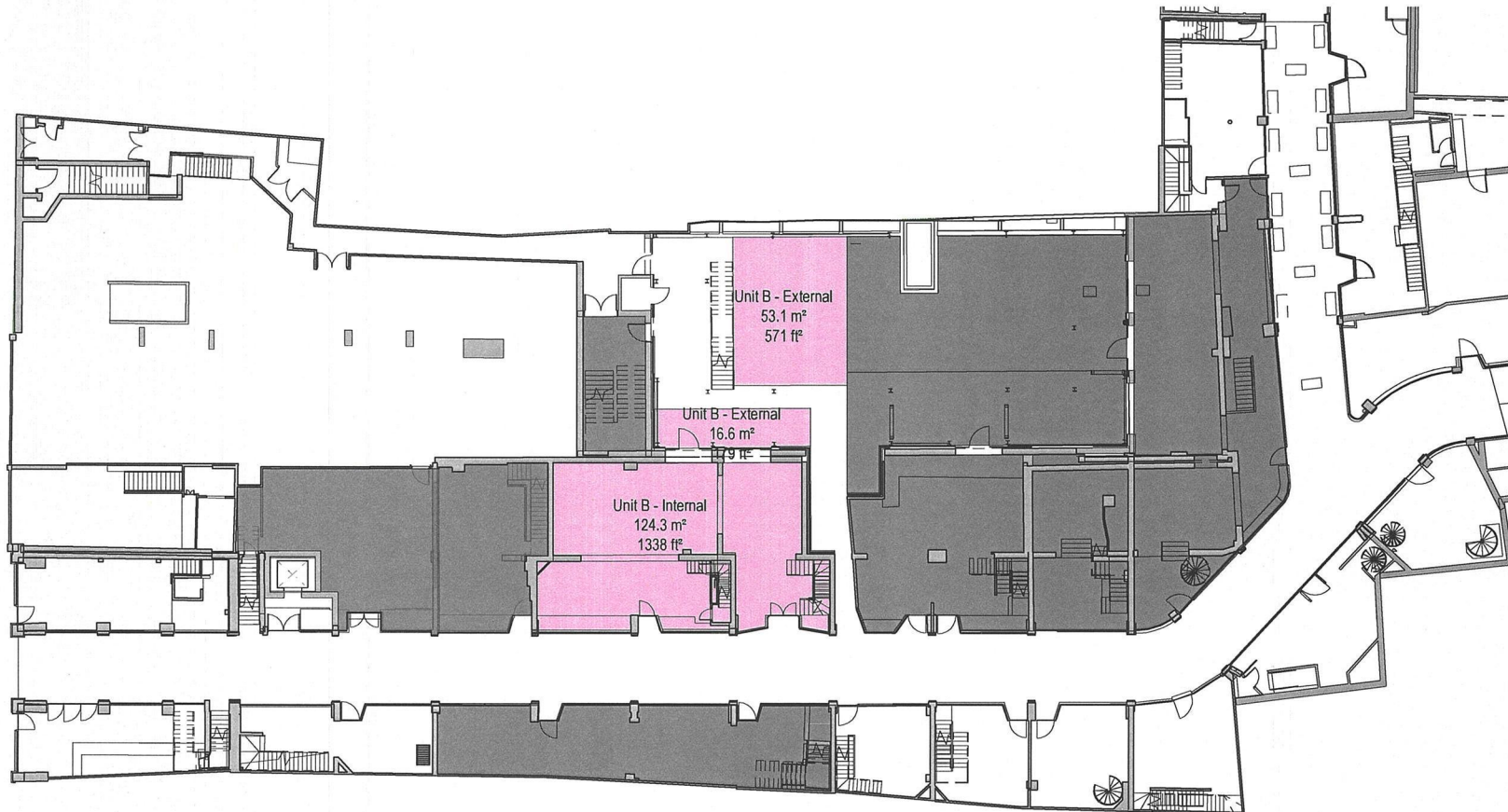


PROJECT TITLE:
Castle Quarter Courtyard
Cardiff

DRAWING TITLE:
Unit B - Basement Plan - Lease Plan
Location

DRAWN BY: JW **CHECKED BY:** JV **APPROVED BY:** HL
JOB NO: 0386 **SCALE:** 1 : 250 @ A3

SUITABILITY:		S0					
DATE:		03/23/21		REVISION:		1	
PROJECT	ORIGIN	VOLUME	LEVEL	TYPE	DISCIP.	NUMBER	
0386	RIO	01	B1	DR	A	01622	



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MANSFORD
ABSOLUTE RETURN REAL ESTATE

PROJECT TITLE:
Castle Quarter Courtyard
Cardiff

DRAWING TITLE:
Unit B - Ground Floor - Lease Plan Location

DRAWN BY: JW CHECKED BY: JY APPROVED BY: HL
JOB NO: 0386 SCALE: 1:250 @ A3

SUITABILITY:				S0		
DATE: 03/23/21			REVISION: 1			
PROJECT	ORIGIN	VOLUME	LEVEL	TYPE	DISCIP.	NUMBER
0386	RIO	01	00	DR	A	01623

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1	General Update			

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WIP

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MANSFORD
ABSOLUTE RETURN REAL ESTATE

PROJECT TITLE:
Castle Quarter Courtyard
Cardiff

DRAWING TITLE:
Unit B - First Floor - Lease Plan Location

DRAWN BY: JW CHECKED BY: JY APPROVED BY: HL
JOB NO: 0386 SCALE: 1 : 250 @ A3

DATE	03/23/21	REVISION	1
PROJECT	0386	RIO	01
ORIGIN	01	DR	A
LEVEL	01	DR	A
TYPE	DR	A	01624
DISCIP	A	01624	
NUMBER	01624		

APPENDIX B

Operating Schedule & Supporting Information

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

Please see attached.

Schedule of proposed conditions

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time
3. The premises shall operate as a bar/restaurant.
4. Substantial refreshment shall be provided at all times that the premises are open for the sale of alcohol until at least 30 minutes before closing

Staff training

5. All members of staff shall receive training in relation to the sale of alcohol commensurate with their duties.
6. A copy of the training records shall be kept on site and made available for inspection by an authorised officer of the police and or the licensing authority
7. All training shall be refreshed at least every 12 months
8. Any off sales for consumption outside of the courtyard, shall be taken off the premises in sealed containers only.

Prevention of Crime and Disorder

CCTV

9. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Cardiff City Council
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be

able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

11. The CCTV system shall provide coverage of the entrance to the premises, and shall be capable of obtaining clear facial recognition images of every person entering the premises.
12. The CCTV images shall be kept in an easily downloadable format.

Event Days

13. On days classified as 'major event days' by the South Wales Police, all drinks will be dispensed into plastic vessels, with the exceptions being hot drinks (ceramics) and wine, champagne and cocktails, if served with a table meal to seated patrons, unless otherwise agreed with the police, in writing, on request made no less than 14 days before such event.
14. On major event days there will be no beers, lagers or ciders for sale for consumption off the premises. The applicant is to write to the South Wales Police Licensing department 14 days in advance of any major event day in which the prohibition on the sale of beers, lagers or ciders off the premises is to be lifted for that particular event.

Door security

15. The provision of door security at the premises shall be risk assessed.
 - (a) A copy of the risk assessment shall be kept on the premises and made available to the police and other responsible authorities on request
 - (b) The risk assessment shall be reviewed on a regular basis and at least annually.
16. On occasions when door security are provided at the premises the following conditions shall apply
 - (a) The licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.

(b) A register shall be kept at the premises to record the details of the door supervisors, the number of persons on the premises and any incidents. The register shall be produced to authorised officers of Cardiff City Council and the Police upon request.

(c) The register shall contain the following details:

- Full SIA registration number.
- Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
- Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
- Any occurrence or incident of interest involving crime and disorder or public safety must be recorded giving names of the Door Supervisor involved.
- Training records
- ID Photo and scan of SIA badge
- A record will be kept on site of all SIA checks, on the validity of all door staff licences.
- The name, home address and registration number of all door supervisors working at the premises;
- The door supervisor register must be kept at the premises and be available for inspection by the Police or an authorised officer from Cardiff Council and shall be retained for a period of 1 Year.

Incident Register

17. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Cardiff City Council or the Police, which will record the following:

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any complaints received
- (d) Any incidents of disorder
- (e) All seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system or searching equipment or scanning equipment
- (g) Any refusal of the sale of alcohol

Refusals book

18. All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain:

- (a) Details of the time and date the refusal was made;
- (b) The identity of the staff member refusing the sale;
- (c) Any detail or description of the person refused and the reason why.
- (d) This book /register will be available for inspection by a Police Officer or authorised officer of Cardiff City Council upon request.

Public Safety

- 19. Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- 20. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
- 21. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

- 22. The premises will make provision for smokers. Where that provision is outside of any external seating area shown on the plan, persons using that area will not be permitted to take drinks or glass containers with them.
- 23. Were any external area is to be used exclusively by the premises and indicated on the plan as such, such area will be properly managed to ensure that as far as practicable customers behave in such a way as to promote the licensing objectives
- 24. Where any external area, as shown on the plan, forms part of a communal seating area, provision will be made for the proper management of customers to ensure that as far as practicable customers behave in such a way as to promote the licensing objectives.
- 25. Music shall not be played at such a level that it is likely to cause a public nuisance.
- 26. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

27. A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.
28. A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly.

Protection of Children from Harm

29. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
30. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18
31. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
32. Posters advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally;
33. Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions.
34. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.

GRANT OF CONSERVATION AREA CONSENT

To:

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990

WHEREAS you submitted an application for Conservation Area Consent received on 18/05/2021 for: DEMOLITION OF A VACANT NIGHTCLUB TO BE REPLACED WITH A COURTYARD at 8-10 HIGH STREET, CITY CENTRE, CARDIFF, CF10 1AW (hereinafter called "the development");

CARDIFF COUNTY COUNCIL, as the Local Planning Authority for the County of Cardiff, in pursuance of its powers under the above mentioned Act and Regulations, hereby CONSENTS to the development being carried out in accordance with the application and plans submitted therewith, subject to compliance with the conditions specified hereunder:

1. The works permitted shall be begun before the expiration of five years from the date of this consent.
Reason : In accordance with the provisions of Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This consent relates to the following plans and documents:

Plans

RIO-01-01-DR-A-01021-01	Demolition – Ground Floor Plan
RIO-01-01-DR-A-01022-01	Demolition – First Floor Plan

Documents

Holland Heritage, Heritage Impact Statement, updated December 2020

Reason. For the avoidance of doubt

3. Existing internal elevations and details of proposed openings shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing. The work shall be carried out strictly in accordance with the details hereby approved.
Reason: To safeguard the character and appearance of the listed building.

4. Detailed plans/report/schedule that sufficiently identifies the method by which elevations are to be supported and protected during building works so as to ensure the structural stability and integrity of the elements which are to be retained, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing. The works of protection and support shall be carried out strictly in accordance with the details hereby approved.
Reason: To ensure the retention of those parts of the building which are to be preserved and to ensure that they are not damaged during building works.

Dated: 23/07/2021



Simon Gilbert
HEAD OF PLANNING
County Hall, Cardiff, CF10 4UW

It should also be noted that :

1. To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

PLANNING DECISION NOTICES: ADDITIONAL INFORMATION

1

APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS AND CERTIFICATE OF LAWFUL USE

(i) Appeals

An appeal can be made to the National Assembly for Wales against the City of Cardiff's refusal of planning permission for the proposal or to grant it subject to conditions (see Section 78 of the Town and Country Planning Act 1990). This must be made within 6 months for most applications, and 12 weeks for household applications and A1, A2 and A3 commercial applications.

The Secretary of State may not consider an appeal if it appears that the City could not have granted planning permission for the proposal, or could not have granted it without the conditions it imposed, having regard to the statutory requirements or to the provisions and directions of the development order.

(ii) Purchase Notices

The land or property owner may be able to serve a purchase notice on the City if it has refused permission to develop land or has granted it subject to conditions. In order to serve a purchase notice the owner must show that the land can neither be put to a reasonably beneficial use in its existing state and is not capable of reasonably beneficial use by the carrying out of other development which has been or would be permitted.

A purchase notice will require the City to buy the owner's interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

2

(iii) Compensation

It may be possible to claim compensation from the City if permission is refused, or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him (see Section 137 and related provisions of the Town and Country Planning Act 1990).

APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

(i) All advertisements (and any site used for the display of advertisements) granted consent must :

- (a) be maintained in a clean, tidy and safe condition;
- (b) not be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission; and
- (c) not be displayed or sited so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to make hazardous the use of any highway, railway, waterway or aerodrome.

Any existing advertisements which need to be removed shall be removed to the reasonable satisfaction of the City.

(ii) Appeals can be made to the Planning Inspectorate, if consent is refused by the City or is granted subject to conditions, or for less than 5 years. Appeals must be made within 8 weeks from the date of the decision. Appeals must include

copies of the application with all relevant submitted plans, correspondence and the decision notice (see Town and Country Planning (Control of Advertisements) Regulations 1992).

3

APPLICATIONS FOR LISTED BUILDING CONSENT OR CONSERVATION CONSENT

- (i) Appeals
An appeal can be made to the Planning Inspectorate (normally within 6 months or 12 weeks for household applications and A1, A2 and A3 commercial applications) against the City's decision to refuse consent for the proposal or to grant consent subject to conditions (see regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990).
- (ii) Purchase Notice
The property owner may be able to serve a purchase notice on the City if it has refused consent or granted it subject to conditions. In order to serve a purchase notice the owner must show that the property can neither be put to a reasonably beneficial use in its existing state and is not capable of reasonably beneficial use by the carrying out of other development which has been or would be permitted.

A purchase notice will require the City to buy the owner's interest in the property in accordance with Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4

- (iii) Compensation
It may be possible to claim compensation from the City if consent is refused, or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to him (see Section 27 of the Planning (Listed Building and Conservation Area) Act 1990).

ACCESS TO BUILDINGS FOR DISABLED PERSONS

Please consider adequate provision for access to buildings which disabled persons are likely to use such as shops, offices, factories, railway premises and educational establishments. (See Section 76 of the Town and Country Planning Act 1990). Please contact the Building Control Division, PT&E, County Hall, Atlantic Wharf, Cardiff, CF10 4UW for further advice. (Phone :029 2233 0381/2/3).

PLEASE CONTACT THE NATIONAL ASSEMBLY FOR WALES, PLANNING INSPECTORATE, CROWN BUILDING, CATHAYS PARK, CARDIFF, CF10 3NQ FOR DETAILS OF APPEAL PROCEDURES AND FORMS:

TEL : 0303 444 5940

Email: wales@pins.gsi.gov.uk

Application No: **21/00044/MJR**



GRANT OF LISTED BUILDING CONSENT

To:

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990

WHEREAS you submitted an application for Listed Building Consent received on 08/01/2021 for: PART DEMOLITION OF VACANT NIGHTCLUB TO BE REPLACED WITH A COURTYARD, WITH ALTERATIONS TO AN EXISTING UNIT FRONTING ONTO HIGH STREET ARCADE. SOME ALTERATIONS TO THE INTERNAL LAYOUT AND PARTITIONS AND REMOVAL OF ROOF TO THE CENTRE REAR at 8-10 HIGH STREET, CITY CENTRE, CARDIFF, CF10 1AW (hereinafter called "the development");

CARDIFF COUNTY COUNCIL, as the Local Planning Authority for the County of Cardiff, in pursuance of its powers under the above mentioned Act and Regulations, hereby CONSENTS to the development being carried out in accordance with the application and plans submitted therewith, subject to compliance with the conditions specified hereunder:

1. The works permitted shall be begun before the expiration of five years from the date of this consent.
Reason: In accordance with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The works shall be carried out in accordance with the following approved drawings/documents:

PLANS

RIO-01-XX-DR-A-90002-01 PROPOSED SITE LOCATION PLAN

RIO-01-XX-DR-A-90004-02 PROPOSED SITE PLAN

RIO-01-B1-DR-A-01030-03 PROPOSED LEASE PLAN - BASEMENT PLAN

RIO-01-00-DR-A-01031-04 PROPOSED LEASE PLAN - GROUND FLOOR

RIO-01-01-DR-A-01032-04 PROPOSED LEASE PLAN - FIRST FLOOR
0386 RIO 01 02 DR A 01043 PROPOSED PLAN-SECOND FLOOR
0386 RIO 01 03 DR A 01044 PROPOSED PLAN-THIRD FLOOR
0386 RIO 01 04 DR A 01045 PROPOSED PLAN-ROOF FLOOR
RIO-01-01-DR-A-01002-04 PROPOSED PLAN FIRST FLOOR (SERVICE
RISERS)
0386 RIO 01 XX DR A 02010 PROPOSED ELEVATIONS-SHEET 01 OF
02
0386 RIO 01 XX DR A 02011 PROPOSED ELEVATIONS-SHEET 02 OF
02
0386 RIO 01 XX DR A 03002 PROPOSED SECTION
0386 RIO 01 00 DR A 01530 UNIT A-PROPOSED SCREEN
RIO-01-01-DR-A-10121-01 DEMOLITION – GROUND FLOOR PLAN
RIO-01-01-DR-A-10122-01 DEMOLITION – FIRST FLOOR PLAN

DOCUMENTS

Holland Heritage Heritage Impact Assessment, August 2020, Updated
December 2020

Reason: To ensure satisfactory completion of the development and for the
avoidance of doubt in line with the aims of Planning Policy Wales to
promote an efficient planning system.

3. Existing internal elevations and details of proposed openings shall be
submitted to and approved in writing by the Local Planning Authority prior to
works commencing. The work shall be carried out strictly in accordance with
the details hereby approved.

Reason: To safeguard the character and appearance of the listed building.

4. Detailed plans/report/schedule that sufficiently identifies the method by
which elevations are to be supported and protected during building works
so as to ensure the structural stability and integrity of the elements which
are to be retained, shall be submitted to and approved in writing by the
Local Planning Authority prior to works commencing. The works of
protection and support shall be carried out strictly in accordance with the
details hereby approved.

Reason: To ensure the retention of those parts of the building which are to
be preserved and to ensure that they are not damaged during building
works.

5. A detailed specification of works shall be submitted to and approved in
writing by the Local Planning Authority prior to the commencement of works.
The works shall be implemented in accordance with the details hereby
approved.

Reason: To safeguard the character and appearance of the listed building.

**All policies and proposals in the Development Plan which are relevant to this
decision are listed in the report on the Application.**

**IT IS IMPORTANT THAT YOU SHOULD READ THOSE NOTES ON THE
ATTACHED SHEET WHICH ARE RELEVANT TO THIS TYPE OF APPLICATION.**

Dated: 21/07/2021



Simon Gilbert
HEAD OF PLANNING
County Hall, Cardiff, CF10 4UW

It should also be noted that :

1. The applicant be advised that this Listed Building Consent does not permit any development that would require full planning permission, without first obtaining such consent.

Attention is drawn to Section 8 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition may not be undertaken (notwithstanding the terms of this consent) until notice has been given to the Royal Commission on Ancient Monuments in Wales, Crown Building, Plas Crug, Aberystwyth, Dyfed, and the Commission subsequently have either been given reasonable access to the building for at least one month following grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form on which to notify the Royal Commission (Form RCHM(E)1) is enclosed with this notice.

Application No: **21/00043/MJR**



PERMISSION FOR DEVELOPMENT

Town and Country Planning Act 1990 (As Amended)

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

WHEREAS you submitted an application for Full Planning Permission received on 08/01/2021 for: DEVELOPMENT AT HIGH STREET ARCADE, CARDIFF, COMPRISING PART DEMOLITION OF VACANT NIGHTCLUB TO BE REPLACED WITH A COURTYARD, WITH ALTERATIONS TO AN EXISTING UNIT FRONTING ONTO HIGH STREET ARCADE AND REMOVAL OF ROOF TO THE CENTRE REAR 8-10 HIGH STREET, AND TO INCLUDE THE FOLLOWING USES: UNIT R: 8/10 HIGH ST – BASEMENT AND GROUND FLOOR, A1/A3 (FOOD LED); UNIT A: 3-7 HIGH ST ARCADE - BASEMENT, GROUND AND FIRST FLOOR, A1/A3 (FOOD LED); UNIT B: 9-13 HIGH ST ARCADE - BASEMENT, GROUND AND FIRST FLOOR (INCLUDING TERRACE), A1/A3 (FOOD LED); UNIT C: 15-17 HIGH ST ARCADE - BASEMENT, GROUND AND FIRST FLOOR (INCLUDING TERRACE), A1/A3 (FOOD LED); UNIT D: 21, HIGH ST ARCADE & 10/12 DUKE ST ARCADE - BASEMENT, GROUND AND FIRST FLOOR, A3 (FOOD LED); UNIT E: PART 8-10 HIGH STREET - FIRST AND SECOND FLOOR, A1/A3 (FOOD LED) AND THIRD FLOOR, ANCILLARY STORAGE; COURTYARD – GROUND FLOOR, OUTDOOR SEATING AREA (ANCILLARY TO ADJOINING USES). at 8-10 HIGH STREET, CITY CENTRE, CARDIFF, CF10 1AW (hereinafter called "the development");

CARDIFF COUNTY COUNCIL, as the Local Planning Authority for the County of Cardiff, in pursuance of its powers under the above mentioned Act and Orders, hereby PERMITS the development to be carried out in accordance with the application and plans submitted therewith, subject to compliance with the conditions specified hereunder:

1. The development permitted shall be begun before the expiration of five years

from the date of this planning permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. This consent relates to the following plans and documents:

Plans

RIO-01-XX-DR-A-90002-01 PROPOSED SITE LOCATION PLAN
RIO-01-XX-DR-A-90004-02 PROPOSED SITE PLAN
RIO-01-B1-DR-A-01030-03 PROPOSED LEASE PLAN - BASEMENT PLAN
RIO-01-00-DR-A-01031-04 PROPOSED LEASE PLAN - GROUND FLOOR
RIO-01-01-DR-A-01032-04 PROPOSED LEASE PLAN - FIRST FLOOR
0386 RIO 01 02 DR A 01043 PROPOSED PLAN-SECOND FLOOR
0386 RIO 01 03 DR A 01044 PROPOSED PLAN-THIRD FLOOR
0386 RIO 01 04 DR A 01045 PROPOSED PLAN-ROOF FLOOR
RIO-01-01-DR-A-01002-04 PROPOSED PLAN FIRST FLOOR (SERVICE RISERS)
0386 RIO 01 XX DR A 02010 PROPOSED ELEVATIONS-SHEET 01 OF 02
0386 RIO 01 XX DR A 02011 PROPOSED ELEVATIONS-SHEET 02 OF 02
0386 RIO 01 XX DR A 03002 PROPOSED SECTION
0386 RIO 01 00 DR A 01530 UNIT A-PROPOSED SCREEN

Documents

Mansford Design & Access Statement dated January 2021
Format Acoustics Response to Cardiff Council SRS dated 23 June 2021
Format Acoustics Castle Quarter Courtyard Acoustic Key Issues Plan

Reason: For the avoidance of doubt

3. Prior to beneficial use, a scheme of sound insulation works to the party wall between the development and residential receptor known as Crown Court shall be submitted to and agreed by the Local Planning Authority demonstrating that noise from the specific use is managed. Reference must be made to the specific use, acoustic qualities, support from a competent acoustic consultant and the relevant British Standards.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with guidance contained within the adopted supplementary planning guidance, Food, Drink and Leisure Uses 2017.

4. The units shall not be used in connection with the development hereby permitted outside the following hours:

0700 - 0030 Sun to Thu

0700 - 0130 (the morning following) Fri, Sat and Sun preceding a bank holiday.

New Year's Eve 0700 – 0230.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with guidance contained within the adopted supplementary planning guidance, Food, Drink and Leisure Uses 2017.

5. Noise emitted from fixed plant installations shall achieve a rating noise level of background -5dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 + A1: 2019 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with guidance contained within the adopted supplementary planning guidance, Food, Drink and Leisure Uses 2017.

6. The extraction of all fumes from the food preparation areas from each unit shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment including the chimney shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food of any units. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with guidance contained within the adopted supplementary planning guidance, Food, Drink and Leisure Uses 2017.

7. The new basement to ground floor lift facility shall be implemented prior to the beneficial use of the development and shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide for the appropriate movement of refuse for collection in the interests of amenity.

Dated: 13/07/2021



Simon Gilbert
HEAD OF PLANNING
County Hall, Cardiff, CF10 4UW

It should also be noted that :

1. The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the

Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team (BilingualCardiff@cardiff.gov.uk) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

2. That the applicant be advised that the development hereby approved also requires Listed Building Consent and no works to the Listed Building should be undertaken prior to the grant of such consent.

PLANNING DECISION NOTICES: ADDITIONAL INFORMATION

APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS AND CERTIFICATE OF LAWFUL USE

(i) **Appeals**

An appeal can be made to the National Assembly for Wales against the City of Cardiff's refusal of planning permission for the proposal or to grant it subject to conditions (see Section 78 of the Town and Country Planning Act 1990). This must be made within 6 months for most applications, and 12 weeks for household applications and A1, A2 and A3 commercial applications.

The Secretary of State may not consider an appeal if it appears that the City could not have granted planning permission for the proposal, or could not have granted it without the conditions it imposed, having regard to the statutory requirements or to the provisions and directions of the development order.

(ii) **Purchase Notices**

The land or property owner may be able to serve a purchase notice on the City if it has refused permission to develop land or has granted it subject to conditions. In order to serve a purchase notice the owner must show that the land can neither be put to a reasonably beneficial use in its existing state and is not capable of reasonably beneficial use by the carrying out of other development which has been or would be permitted.

A purchase notice will require the City to buy the owner's interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(iii) **Compensation**

It may be possible to claim compensation from the City if permission is refused, or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him (see Section 137 and related provisions of the Town and Country Planning Act 1990).

APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

(i) All advertisements (and any site used for the display of advertisements) granted consent must :

- (a) be maintained in a clean, tidy and safe condition;
- (b) not be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission; and
- (c) not be displayed or sited so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to make hazardous the use of any highway, railway, waterway or aerodrome.

Any existing advertisements which need to be removed shall be removed to the reasonable satisfaction of the City.

- (ii) Appeals can be made to the Planning Inspectorate, if consent is refused by the City or is granted subject to conditions, or for less than 5 years. Appeals must be made within 8 weeks from the date of the decision. Appeals must include copies of the application with all relevant submitted plans, correspondence and the decision notice (see Town and Country Planning (Control of Advertisements) Regulations 1992).

3

APPLICATIONS FOR LISTED BUILDING CONSENT OR CONSERVATION CONSENT

(i) **Appeals**

An appeal can be made to the Planning Inspectorate (normally within 6 months or 12 weeks for household applications and A1, A2 and A3 commercial applications) against the City's decision to refuse consent for the proposal or to grant consent subject to conditions (see regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990).

(ii) **Purchase Notice**

The property owner may be able to serve a purchase notice on the City if it has refused consent or granted it subject to conditions. In order to serve a purchase notice the owner must show that the property can neither be put to a reasonably beneficial use in its existing state and is not capable of reasonably beneficial use by the carrying out of other development which has been or would be permitted.

A purchase notice will require the City to buy the owner's interest in the property in accordance with Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iii) **Compensation**

It may be possible to claim compensation from the City if consent is refused, or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to him (see Section 27 of the Planning (Listed Building and Conservation Area) Act 1990).

4

ACCESS TO BUILDINGS FOR DISABLED PERSONS

Please consider adequate provision for access to buildings which disabled persons are likely to use such as shops, offices, factories, railway premises and educational establishments. (See Section 76 of the Town and Country Planning Act 1990). Please contact the Building Control Division, PT&E, County Hall, Atlantic Wharf, Cardiff, CF10 4UW for further advice. (Phone :029 2233 0381/2/3).

**PLEASE CONTACT THE NATIONAL ASSEMBLY FOR WALES,
PLANNING INSPECTORATE, CROWN BUILDING, CATHAYS
PARK, CARDIFF, CF10 3NQ FOR DETAILS OF APPEAL
PROCEDURES AND FORMS:**

TEL : 0303 444 5940
Email: wales@pins.gsi.gov.uk

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 18 August 2021 12:41
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Cc:
Subject: Castle Quarter Provisional Statements- Police Representations.

***** 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 applications made for the grant of provisional statements for proposed premises within the Castle Quarter development, Cardiff.

The position of South Wales Police is one of objection, made under the provisions of the Cardiff City Councils Cumulative Impact Policy as outlined within the City of Cardiff Councils Statement of Licensing Policy 2020-2025.

This objection under CIP is supported by an objection made under the following licensing objectives, namely,

The Prevention of Crime and Disorder.

Public Safety.

The Prevention of Public Nuisance.

South Wales Police therefore request that these matters are heard before a sitting of the Licensing Committee at a date to be set.

Yours sincerely,

Rob Gunstone 

Cwnstabl yr Heddlu 3487 / Police Constable 3487.

Adran Drwyddedu / Licensing Department

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

Matthew PHIPPS,
TLT sols,
One Redcliff Street,
Bristol,
BS1 6TP.

11th August 2021.

**APPLICATION FOR A PROVISIONAL STATEMENT UNDER THE LICENSING ACT
2003.**

UNIT B, HIGH STREET ARCADE, HIGH STREET, CARDIFF CF10 1QR.

I have caused enquiries to be made into this application and make the following representations.

South Wales Police object to the grant of this application under the Licensing Objectives of:

- The prevention of crime and disorder,
- Public safety,
- The prevention of public nuisance.

POLICE REPRESENTATION

The premises sits within the Cardiff City Saturation Zone and so is subject to the Cumulative Impact Policy for Cardiff City Council 2016-2021.

South Wales Police object under Cardiff Councils Cumulative Impact Policy.

There is a disproportionate amount of Crime, Disorder and Nuisance associated with outlets for alcohol in the Cardiff City Centre. The addition of another outlet will add to the problems caused by alcohol in the Cardiff City Centre.

Should the Licensing Committee be minded to grant this application, we ask that the below conditions are attached to the licence;

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.



CONDITIONS

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. SIA registered door supervisors will be employed at the premises on Fridays, Saturdays and those Sundays immediately prior to Bank Holidays, from 21:00 hours until the premises closes. There will be a minimum of two door supervisors at the premises at any one time on these days.
3. On those days designated by South Wales Police as major event days in the City Centre and Bay areas of Cardiff, a minimum of two 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.
4. 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.
5. A register of door supervisors shall be kept at the premises. The Register shall show 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. Open containers of alcohol shall not be removed from the premises save for consumption in any delineated external area.
7. The premises will operate a South Wales Police approved radio system.
8. The Designated Premises Supervisor will be an active member of the Cardiff Licensees Forum.

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.



9. An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police Officer. This book will record the following:
- (i) All crimes reported at the venue,
 - (ii) All refusals of sales of alcohol,
 - (iii) Any ejections of patrons,
 - (iv) Any disorder on the premises,
 - (v) Any visit by representatives of a relevant authority or emergency service,
 - (vi) Any failure of the CCTV system.
10. There will be no mobile alcohol sales persons of any sort.
11. At least 70% of the public space is occupied by tables and chairs.
12. All meals are consumed at tables with non-disposable crockery.
13. All food is served by waiter / waitress service with the only exception of a buffet style restaurant.
14. There is no self-seating. Customers are shown to their table by staff.
15. The sale of alcohol for consumption on the premises is ancillary to the taking of a substantial table meal.
16. On days classified as 'major event days' by the South Wales Police, all drinks will be dispensed into plastic vessels, with the exceptions being hot drinks (ceramics) and wine, champagne and cocktails, if served with a table meal to seated patrons, unless otherwise agreed with the police, in writing, on request made no less than 14 days before such event.
17. On major event days there will be no beers, lagers or ciders for sale for consumption off the premises. The applicant is to write to the South Wales Police Licensing department 14 days in advance of any major event day in which the prohibition on the sale of beers, lagers or ciders off the premises is to be lifted for that particular event.

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

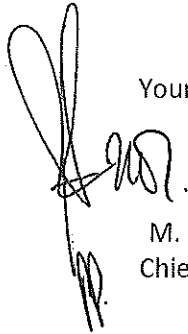
Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.



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

COPY TO:
Dan Cook.
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND

SWYDDOGOL - OFFICIAL

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

Public Health Wales Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: PHW CAV Licencing (Public Health Wales)
Sent: 20 August 2021 11:35
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: High Street Arcade- units A -T
Attachments: FK-jtf-08-2021-13.pdf; FK-jtf-08-2021-14.pdf; FK-jtf-08-2021-15.pdf; FK-jtf-08-2021-016.pdf; FK-jtf-08-2021-017.pdf; FK-jtf-08-2021-018.pdf; FK-jtf-08-2021-019.pdf

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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, 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.

Hi,

Please find attached representations from Cardiff and Vale University Health Board for the seven High Street Arcade applications for provisional statements.

Kind regards,
Lauren

Lauren Idowu

Prif Arbenigwr Hyrwyddiad Iechyd
Iechyd Cyhoeddus Cymru, Tim Iechyd Cyhoeddus Caerdydd a'r Fro, Ty Coetir, Heol Maes-Y-Coed,
Llanishen, Caerdydd, CF14 4HH

Principal Health Promotion Specialist
Public Health Wales, Cardiff and Vale Public Health Team, Woodland House, Maes-Y-Coed Road,
Llanishen, Cardiff, CF14 4HH

Ebost/Email:
Rhynggrwyd/Internet: www.iechydcyhoedduscymru.wales.nhs.uk / www.publichealthwales.org
Mewnrrwyd/Intranet: <http://nww.publichealthwales.nhs.uk>

Please note my working days are Monday to Thursday.

Thursday 19th August 2021

Daniel Cook
Team Manager, Licencing
Shared Regulatory Services
Cardiff City Hall
Cathays Park
Cardiff
CF10 3ND

Dear Mr Cook,

In accordance with the Health Board's role as a responsible authority, I can confirm we have received the following application for a Provisional Statement for:-

Unit B, High Street Arcade, High Street, Cardiff CF10 1QR

We understand that this premise is located with the Cumulative Impact Policy (CIP) area and wishes to sell alcohol for consumption both on and off the premises. The applicant has not sufficiently demonstrated that their application to increase the availability of alcohol (via the addition of another outlet selling alcohol) within the CIP area would not negatively impact on the licencing objectives of Prevention of Public Nuisance, Prevention of Crime and Disorder and Public Safety.

Currently if granted, this application will increase the availability of alcohol within the city centre area of Cardiff, and we anticipate it will contribute to a maintenance or likely increase in the number of incidents of anti-social behaviour, crime and alcohol related hospital and Alcohol Treatment Centre admissions. Evidence tells us that:

- Opening hours and density of alcohol sales outlets influence alcohol consumption, drinking patterns and damage due to alcohol¹.
- Reducing alcohol availability and access is key to preventing alcohol related problems in the community².

¹ Popova S et al (2009) Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol & Alcoholism*. 44, pp. 500 – 16.

² Gorman and Horel (2005) Drug 'hot-spots', alcohol availability and violence. *Drug and Alcohol Review*. 24, pp. 507 – 513. Available at: <http://onlinelibrary.wiley.com/doi/10.1080/09595230500292946/abstract> [Accessed 5th June 2013]

- Research into the patterns of alcohol availability and alcohol related harm over time in Wales found that changes leading to the increased availability of alcohol were related to an increase in alcohol-related harm, such as excessive alcohol consumption, hospital admissions and violent crimes³.

Data from a report compiled by Cardiff Council into the Night Time Economy showed that between the hours of 18:00 and 06:00 in 2018/19 the city centre, where the premises is based, had the highest count of Violence against the Person in the City (Appendix 1). The city centre area also had highest percentage of incidences of anti-social behaviour (ASB) in 2017/18 and 2018/19 (Appendix 2).

Excessive alcohol consumption can cause breathing difficulty, vulnerability to injury including violence and unconsciousness. The Cardiff Alcohol Treatment Centre (ATC) is a nurse-led service that provides a safe environment in which intoxicated members of the public can be assessed, treated if necessary and monitored. In the calendar year 2019, 940 people used this service as a result of alcohol consumption in the city centre area at a cost per session of £1345 - £2170 (Appendix 3).

We therefore wish to make representation under the licencing objectives of Prevention of Public Nuisance, Prevention of Crime and Disorder and Public Safety.

If the Licensing Committee decide to grant the licence, we would request that the following conditions are included:

- At least 70% of the public space is occupied by tables and chairs
- All meals are consumed at tables with non-disposable crockery
- The sale of alcohol for consumption on the premises is ancillary to the taking of a substantial table meal
- There is no self-seating; customers are shown to their table by staff.
- All food is served by waiter/waitress service, with the only exception of buffet-style restaurants.

If there are any queries regarding this response, please contact us via email

Yours sincerely

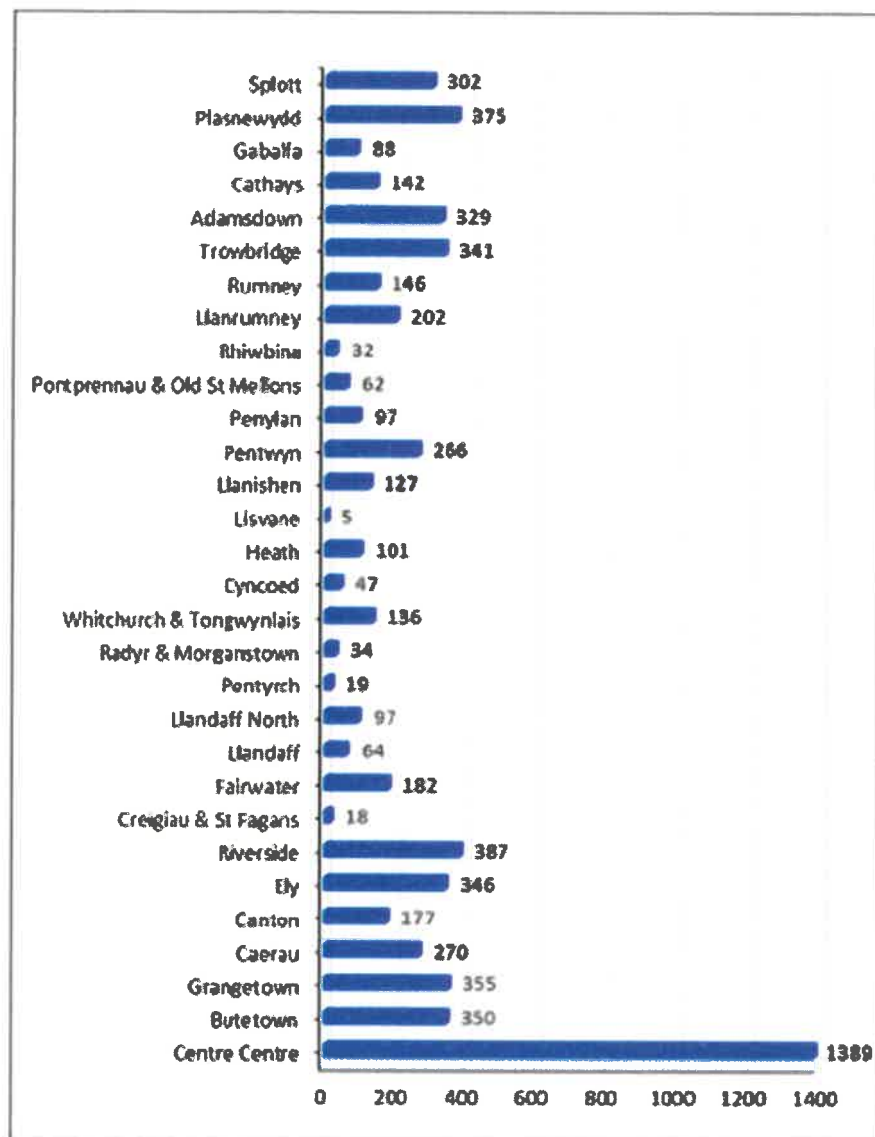
Fiona Kinghorn

Fiona Kinghorn
Executive Director of Public Health

³ Fone D et al (2016) Change in alcohol outlet density and alcohol-related harm to population health (CHALICE): a comprehensive record-linked database study in Wales. Public Health Research Volume: 4 Issue: 3
<http://www.journalslibrary.nihr.ac.uk/phr/volume-4/issue-3#plain-english-summary>

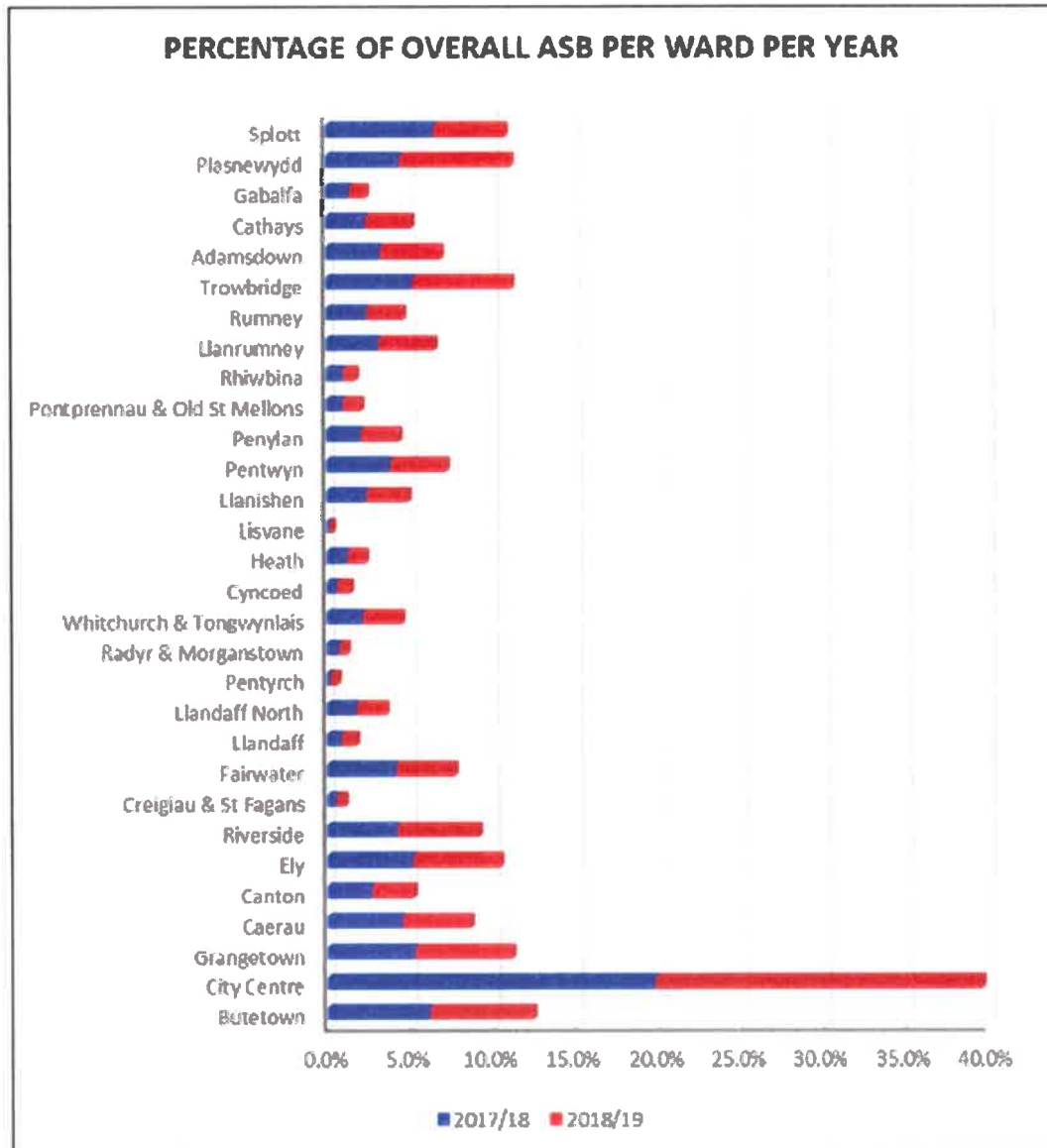
Appendix 1

Violence against the Person, which occurred between 18:00 and 06:00 hours. The following chart shows the total number of offences which occurred between 2018/19.



Appendix 2

Comparison of the percentage of overall ASB incidents 17/18 – 18/19 with each ward accounting against the Cardiff total for the last two years.



Appendix 3

Estimated Session Costs – Alcohol Treatment Centres

Site	Cost (£)			Total	Number of nights open	Average cost (£) per session
	Staff	Premises	Other			
A	231,325	11,623		242,948	112	2170
G	14,516	6788	24,940	46,244	39	1186
C	126,584	18,000		144,584	112	1380
F				55,900a	102	1075
H	74,630	2220	39,275	116,125	105	1106
B	107,944	25,644	2162	135,750	110	1345

Moore SC, Allen D, Amos Y, Blake J, Brennan A, Buykx P, *et al.* Evaluating alcohol intoxication management services: the EDARA mixed-methods study. *Health Serv Deliv Res* 2020;8(24)

Available from: <https://www.journalslibrary.nihr.ac.uk/programmes/hsdr/140425/#/>

APPENDIX E

Noise Pollution Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Page, Samantha
Sent: 20 August 2021 19:24
To: Matthew Phipps
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Units A, B, C, D, E, F and T - High Street provisional statements

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.

Good Evening,

I have reviewed the 7 provisional statements for units A, B, C, D, E, F and T for High Street Arcade. From reviewing these statements I have concerns in regard to public nuisance, as the proposed site is within close proximity to residential accommodation. The statements list recorded music inside the premises between the hours of 10:00 – 00:00 Sunday to Thursday and 10:00 – 01:00 Friday and Saturday for all units, as well as the use of an open courtyard area for all units to use.

The proposed site will likely give rise to public nuisance to local residents within the vicinity. This will be most notable to the properties which currently do not have a façade overlooking High Street/ St Mary's Street and the existing hospitality and licensed premises. These residential properties which currently are directed into the arcade and situated more to the rear of the High street residential complex will have more of a direct impact from the proposed application sites. These residents are currently not subjected to the existing high level of noise generated in the city centre.

With this in mind I wish to object to the applications under the grounds of prevention of public nuisance.

However, in order to get a better understanding of the proposed units and in the interest of keeping the consultation process open to further discussion, I believe it would be beneficial to arrange a site visit to the area to discuss what the applicant plans are in further detail.

Kind Regards,



Samantha Page | Neighbourhood Services Officer

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir

Bridgend, Cardiff and the Vale of Glamorgan / Pen-y-bont ar Ogwr, Caerdydd a Bro Morgannwg

Phone / Ffôn:

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Consider the environment. Please don't print this e-mail unless you really need to.
Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.

APPENDIX F

Licensing Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Evans, Kirsty
Sent: 20 August 2021 21:30
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: 'Matthew Phipps'
Subject: LA(Enforcement) Representation - Unit B, High Street Arcade - Provisional Statement

Hello,

Re: Unit B, High Street Arcade, High Street, Cardiff CF10 1QR – Provisional Statement

I am writing to submit a representation on behalf of the Enforcement Section of the Licensing Authority in respect of the above application for Unit B, High Street Arcade, High Street, Cardiff CF10 1QR.

The Licensing Authority (Enforcement) believes that the application undermines the following licensing objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

The premises is located in an area that is subject to the Council's Cumulative Impact Policy (CIP) and the applicant's proposals would mean that the premises would fall within the 'red' category in Table 1 of the Cumulative Impact Policy (CIP). The CIP has been adopted 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 the application will be refused or subject to certain limitations, unless the applicant can successfully demonstrate the proposals will not add to the negative cumulative impact on one or more of the licensing objectives.

The applicant's proposals are concerning, in that they include Recorded Music, Late Night Refreshment and the Sale of Alcohol for consumption both on and off the premises into the early hours within the CIP area. The applicant has offered a number of conditions in the promotion of the Licensing Objectives but these conditions are not enough to take the proposals out of the 'red' category for the CIP.

The proposals as they stand, could create on part at least, a premises with vertical drinking and recorded music, potentially creating an environment for dancing. It also includes little to no restrictions to the shared "open-ai red courtyard". If the application was granted as applied for, customers would be able to take alcohol into this area until the early hours (01:00 hours on Fridays, Saturdays and Bank Holiday Sundays, 02:00 hours New Year's Eve and 00:00 hours Sundays to Thursdays) without the need for it to be accompanied by food. All of these proposals are concerning from a public nuisance and crime and disorder perspective.

I acknowledge that the applicant has proposed two conditions that go some way to alleviate my concerns, the first; *"the premises shall operate as a bar/restaurant."* However, from an enforcement perspective in my opinion this condition is too vague, what is the definition of a bar/restaurant?

Another condition offered by the applicant is; *"Substantial refreshment shall be provided at all times that the premises are open for the sale of alcohol until at least 30 minutes before closing"*. Whilst it is pleasing to note that substantial refreshment will be available, it is not the same as the sale of alcohol being ancillary to food.

The reasons for my concern stem from the fact that the area already suffers from anti-social behaviour and public nuisance, this is created by the negative cumulative impact of a number of licensed premises within one area (as defined by the CIP). I am of the opinion that these proposals will only add to this negative cumulative impact.

The Statement of Licensing Policy states that our CIP “*aims to reduce incidents of alcohol related problems, crime and disorder, public nuisance, and risks to public safety, particularly late at night. It aims to discourage an increase in the number of late opening premises primarily concerned with the sale of alcohol and takeaways/late night refreshment premises with the intention of ensuring that the City Centre is a safe environment for people visiting, working and living in the area. The Licensing Authority recognises that a problem area can be improved by the introduction of new styles of business types, such as food led premises, or high quality/speciality enterprises, rather than vertical drinking establishments.*”

The applicant’s proposals do not go far enough to persuade me that this is primarily a food led establishment in accordance with the CIP and without specific details on the business itself, it would be hard to say that they are of “*high quality*” or a “*speciality enterprise*”.

It is therefore for the above-mentioned reasons that I submit my representation and ask that the Sub-Committee determine the application and consider if the proposals will add to an already established problem.

Kind regards,

Kirsty

Kirsty Evans | Licensing Policy Officer

Licensing Section / Adran Drwyddedu
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg
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