

LICENSING SUB-COMMITTEE: 27 May 2022

Report of the Head of Regulatory Services

Application for Premises Licence – Variation

Application No: 072906

Name of Premises: Conspiracy, 102-106 City Road, Cardiff, CF24 3DQ

Ward: Plasnewydd

1. **Application**

- 1.1 An application to vary the Premises Licence has been received from Conspiracy (Cardiff) Trading Ltd in respect of Conspiracy, 102-106 City Road, Cardiff, CF24 3DQ.
- 1.2 The Premises Licence currently permits the following:
- (1) The premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:
- Monday to Sunday: 12:00 to 02:00
- (2) To provide licensable activities during the following hours:
- (i) The provision of regulated entertainment in the form of recorded music (indoors):  
Monday to Sunday: 12:00 to 23:00
- (ii) The provision of late night refreshment (indoors):  
Monday to Sunday: 23:00 to 01:30
- 1.3 The applicant has applied to add permission for the sale of alcohol for consumption on the premises as follows:
- Monday to Sunday: 12:00 to 01:30
- 1.4 A site map showing the premises and a plan of that premises can be found in **Appendix A**.

2. **Promotion of Licensing Objectives**

- 2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in **Appendix B**.

3. **Relevant Representations**

- 3.1 A representation has been received from South Wales Police. A copy of the representation can be found attached as **Appendix C**.
- 3.2 A representation has been received from other persons (a local resident). A copy of the representation is attached as **Appendix D**.

#### **4. Legal Considerations**

4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives, which are:

Prevention of crime and disorder  
Public Safety  
Prevention of Public Nuisance  
Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

- a) To grant the application.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) Reject the whole or part of the application.

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

#### **5. Issues for Discussion**

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

**Helen Picton  
Regulatory Services**

**5<sup>th</sup> May 2022**

# **APPENDIX A**

## **Site Map**



# **APPENDIX B**

## **Operating Schedule**

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

The placing of glass waste into receptacles outside the premises will take place at times which minimise potential disturbance to nearby properties.

The movement of bins and rubbish will not take place between the hours of 2300 and 0500.

Deliveries of kegs, bottles and other items related to the operation of the business will take place in such a manner which does not cause noise or disturbance to local residents.

**e) The protection of children from harm**

All staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons and the Challenge 25 scheme will be adopted. A record of such training shall be kept/be accessible at the premises at all times and be made immediately available for inspection by council or police officers on request. The training record shall include the trainee's name (in block capitals), trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of the training and a declaration that the training has been received and understood.

Clear, legible signs will be prominently displayed where they can easily be seen and read by customers stating that a Challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage will be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

# **APPENDIX C**

**South Wales Police Representation**



## Barker, Kirstie

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**From:**  
**Sent:** 29 April 2022 09:48  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Licence application Conspiracy City Road  
**Attachments:** Sign Application Conspiracy City Road.pdf

**\*\*\* 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 fgythiadau, 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.

Good morning,

Please find attached the signed application for Conspiracy, City Road, Cardiff for your attention. Copy also forwarded to of Hugh James Solicitors.

Kind regards  
Mike



**Michael Stone**

***Cwnstabl 4813* | Constable 4813**

**Adran Drwyddedu | Licensing Department**

**Gorsaf Yr Heddlu Bae Caerdydd | Cardiff Bay Police Station**

### 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 <https://www.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.

URhS Caerdydd a'r Fro  
Gorsaf Heddlu Bae Caerdydd,  
Stryd James, Bae,  
Caerdydd CF10 5EW  
Teliffon: 01656 869211  
Mewn argyfwng ffoniwch 999  
Fel arall, ffoniwch 101  
Gwefan: [www.heddlu-de-cymru.police.uk](http://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](http://www.south-wales.police.uk)

SWYDDOGOL - OFFICIAL

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

28<sup>th</sup> April 2022

Conspiracy (trading) Cardiff Ltd,  
C/O Kilsby Williams,  
Cedar House,  
Hazell Drive  
Newport, NP10 8FY

**RE: Application for the grant of a variation to premise licence,  
"Conspiracy 102 – 106 City Road, Cardiff, CF24 3DQ"**

I have caused enquiries to be carried out into this application and make the following representation that I wish to be considered when deciding on the licensable activity and conditions for this licence.

You have applied for a variation to your existing premises licence to now allow the supply of alcohol for consumption on the premises, at Conspiracy on City Road, Cardiff.

Your premises situated in City Road, a busy student populated area in the district of Cathays. There are a number of shops in the area together with varied Licenced premises and businesses. You have applied for the supply of alcohol between the hours of 12:00 – 01:30 Monday to Sunday.

The premises is currently licensed for late night refreshment (indoors) from 23:00 hours to 01:30 hours and for the playing of recorded music from 12:00 hours to 23:00 hours Monday to Sunday. The premise opening hours are from 12:00 hours to 02:00 hours Monday to Sunday.

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.



The premises has been described as a Café / Lounge with a total capacity of 150. The entrance / exit to the premises is situated on City Road.

You have therefore applied to conduct the following licensable activity:

**Supply of alcohol (on premises);**

Monday to Sunday 12:00 – 01:30.

**Opening Hours;**

Monday to Sunday 12:00 – 02:00.

**Hours agreed for the sale of alcohol:**

Monday to Sunday 12:00 – 01:30.

**Measures offered by the applicant in support of the application:**

**General**

The applicant has offered no further measures in relation to this, other than what is on their existing licence.

**Prevention of Crime and Disorder**

The applicant has offered no further measures in relation to this, other than what is on their existing licence.

**Public Safety**

The applicant has offered no further measures in relation to this, other than what is on their existing licence.

### The Prevention of Public Nuisance

The placing of glass waste into receptacles outside the premises will take place at times which minimise potential disturbance to nearby properties.

The movement of bins and rubbish will not take place between the hours of 23:00 and 05:00.

Deliveries of kegs, bottles and other items related to the operation of the business will take place in such a manner which does not cause noise or disturbance to local residents.

### The Protection of Children from Harm

The applicant has offered no further measures in relation to this, other than what is on their existing licence.

The applicant has in place a number of conditions that would seek to promote the licensing objectives. However, it is felt that more is required to comprehensively promote the four licensing objectives. As such, I have comprised a list of conditions that fit with the operating schedule and nature of the business.

Therefore the Police seek to include the conditions below that are appropriate and proportionate to the application.

### POLICE REPRESENTATION

There is a disproportionate amount of crime, disorder and nuisance associated with alcohol in the City Centre and the surrounding areas.

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

**Prevention of Crime and Disorder.**

**Prevention of public nuisance.**

However, if the applicant agrees the proposed conditions listed below, put forward by South Wales Police then the objection will automatically be withdrawn.

1. A minimum of two (2) SIA registered door supervisors will be employed at the premises on all days where the following takes place;



- i) Any live sporting event that is screened on the premises.
  - ii) Any pre-arranged event or function that takes place on the premises.
2. SIA licensed door supervisors shall each carry an internal radio to allow communication between themselves and management.
  3. SIA licensed door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises.
  4. No customers shall be allowed to leave the premises while in possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
  5. No dance floor to be available at the premises.
  6. 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)
  7. No under 18's permitted in the premises after 21:00

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

If you wish any further information then please contact Police Licensing Officer Michael Stone at the Cardiff Bay Police Station ☎ (

Yours faithfully,

*R James CI Insp 4705*

Chief Inspector

28<sup>th</sup> April 2022

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

South Wales Police welcomes receiving correspondence in Welsh and English.  
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

## Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

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**From:**  
**Sent:** 05 May 2022 09:54  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** RE: Application to vary a premises licence

**EXTERNAL:** This email originated from outside Cardiff Council, take care when clicking links.

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

Dear Kirstie,

**Re: Conspiracy, 102-106 City Road, Cardiff, CF24 3DQ**

I write further to our previous correspondence regarding the application to vary the premises licence for the above named premises.

We received a letter from South Wales Police dated 28 April 2022 detailing their representations which we understand has also been sent to the Council. Please be advised that our client is agreeable to the conditions suggested by South Wales Police as detailed in their letter and as such, we understand that the objection will be withdrawn.

I should be grateful if you would confirm safe receipt of this email.

Kind regards,

Solicitor  
Regulatory

HUGH | JAMES

[hughjames.com](http://hughjames.com)



We are a digital first firm, wherever possible, please send all communications and documentation to us electronically. There may be occasions where we will require you to provide us with a hard copy document, we will let you know in those instances.

# **APPENDIX D**

## **Other Persons Representation**

## Barker, Kirstie

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**From:**  
**Sent:** 29 April 2022 08:39  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Conspiracy ( Cardiff) Trading Ltd reference: Application for Variation of a Premises Licence:

**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.

Postal address of premises:

Conspiracy  
102-106 City Road  
Cardiff  
CF24 3DQ

To whom it may concern

We are close neighbours to Conspiracy, our address:

Previously, when Conspiracy opened, we expressed concern about noise pollution, which occurred particularly on Sunday and Thursday evenings, especially in the summer when windows / doors are open at Conspiracy, sound travels making sleep at the rear of our house virtually impossible.

Now that Conspiracy has applied for an alcohol license until 1 30am EVERY day if the week, we are EXTREMELY concerned that the anti social atmosphere created by the noise AND sale of alcohol will make our day to day lives unpleasant.

We can realistically expect, due to alcohol consumption, increased night noise from those parking in non residential parking spaces in our street when customers return to their vehicles with enibriated passengers around 1 30am. Litter and fly tipping is already an issue in Talworth Street, it is inevitable litter will increase, as bottles and food containers will be left on our street by customers, also vomiting from those who have consumed too much alcohol and come to our street for their lift home or because our Street is 'just around the corner' (due to this application). We pay a Band E council Tax, but our Street is not maintained to a relative standard to Council Tax payment from our finances.

The sale of alcohol will further reduce standards of quality of life in our RESIDENTIAL area.

For the above reasons we are STRONGLY against the extension of Conspiracy's license to include alcohol.

Kind regards