

LICENSING SUB-COMMITTEE: 12 July 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 086537

Name of Premises: Convenience Store, 43-47 Westgate Street, Cardiff, CF10 1TL

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from Sarvjeet Singh in respect of Convenience Store, 43-47 Westgate Street, Cardiff, CF10 1TL.

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 off the premises.

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

This is a new business venture and the site, currently empty, is to be refurbished with a significant investment, to become a new general convenience store that will sell a wide range of goods including bread, dairy, newspapers, groceries, magazines, soft drinks, sweets, cigarettes, snacks, etc.

The applicant, a personal licence holder and an experienced retailer, would like to offer some alcohol for sale to allow the shop to provide a complete all-round convenience service.

The proposed alcohol sales would just be a part of the overall business, adding to the wide range of goods that would be available for sale. The clear focus of the business will be as a general convenience store.

See attached operating schedule for further details.

(3) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:

Monday to Sunday: 06:00 to 23:00 hours

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

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

Monday to Sunday: 06:00 to 23:00 hours

1.3 A site map showing the premises and the plan of the premises submitted with the application 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. Additional Documents

3.1 Copies of the additional documents submitted with the application can be found in **Appendix C**.

These are:

- a) Knock Back Staff Training program
- b) Alcohol refusals register
- c) Staff authorisations record
- d) Age verification policy
- e) Due diligence checklist

4. Relevant Representations

4.1 Representations have been received from South Wales Police. Copies of the representations can be found in **Appendix D**.

4.2 A representation has been received from the Senior Licensing Enforcement Officer. A copy of the representation can be found in **Appendix E**.

4.3 A representation has been received from a local business person. This can be found in **Appendix F**.

4.4 A representation has been received from local Ward Councillors. This can be found in **Appendix G**.

5. Legal Considerations

5.1 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

5.2 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.

5.3 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.

6. Issues for Discussion

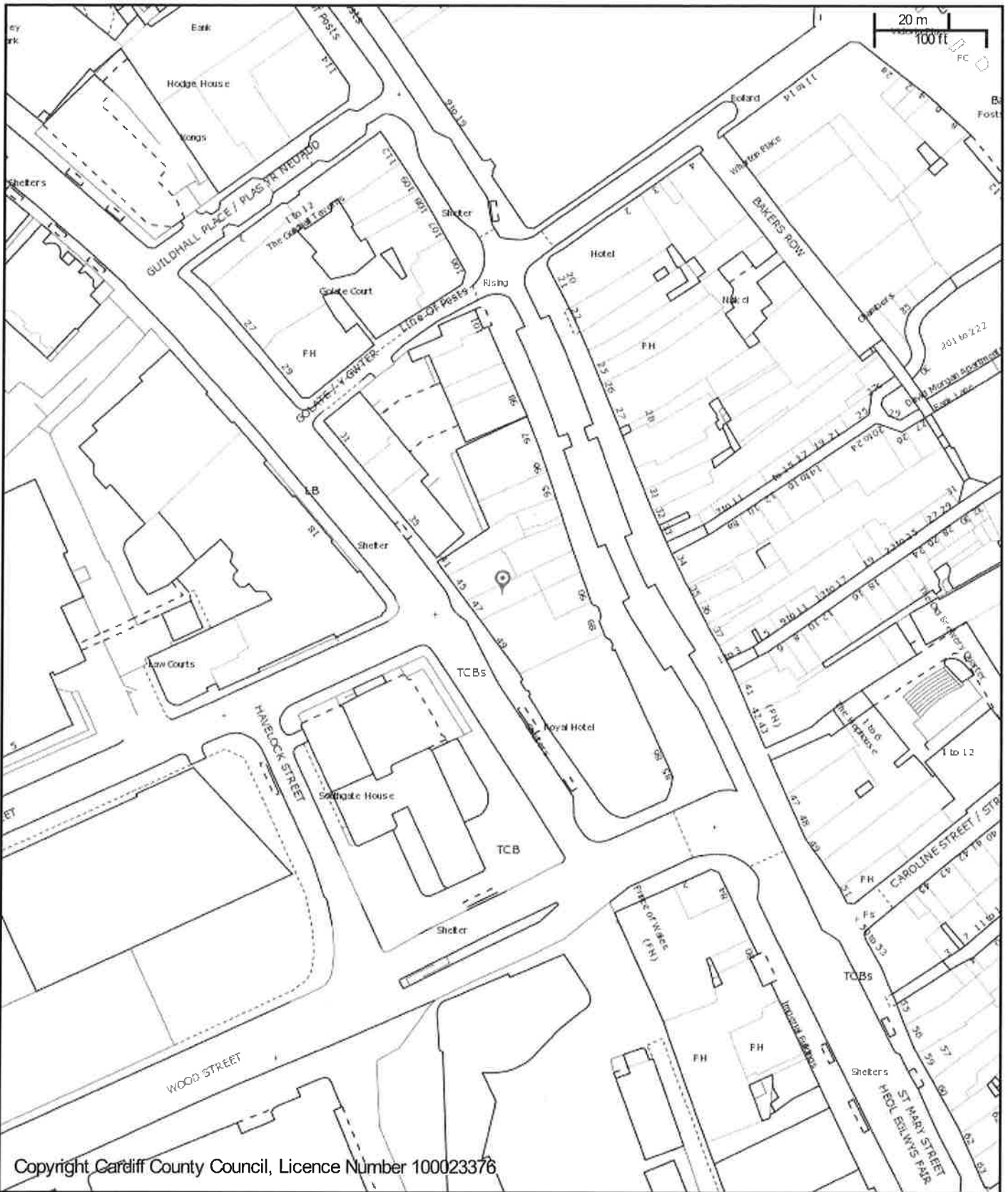
- 6.1 The application should be determined and the appropriateness of any conditions on the licence need to be discussed.

**Helen Picton
Regulatory Services**

20 June 2023

APPENDIX A

Site Map & Plan



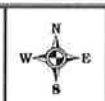
CHIEF EXECUTIVE

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

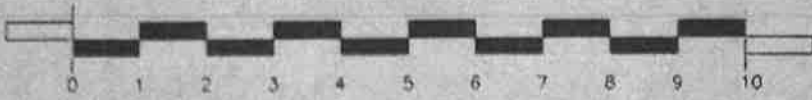
Title

Scale: 1:1417
 Date: 20/6/2023 at 12:46 PM
 Coordinates:
 © Crown copyright and database rights (2014).
 This copy is produced specifically to supply County Council information NO further copies may be made.

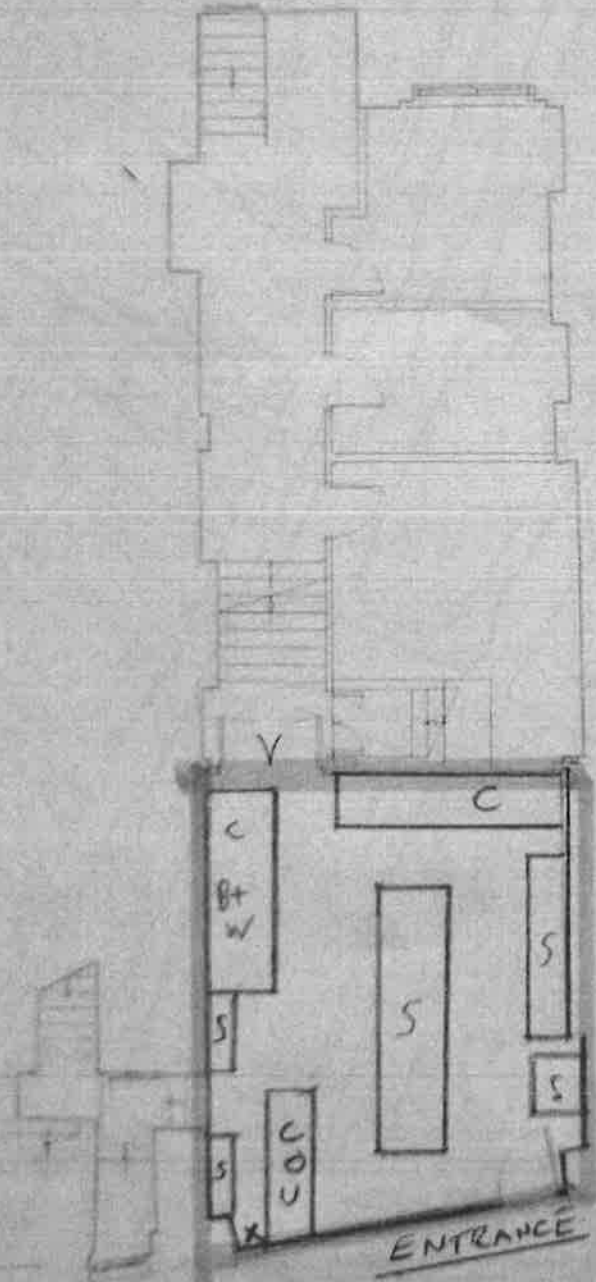
Ordnance Survey 100023376 (2014).

100 - Ground - 1:100 (SCALE)

MAY 2023



43-47 WESTGATE STREET
CARDIFF



KEY

C - COOLER

S - SHELVING/DISPLAY

COU - COUNTER

X - FIRE EXTINGUISHER

B+W - BEERS + WINES

● - LICENCE ARE

SCALE 1-100



APPENDIX B

Operating Schedule

Application for a new premises licence

43-47 Westgate Street, Cardiff CF10 1TL

This is a new business venture and the site, currently empty, is to be refurbished with a significant investment, to become a new general convenience store that will sell a wide range of goods including bread, dairy, newspapers, groceries, magazines, soft drinks, sweets, cigarettes, snacks, etc.

The applicant, a personal licence holder and an experienced retailer, would like to offer some alcohol for sale to allow the shop to provide a complete all-round convenience service. The proposed alcohol sales would just be a part of the overall business, adding to the wide range of goods that would be available for sale. The clear focus of the business will be as a general convenience store.

The site is located in the city centre and we are aware of the CIA covering the area. The proposed conditions (shown below) are comprehensive, and as such it is submitted that the granting of this application will not add to any existing issues in the area.

The proposed conditions are focussed on matters which are within the control of the applicant, they are considered appropriate and proportionate, and would promote the licensing objectives.

The applicant is aware of the legal requirements and obligations in terms of running a licensed business and aware of the importance of age restrictions, compliance with licence conditions, staff training, dealing with customers, and so on.

The applicant will adopt the Challenge 25 age verification policy, and a sample of the age verification policy is shown for information within the supporting documents.

Regular staff training will be carried out and a refusals book will be kept. Several examples of the type of documents and records that would be used are also shown in the supporting documents for information.

Proposed operating schedule / licence conditions

Prevention of crime and disorder

CCTV coverage shall be provided in the form of a recordable system, capable of providing clear quality images in all lighting conditions. Cameras shall cover all entrances and exits to the premises, all areas where the sale of alcohol occurs and which the public have access to.

Equipment shall be maintained in good working order in accordance with the manufacturer's instructions. The system shall record in real time and operate whilst the premises are open for licensable activities.

The recordings shall be kept available for a period of a minimum of 31 days and be made available to the Police and other authorised officers on reasonable written request for evidential purposes, in accordance with the relevant Data Protection Legislation (currently GDPR 2018).

The recording equipment shall be kept in a secure environment under the control of the Premises Licence Holder (PLH). There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of the Police other authorised officers

The number of staff on duty will be assessed and determined by the PLH/DPS taking account of any peak periods in terms of sales and anticipated volume of customers.

All spirits shall be kept behind the counter.

All staff selling alcohol shall be authorised in writing to sell alcohol and a record of the authorisation will be kept in the shop available for inspection by authorised persons.

All staff authorised to sell alcohol shall be provided with training on first appointment and then refresher training shall be provided annually. Training will include information on age restrictions/Challenge 25, the sale of alcohol to somebody who is drunk, and proxy sales.

A written record of all training carried out shall be kept. These records shall be made available for inspection by the Police and other authorised persons on request.

An incident book will be used at the premises to record details of any incidents of crime and disorder, witnessed by staff. These records shall be made available to the Police and other authorised officers upon request.

There shall be no single can sales of super strength beers, lagers or ciders over 6.5% abv.

The premises shall operate a refusals policy (further to Challenge 25) as follows - alcohol will not be sold to;

(1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);

(2) Any person found to be drinking alcohol in the street;

(3) Any person who is verbally or physically abusive towards staff or customers.

A notice advising customers of the refusals policy shall be on display.

The premises shall promote 'Crimestoppers' by displaying literature in the shop.

Public safety

No specific risks have been identified under the Licensing Act 2003.

(Note – the applicant is aware of the need to comply with other legislative requirements to ensure the safety of customers and staff).

Prevention of public nuisance

Staff shall be vigilant and monitor the area immediately outside the premises to check that youths do not cause a nuisance by congregating.

Deliveries to the premises will be arranged during hours which will not lead to any public nuisance.

A notice will be on display in the premises asking customers to leave the premises quietly.

Staff will monitor the area immediately outside the premises on a regular basis to check for, and properly dispose of, any litter.

Notice(s) will be on display in the premises asking customers not to drop litter in the street, and not to drink alcohol in the street.

Protection of children from harm

Challenge 25 Policy shall be adopted.

Any persons who look under the age of 25 years will be challenged for proof of ID, acceptable proof being a photo driving licence, passport, PASS accredited proof of age cards or any other nationally recognised proof of age cards.

A notice(s) shall be clearly displayed in and at the entrance to the premises advising customers that there is a Challenge 25 policy in place.

The premises shall maintain a refusals register to record the details of incidents where a member of staff has refused to sell alcohol and other age-restricted goods to a person suspected of being underage. This register shall be available for inspection by the Police and other authorised officers.

A due diligence checklist (aimed at preventing any underage sales and maintaining good records) shall be kept and be available for inspection by the Police and other authorised officers.

A notice(s) shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

SUPPORTING DOCUMENTS

Samples of the Knock Back Staff Training programme to be used; alcohol refusals register; staff authorisations record; age verification policy, due diligence checklist.

NOTE TO RESPONSIBLE AUTHORITIES AND INTERESTED PARTIES

If you have any queries or comments on these proposals please contact [Ian Rushton, 07909 511953](tel:07909511953) or by email to ljrushy@hotmail.com to discuss further

APPENDIX C

Additional Documents

STAFF TRAINING BOOKLET for Off-Licensed Premises



Don't like the
**KNOCK
BACK**
DON'T ASK

Contents

Introduction to Knock Back	3
Knock Back challenge 21 policy	7
Acceptable forms of ID & checking ID	8
Fake ID	10
Challenging identification	12
What to do if you are presented with fake ID	13
How to refuse a sale	14
Due diligence and recording sales refusals	15
The law	17
Additional sanctions	18
Refusals to customers who are drunk	19
Consequences of serving someone who is drunk	20
Proxy sales	21
Hate crime	21
Conflict management guidance	23
Tobacco sales	25
E-cigarettes	26
Responsible retailing	28

Introduction to Knock Back

Knock Back offers practical guidance in underage sales prevention and the responsible retailing of alcohol, and is produced in response to requests for assistance from the licensed trade. Under the mandatory licensing conditions which came into force in October 2010 every Premise Licence Holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. Following Knock Back and ensuring you are trained in Challenge 21 to prevent underage sales will help your Premise Licence Holder to comply with this condition.

Once you have read this training booklet, if you are unsure about anything please discuss it with your Designated Premise Supervisor. You should also sit the Knock Back test and ensure your training is recorded on the staff training record. This training could help towards establishing an effective due diligence defence if alcohol was ever sold to an under 18.

Working in a licensed premise you might hear some terms or words you are not familiar with:

Licensing Objectives

- ➔ All organisations and individuals involved in the licensing process must carry out their functions or run their business with a view to promoting the four licensing objectives. These are:
- **The Prevention of Crime & Disorder** – for example having working CCTV, the positioning of alcohol in the premise so it is behind the counter to prevent theft, and external lighting to deter crime outside the premise.
 - **Public Safety** – for example keeping an accident book & monitoring it.
 - **The Prevention of Public Nuisance** – for example measures should be in place for trade waste, and not serving street drinkers who may leave litter in the area or hang around outside intimidating local residents.
 - **The Protection of Children From Harm** – for example following Knock Back and operating a challenge 21 policy, and implementing a refusals system and monitoring it.

Premise Licence Holder

- ➔ The premise licence holder can be an individual or company who have applied for a premise licence to carry out licensable activities including the sale of alcohol.

Designated Premise Supervisor

- ➔ A designated premise supervisor (more commonly called the DPS) is an individual who holds a valid personal licence and is named on a premise licence which authorises the sale by retail of alcohol.
- ➔ The DPS is the key person who will usually be in charge of the day to day running of the premises.
- ➔ They must understand the social issues and potential problems associated with the sale of alcohol, and also have a good understanding of the business itself.
- ➔ The DPS will provide an essential point of contact for Police, Fire Officers and Council Enforcement Officers so that problems can be dealt with swiftly.
- ➔ While the DPS need not be on site at all times, they are expected to be involved enough with the business to be able to act as its representative.
- ➔ It is important you know who your DPS is, if you are unsure look on the premise licence summary.

Personal Licence

- ➔ A personal licence allows a person to sell alcohol, or authorise the sale of alcohol.
- ➔ Not everyone who works in a licensed premise needs a personal licence.
- ➔ The DPS must have a personal licence, this will allow them to authorise the rest of the staff to sell or supply alcohol.

Premise Licence and Premise Licence Summary

- When a premise is granted a licence, they get a paper copy of their premise licence and a premise licence summary.
- The premise licence or a certified copy of it should be kept on the actual premises it relates to.
- The premise licence summary is a shorter version of the premise licence and must be displayed at the premises where it can be easily seen.
- Ensure you know where the premise licence summary is displayed as the Police or a Council Enforcement Officer may ask you where it is.
- On the premise licence is important information such as the hours the premise is allowed to sell alcohol, the DPS details and any conditions which are attached to the premise.

Premise Licence Conditions

- Every premise licence has mandatory licence conditions attached to it. These are conditions that premises have to comply with. An example of one is 'Premise licence holder or club premises certificate holder must ensure that an age verification policy applies to the premise in relation to the sale or supply of alcohol'.
- Following problems with a premise they may have further conditions imposed upon their licence which they have to comply with. Examples of conditions could be 'No sales of single cans of beer / lager / cider' or 'Refusals system to be in place (till prompt or book) to be monitored by the DPS and signed on a weekly basis and made available to authorised officers on request'.



Refusals Register

Keep the Register close to the counter but out of SIGHT!

Best Practice

If a customer fails to produce valid photo-ID that confirms his or her age, the sale should be REFUSED and recorded in this Refusals Register after the customer has left the premises.

Keep the register close to the counter but out of SIGHT!



01 CitizenCard 02 Young Scot card 03 Driving licence 04 Passport

All staff should know where this Refusals Register is kept, and should write an entry whenever an age-related sale is REFUSED. A Trading Standards Officer will ask to see it if they visit your store.

The manager will sign off and date each page of this register, which will be kept in a safe place away from customers. The Register may need to be produced in the event that local authority enforcement officers undertake test purchases, other enforcement activity or if a threat of legal action against the premises' manager or staff arises.

noidnosale.com

Age Restrictions

Which products are restricted?

18 Tobacco products, papers, cigarettes, rolling tobacco
Alcohol, including pre-mixed drinks and 'shot tubes'
Cigarette lighter refills, butane
Solvents, including glues and intoxicating substances
Fireworks and sparklers
Knives, razor blades (except safety razors)
18 Videos, DVDs and PEGI 18 rated games
18 videos, but you need a special license to sell these
Newspapers and magazines with any 18/R18 DVDs or games attached
Tattoos and sunbeds

16 Lottery, including the National Lottery, scratchcards and the Health Lottery
Party poppers, cracker snaps
Pets and animals
Liqueur confectionery
Petrol, paraffin and liquefied petroleum gas
PEGI 16 rated games

15 15 videos, DVDs and games
Newspapers and magazines with any 15 DVDs or games attached

12 12 Videos, DVDs and PEGI 12 games
Christmas crackers
Newspapers and magazines with any 12 DVDs or PEGI 12 games attached

PENALTIES vary depending upon the product and circumstances of the sale. A seller could receive a fixed penalty of £80 but for repeated sales could be a higher fine up to £5,000. They could also be banned from working in a tobacco shop for up to one year.

The shop owner could receive a fine of up to £5,000 for the first offence but as high as £20,000 for repeated breaches, a criminal record and restrictions placed on any licences that they hold or intend to apply for.

The licence holder could lose their licence to sell alcohol or fireworks, have the lottery terminal removed or be banned from selling tobacco products for up to one year.



If you have a petrol station on site, there are additional restrictions on the sale of anything that is flammable (excluding the petrol/diesel), explosive or oxidising. This can include many household goods, like camping products. In petrol stations these cannot be sold to customers under 16 years.

Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
01	Example 01/11/2013	Cigarettes	7:10 PM	Male 14 years Blonde, 5ft 11"	Nervous and refusing to show ID	Allen Smith
02						
03						
04						
05						
06						
07						
08						

Manager's Signature:

Date:

Additional pages can be downloaded from noidnosale.com



Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
09						
10						
11						
12						
13						
14						
15						
16						

Manager's Signature:

Date:

Additional pages can be downloaded from noidnosale.com



Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
17						
18						
19						
20						
21						
22						
23						
24						

Manager's Signature:

Date:

Additional pages can be downloaded from noidnosale.com



Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
25						
26						
27						
28						
29						
30						
31						
32						

Manager's Signature:

Date:

Additional pages can be downloaded from noidnosale.com



Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
33						
34						
35						
36						
37						
38						
39						
40						

Manager's Signature:

Date:

Additional pages can be downloaded from noidnosale.com



Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
41						
42						
43						
44						
45						
46						
47						
48						

Manager's Signature:

Date:

Additional pages can be downloaded from noidnosale.com



43-47 WESTGATE STREET, CARDIFF

PREMISES LICENCE HOLDER; SARVJEET SINGH

DPS; SARVJEET SINGH

I, Sarvjeet Singh, being the holder of a personal licence and the DPS of the above premises, authorise the staff named below to make sales of alcohol under the terms of the above premises licence and in accordance with the Licensing Act 2003.

Staff have been made aware of their legal responsibilities in terms of the sale of alcohol under the Licensing Act 2003. This authorisation applies at all times. I can be contacted on the number below.

Signed..... Contact number;

Staff

I can confirm that I am aware that it is an offence to;

Knowingly sell, attempt to sell or allow the sale of alcohol to persons who are drunk;

Sell alcohol to a person under the age of 18;

Sell or allow the sale of alcohol at any other times other than the hours stated on the licence and in accordance with the licence conditions;

I understand that the shop operates a Challenge 25 policy and that I must check valid appropriate photographic ID of anyone who appears under 25 to ensure that alcohol is only sold to persons over the age of 18 years old.

I am aware of proxy sales/issues.

Name

Signed

Date

.....
.....
.....
.....
.....
.....

This form to be kept on the premises and made available for inspection by the responsible authorities

Age Verification Policy

43-47 WESTGATE STREET, CARDIFF

Premises licence holder: SARVJEET SINGH

Designated premises supervisor (DPS); SARVJEET SINGH

It is a requirement to implement and maintain an Age Verification Policy in respect of alcohol sales. Our Policy is Challenge 25 and we will ensure that staff are aware of the importance of age verification. We will achieve this by:

- Ensuring that all staff selling alcohol are trained, and a record is kept of their training;
- Ensuring that, whenever a customer appears to a member of staff to be under the age of 25, to require that customer to produce acceptable ID to prove they are over 18
- Ensuring that we only accept the following as acceptable proof of ID:
 - A UK photocard driving licence issued by DVLA
 - Passport.
 - A PASS accredited proof-of-age card showing the PASS hologram
- Ensuring that we check the details, including photograph and date of birth, on acceptable ID and verify these against the appearance of the customer
- Ensuring that we make a record of all refusals to sell following an age check
- Ensuring that we have clearly displayed warning notices as a deterrent to under aged customers

For the purposes of this policy, all staff will be authorised in writing by the DPS to sell alcohol.

It is a mandatory condition on our premises licence that;

"The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark".

Failure to have an Age Verification Policy in place would mean that we risk a fine of up to £20,000 and/or 6 months imprisonment.

We have implemented this Age Verification Policy and brought it to the attention of all staff. They have signed below to indicate their understanding of the policy. They each understand that failure to comply with the policy may constitute a disciplinary matter which could result in action being taken which may include dismissal. In particular, we have pointed out that:

- By selling alcohol to a person who is under 18, they personally, as well as the premises licence holder, commit an offence, for which they could be fined.
- If two or more sales of alcohol to a person who is under 18 take place within a three month period:
 - The premises licence holder can be fined up to £10,000, with up to 3 months suspension of the licence; or
 - A police or trading standards officer can offer a voluntary 48 closure notice; or

PREMISES LICENCE

DUE DILIGENCE CHECKLIST

Is the premises licence summary on display?

Is the full premises licence available in the shop?

Are the Challenge 25 posters displayed properly?

Are statutory notices on display? (cigarettes etc)?

Is the refusals register available? (paper or electronic)?

Is the premises licence file available for inspection?

Is the staff training up to date?

Are the staff training records available?

Are all the various notices (as required by licence conditions) on display? Check the conditions.

Have you checked the refusals register?

Have you checked the incident log?

Is the CCTV system working ok? Check images are being stored as required.

Are the fire extinguishers due for a check/service?

- A police or trading standards officer can make a representation to the licensing authority to ask for the licence to be reviewed – which can result in suspension, revocation or other action.

Staff to sign below

.....

.....

.....

.....

.....

.....

.....

.....

.....

APPENDIX D

South Wales Police Representations

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Dewhurst, Claire swp53417 <Claire.Dewhurst@south-wales.police.uk>
Sent: 16 June 2023 10:14
To: Ian Rushton
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: New Premise Licence application - 43-47 Westgate Street
Attachments: CI OBJECTION NOTICE 43-47 WESTGATE STREET endorsed.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 fgythiadau, 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.

Good Morning Ian,

As per our conversation please find attached South Wales Police objection to the application submitted for 43-47 Westgate Street.

Yours sincerely,

Claire

Claire-Louise Dewhurst 
Swyddog Trwyddeduy Heddlu / Police Licensing Officer
Adran Drwyddedu / Licensing Department
Heddlu De Cymru / South Wales Police
URhs Caerdydd a'r Fro. / Cardiff & Vale BCU
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station
Stryd James / James Street
Bae Caerdydd / Cardiff Bay
CF10 5EW
 07870 992778 | Claire.dewhurst@south-wales.police.uk
 /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 <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.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.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
Adran Drwyddedu**
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Teliffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

**Cardiff & Vale BCU
Licensing Department**
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**

Mr Ian Rushton Licensing Agent

Convenience Store
43-47 Westgate Street
Cardiff
CF10 1TL

15th June 2023

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING
ACT 2003
CONVENIENCE STORE, 43-47 WESTGATE STREET, CARDIFF, CF 10 1TL**

Dear **Mr Rushton**,

South Wales Police herby give notice that an objection is made to the application for a new premises licence for Convenience Store, 43-47 Westgate Street, Cardiff.

South Wales Police object under the licensing objectives, namely;

- 1) The Prevention of Crime and Disorder.
- 2) Public Safety
- 3) The prevention of public nuisance
- 4) The Protection of children from harm

Within the current application the applicant has detailed the steps that they intend to take to promote the four licensing objectives. These are in the way of voluntary conditions that would be placed on the premise licence. The conditions contained within the application do not adequately promote the four licensing objectives especially with the locality of Principality Stadium and Cardiff Arms park. The application has not considered the Cumulative impact area which the criteria for such has been overlooked.

South Wales Police objection to this application will allow the Licensing committee the opportunity to undertake the rebuttable presumption that the premises licence will not be granted unless the applicant can demonstrate that there will be no negative impact on one or more of the licensing objectives.

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 position of South Wales Police objection is based not only upon the four licensing objectives but believe that the area is already saturated with off licences within Cardiff City centre that attributes to the Cumulative impact assessment and is supported by South Wales Police.

Additional evidence to support the notice of objection will be presented at any subsequent hearing before the Licensing sub-Committee. This evidence will be pertinent to the location of the area of the premises and will consist of written, statistical or CCTV evidence. If you require any further information please contact Police Licensing Officer Claire Dewhurst at Cardiff Bay police station, Licensing Department on 02920 633421 / 07870992778 or by email @ claire.dewhurst@south-wales.police.uk

Yours sincerely

Jeff Lewis

Jeff Lewis
Acting 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.



Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police



Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Dewhurst, Claire swp53417 <Claire.Dewhurst@south-wales.police.uk>
Sent: 16 June 2023 14:23
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Grady, Darren swp3194
Subject: Representation for the Objection to premise licence application ; 43-47 Westgate Street, Cardiff
Attachments: Insp Grady OBJECTION 43-47 Westgate 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 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 Afternoon,

Please find attached a written representation for the objection to premise licence application:

Convenience store
43-47 Westgate Street,
Cardiff

submitted on behalf of **Inspector Darren Grady**

Claire-Louise Dewhurst 
Swyddog Trwyddeduy Heddlu / Police Licensing Officer
Adran Drwyddedu / Licensing Department
Heddlu De Cymru / South Wales Police
URhs Caerdydd a'r Fro. / Cardiff & Vale BCU
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station
Stryd James / James Street
Bae Caerdydd / Cardiff Bay
CF10 5EW
07870 992778 | **Claire.dewhurst@south-**
wales.police.uk
/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 <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
Adran Drwyddedu**
Gorsaf Heddlu Bae Caerdydd,
Stryd James, Bae,
Caerdydd CF10 5EW
Telffon: 01656 869211
Mewn argyfwng ffoniwch **999**
Fel arall, ffoniwch **101**

**Cardiff & Vale BCU
Licensing Department**
Cardiff Bay Police Station,
James Street, Cardiff Bay
CF10 5EW
Telephone: 01656 869211
In an emergency always dial **999**
for non-emergencies dial **101**

Licensing Section
Cardiff Council
Room 161
City Hall
Cardiff CF10 3ND

16th June 2023

Convenience Store 43-47 Westgate Street Cardiff CF10 1TL

Dear Sir/Madam,

I am writing this letter to formally object to the proposed off licence application for Cardiff City Centre. I strongly believe that granting this application would have detrimental effects on the community, leading to increased crime and disorder. As I am the Police Inspector responsible for the City Centre, I would like to outline the reasons for my objection in detail.

Public Safety Concerns.

1. The opening of another off-licence establishment in Cardiff City Centre would exacerbate existing issues related to crime and disorder. The clustering of such establishments in a concentrated area increases the risk of anti-social behaviour, alcohol-related incidents, and street disturbances. This would directly impact the safety and well-being of residents, visitors, and local businesses.

Alcohol-Related Crime:

2. Research has consistently shown a correlation between the availability of alcohol and crime rates. Opening another off licence in the city centre would likely contribute to an increase in alcohol-related crimes, including theft, public intoxication, and violent altercations. The burden on my Police Officers and emergency services would inevitably rise, jeopardizing the effectiveness of their resources and response times.

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.



Negative Impact on Local Economy:

3. Cardiff City Centre already boasts a diverse range of establishments that offer alcoholic beverages. The introduction of yet another off licence would not only saturate the market but also potentially divert customers away from existing businesses, leading to financial losses for those establishments. This would hinder economic growth and local entrepreneurship, ultimately undermining the vibrancy and diversity of the area.

Preservation of Cardiff's Character:

4. Cardiff City Centre is a vibrant cultural hub known for its historical significance, architectural beauty, and bustling atmosphere. Granting this off-licence application could have a detrimental impact on the overall character and reputation of the city. It is crucial to maintain the balance between commercial interests and preserving the unique identity and charm of Cardiff.

In light of these concerns, I kindly request that you carefully consider the potential negative consequences of granting the off-licence application. Instead, I urge you to prioritize the safety and well-being of the community by promoting a responsible and controlled alcohol licensing policy.

I would appreciate the opportunity for my Police licencing Officer present my objection as above at the upcoming hearing.

Thank you for your attention to this important issue.

Your decision in this regard will greatly impact the lives of Cardiff residents and shape the future of our community. I trust that you will carefully consider the objections raised and act in the best interest of the city.

Yours sincerely,

Darren Grady
Cardiff City Centre Police Inspector



APPENDIX E

Licensing Enforcement Representation

Barker, Kirstie

From: Morgan, Rhys
Sent: 09 June 2023 16:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Convenience Store, 43-47 Westgate Street, Cardiff, CF10 1TL

In relation to the above application the Licensing Authority would wish to make the following representation.

In regard to the application to vary an existing premises licence, I wish to advise the licensing authority of Cardiff Council will be objecting to the application.

A 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 presumption that applications for/Variations of premises Licences upon receipt of relevant representation will be refused unless the applicant can demonstrate the business will no longer have a negative effect on any of the licensing objectives.

The premises detailed above falls within the boundary of the of the Cumulative Impact Zone and an objection is submitted in respect of the prevention of crime and disorder and prevention of public nuisance Licensing Objectives.

The statement of licencing policy identifies Street drinking can be a major cause of anti-social behaviour, often involving underage persons, giving rise to disorder, concerns over public safety and harm to children. Furthermore, consumption of alcohol by persons on the way to on-licensed premises could give rise to problems of drunken and disorderly behaviour. The problems of street drinking are generally worse within the City Centre. Careful consideration Should be given to applications for licences with off-sales of alcohol in areas where street drinking or disorder are prevalent. Such applications must be exceptional and that granting the licence will not have a negative effect on any of the licensing objectives. Applicants are advised to give particular consideration to the hours that they are applying for and the type of alcohol products they are offering. Persons who are alcohol dependent may be drawn to particular premises if they are licensed to sell alcohol at earlier/later times.

The application does make some points in relation to the cumulative impact assessment within its operating schedule but does not fully address the details raised in the policy for which some our outlined above. The applicant has not adopted the additional measures laid out in table 1 and 2 of chapter 8 in the Policy that would allow this application to be considered as 'Amber'. As such the core hours are outside the measures recommended by the policy therefore the rebuttable presumption applies and this application is considered as 'Red' within policy.

Consequently the Licensing Committee will need to consider this application in line with Cardiff councils Cumulative impact policy.

Kind regards

Rhys Morgan
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
Telephone | Ffôn 02920 871123

APPENDIX F

Other person Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Nick <nick@bluebellcardiff.co.uk>
Sent: 17 June 2023 13:08
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Westgate Street application - representation
Attachments: Westgate St off-licence (!) NN.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 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.

Good afternoon,

Sorry this is only just in time!

Regards,





Nick Newman


General Manager

Blue Bell

 nick@bluebellcardiff.co.uk

 02921 510045

 07779 967354

 33 High Street, Cardiff, CF10 1PU

croesopubsltd.co.uk



CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation			
Your Name:	Nick Newman		
Your Address:	c/o Blue Bell 33 High Street Cardiff CF10 1PU		
Phone No:	07779967354	Email:	nick@bluebellcardiff.co.uk

Details of premises representation is about	
Name of Premises:	Convenience Store
Address of premises:	43-47 Westgate Street Cardiff
Application No. (if known)	Unknown

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/> yes

Please summarise your concerns about this application:
<p>The city centre of Cardiff is more than sufficiently served by the number of off-licences, convenience stores & supermarkets selling alcohol. In fact, there is no question in my mind that there are already far, far too many.</p> <p>As a licensee/DPS/citizen of Cardiff I have seen the increase in the number of off-licences contribute directly to the anti-social and low-level criminal activity that take place on a daily basis in the city centre, most of it taking place near these off-licences. In the past 5 or 6 years I have been subjected to verbal and physical abuse by individuals who I still regularly see drinking, outside and nearby the off-licences where they have bought the alcohol</p> <p>I work in High St, and also, on occasion, St Mary Street and Windsor Place. I am in the city centre 6 days/nights a week and am sick of constantly having to bear witness to the appalling behaviour of individuals who are fuelled, often, by the alcohol they can purchase from these off-licences. Their language is often foul and I've lost count of the number of times I've seen visitors and young families visibly shocked at some of the behaviour they see</p>

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

Put simply, if this application were to be granted, crime and disorder in the city centre will increase yet again as a result of the off-sales of alcohol. Police and council, as well as other resources are already past breaking point. Yet another opportunity for on-street drinkers to buy alcohol will worsen the situation yet more

Public safety is already significantly undermined by these alcohol-fuelled individuals threatening members of the public, swearing at the top of their voices and often fighting among themselves. Again, these instances will increase should this application be granted

The same goes for public nuisance. I have worked in the city centre for 40 years and the off-sales of alcohol, quite often to individuals who have no apparent means, has changed the nature of what was a friendly, welcoming environment. This situation gets worse with each grant of a new off-licence/convenience store.

Cumulatively, and by definition, the protection of children from harm is increasingly undermined by the easy availability of alcohol to be consumed in an unsupervised situation. Young, and vulnerable individuals, it seems to me, are increasingly being harmed by the ready availability of alcohol and the propensity of some, to take advantage

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section
Cardiff Council
Room 161
City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk

APPENDIX G

Ward Councillor Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Mackie, Norma (Cllr)
Sent: 10 June 2023 21:04
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Merry, Sarah (Cllr); Weaver, Christopher (Cllr); Ahmed, Ali (Cllr)
Subject: Application 43 - 47 Westgate Street
Attachments: Licensing objection 43-47 Westgate Street.docx

Hi,
Please find attached our objection to the above application.

Regards

Norma

Y Cyngorydd / Councillor Norma Mackie
Yr Aelod Cabinet dros Wasanaethau Cymdeithasol (Gwasanaethau Oedolion)
Cabinet Member for Social Services (Adult Services)
Cyngor Caerdydd | Cardiff Council

07779975605

Application for the grant of a Premises Licence - Convenience Store, 43-47 Westgate Street, Cardiff, CF10 1TL

I am writing on behalf of myself, Cllrs Weaver, Ahmed and Merry to object to this application as we feel that a Convenience Store at this site in Westgate Street would be to the detriment of the Licensing Objectives and would not comply with the Cumulative Impact Policy that is in place the City Centre.

There is extensive evidence to show the problems we have had and continue to have with anti-social behaviour associated with licensed convenience stores and a lot of police time is spent dealing with these issues in our City Centre.

We are aware of the anti-social behaviour following the opening of the Tesco store in Central Square as it was slightly out of the areas that are strongly policed and this store will be the same, as it is in the part of Westgate Street that does not have a large footfall except on Event days and might be seen as a good venue for the street drinkers to congregate outside.

The premises is also directly opposite the Parkgate Hotel, a new Five Star hotel, and we have concerns that, unless there was exceptional security inside and outside of the store, it would also be detrimental to the hotel.

The Cumulative Impact Policy which is in place to limit the number of licensed premises in the area as a means of ensuring the promotion of the Licensing Objectives and, we feel, this application will not promote those objectives and will increase the pressure on policing the area.

We object to this application on the grounds that it will not promote the Licensing Objectives of the prevention of:

Crime and Disorder in that this premises would attract street drinkers and beggars;

Public Safety and Public Nuisance in that we have concerns over increasing noise, antisocial behaviour and disruption to the hotel guests at the Royal Hotel and the Parkgate Hotel.

The Cumulative Impact Policy is in place to prevent an application such as this one and puts the onus on the applicant to show that their proposed premises will not undermine the Licensing Objectives.

We are concerned that they will not be able to achieve this.

Regards



Cllr Norma Mackie and on behalf of Cllrs Sarah Merry, Chris Weaver and Ali Ahmed
Cathays Councillors

