

LICENSING SUB-COMMITTEE: 27 September 2023

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 087394

Name of Premises: The Court House Coffee Shop, Rachel Close, Danescourt, Cardiff, CF5 2SH

Ward: Llandaff

1. **Application**

1.1 An application for the Grant of a Premises Licence has been received from The Court House Coffee Shop Limited in respect of The Court House Coffee Shop, Rachel Close, Danescourt, Cardiff, CF5 2SH.

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 the premises.

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

*"It is a coffee shop and we are looking to supply alcohol during opening hours and into some evenings, inside the premises and in the fenced in garden adjoining the premises".*

(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: 08:00 to 00:00 hours

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

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

Monday to Sunday: 09:00 to 23:00 hours

1.2 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. Relevant Representations**

- 3.1 A representation has been received from South Wales Police. The applicant has agreed to the licence conditions proposed by South Wales Police. A copy of the representation and the subsequent agreement can be found in **Appendix C**.
- 3.2 A representation has been received from Pollution Control. A copy of the representation can be found in **Appendix D**.

### **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**

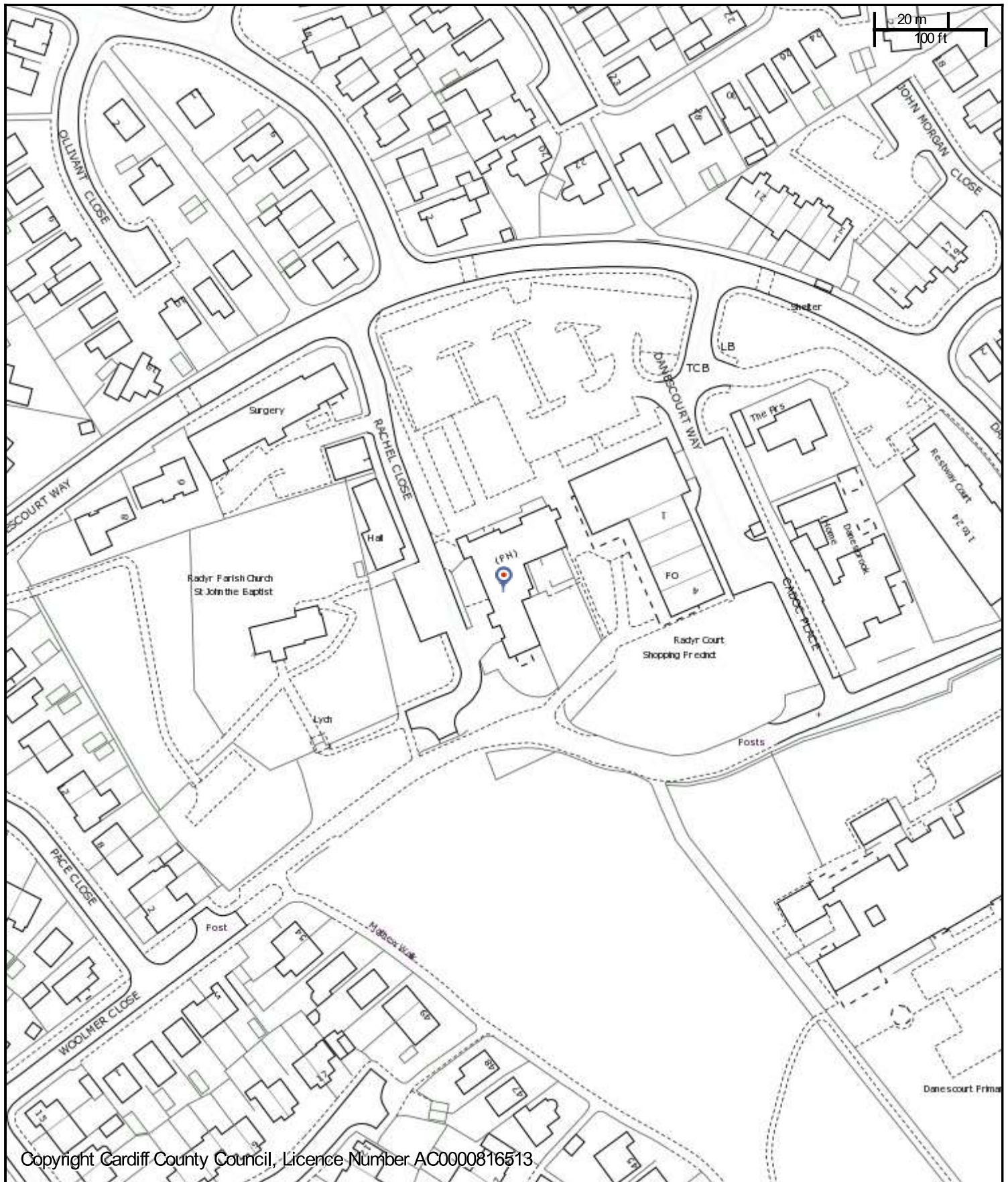
- 6.1 The application should be determined and the appropriateness of any conditions on the licence need to be discussed.

**Helen Picton**  
**Regulatory Services**

**5<sup>th</sup> September 2023**

# **APPENDIX A**

## **Site Map & Plan**



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CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd  
 CAERDYDD CF10 4UW  
 Tel: 029 20872088

County Hall, Atlantic Wharf  
 CARDIFF CF10 4UW  
 Tel: 029 20872087

**Cyngor Caerdydd**

**Cardiff Council**



**Title**

Scale: 1:1417

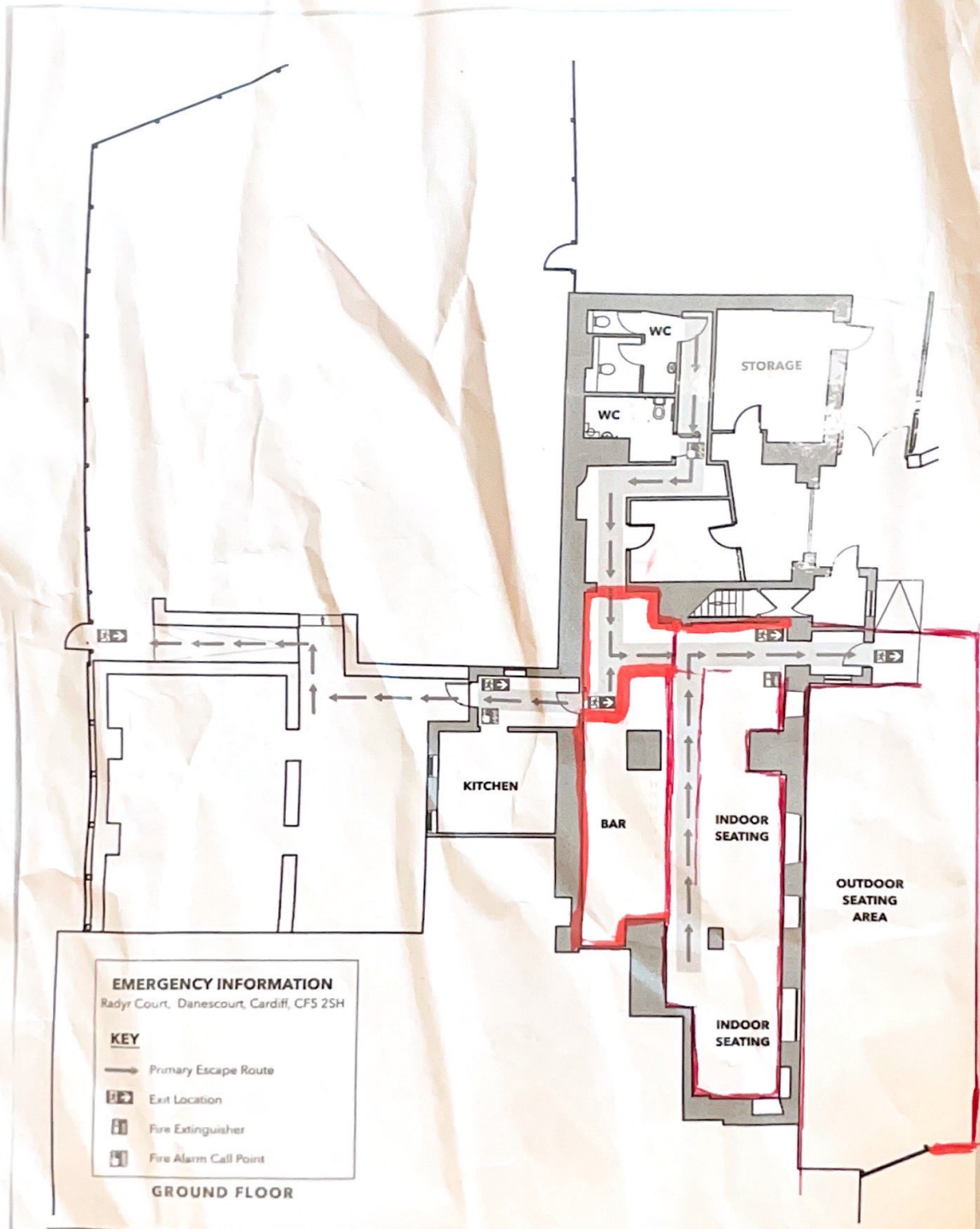
Date: 5/9/2023 at 8:12 AM

Coordinates:

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**Ordnance Survey AC0000816513 (2023).**



**FIRE ESCAPE PLAN**

# **APPENDIX B**

## **Operating Schedule**

**Continued from previous page...**

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

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

Signs will be displayed on the premises for challenge 25, customer code of conduct, fire exits are visible

b) The prevention of crime and disorder

ask people to leave if becoming abusive, CCTV covers the premises inside and out, alert police if needed,

c) Public safety

Moving people along if causing a nuisance, clearing glasses away, using plastic for customers outside in garden, not serving if had too much to drink, challenge 25

d) The prevention of public nuisance

Not serving anyone who is visibly drunk, moving people along once closed and asking people to leave during hours if becoming a nuisance

e) The protection of children from harm

Challenge 25, not serve any adults that maybe buying for minors, not serving parents/guardians that are visibly drunk in charge of children

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

# **APPENDIX C**

**South Wales Police Representation and Agreement**



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

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**From:**  
**Sent:** 14 August 2023 13:04  
**To:** The Court House Coffee Shop; nwatkins1@sky.com  
**Cc:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** FW: New premise licence ;The Court House Coffee Shop  
**Attachments:** CI COURT HOUSE COFFEE SHOP (002).docx

**Importance:** High

**\*\*\* Warning: This email contains a Microsoft Office (Word, Excel, PowerPoint) or Adobe PDF attachment. Although this email has been scanned for threats, please think before opening attachments from unrecognised senders.**

**Rhybudd: Mae'r e-bost hwn yn cynnwys atodiad Microsoft Office (Word, Excel, PowerPoint) neu PDF Adobe. Er bod yr e-bost hwn wedi'i sganio ar gyfer unrhyw fygythiadau, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. \*\*\***

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

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

Sorry I've amended the document to show correct date.

Thanks again

---

**From:**  
**Sent:** Monday, August 14, 2023 11:57 AM  
**To:**  
**Cc:**  
**Subject:** New premise licence ;The Court House Coffee Shop  
**Importance:** High

Good Morning,

Please find attached my recommendations as per our conversation, if you can confirm that you agree to the conditions stated and confirm this in an email to Cardiff Council Licensing Regulatory @

Many Thanks, kind regards

**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**

The Court House Coffee Shop  
Rachel Close,  
Danescourt  
Cardiff  
CF5 2SH

14<sup>th</sup> August 2023

APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING  
ACT 2003  
THE COURT HOUSE COFFEE SHOP, RACHEL CLOSE, DANESCOURT, CARDIFF, CF5  
2SH

Dear Ms Watkins,

I have caused enquires to be conducted into this application and ask that the Licensing Committee hear the representations made by South Wales Police when determining the grant of this application.

However, should you confirm that you are in agreement with the below representations, made to meet the Licensing Objectives, then please be advised that South Wales Police will automatically withdraw their request for a hearing before the Licensing Committee.

Prevention of Crime and Disorder

1) A CCTV system will be installed to an agreed standard as approved by South Wales Police and maintained and operated at all times when the premises are open to the public. The CCTV system will cover all areas of the premises where the public have access including entrances and exits, and all areas where alcohol is displayed. The images will be kept for a minimum of thirty-one days. The images will be produced to a police employee (subject to data protection legislation) in a readily playable format upon request when the premises are open to the public and at all other times as soon as is reasonably practicable. There will be sufficiently trained staff to facilitate this condition.

2) An incident book shall be kept at the premises and maintained on site for a period of twelve months. It shall be made available on request to a police employee, and will record the following:

All crimes reported to the premise  
Any complaints received (of a Criminal or Licensing nature)  
Any incidents of disorder  
Any refusal of the sale of alcohol  
Any visit by a representative of a relevant authority or a member of the emergency services.  
Any failures of the CCTV system.

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.



3) A staff training scheme shall be used for all staff authorised to sell alcohol. The training will cover the importance of preventing underage sales and complying with licence conditions. Refresher training will be provided every six months, records will be kept and be made available on request to a police employee.

4) The premises will operate a Challenge 25 policy. This policy will be brought to the attention of customers through point of sale including the use of appropriate signage, displayed in prominent positions in the premises. The only form of identification recognised will be photographic identification cards such as driving licence, passport, Armed forces identification cards or proof of age scheme cards. All permanent staff will receive the appropriate Challenge 25 training, having completed a minimum of six continuous weeks of employment. No sale of alcohol will be made to those persons who, if challenged, are unable to produce suitable identification.

5) Notices 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.

6) At least 70% of the public space is occupied by table and chairs.

7) Open containers of alcohol shall not be removed from the premises save for consumption in the associated delineated external areas.

8) External drinking areas will be regularly supervised by staff from the premises when in use and there will be frequent receptacle collections both internally and externally.

#### The Prevention of Public Nuisance

9) Clear notices must be displayed at prominent points in all outdoor areas informing customers that they must respect the needs of local residents and behave in a quiet and orderly manner.

10) Contact numbers to be provided to local residents to allow immediate contact with the premises licence holder, designated premises supervisor or nominated deputy for use, should a noise problem arise.

11) The appointment of a suitably responsible person to undertake regular noise patrols in the vicinity external to the premises when recorded / live music is playing to ensure no disturbance is caused.

#### Public Safety

12) All external areas are to be regularly supervised by staff from premises when in use.

13) Alcohol consumed outside the premises building shall only be consumed in non-glass vessels by patrons seated at tables.



Protection of children from harm

14) No unaccompanied children under the age of 16 will be allowed on the premises unless accompanied by an adult and seated for a table meal past 21:00 hours.

If the applicant does not agree with the afore-mentioned representations, South Wales Police objections will be based on the following;

The Prevention of Crime and Disorder  
The Prevention of Public Nuisance  
Public Safety  
Protection of children from harm

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 premises and will consist of written, statistical or CCTV evidence. If you require any further information please contact Police Licensing Officer \_\_\_\_\_ at Cardiff Bay police station, Licensing Department on \_\_\_\_\_ or by email @ \_\_\_\_\_

Yours sincerely

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:** 16 August 2023 12:17  
**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Fw: New premise licence ;The Court House Coffee Shop

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

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

Hi,

I'm not sure whether this was received when i sent it Monday. Please see forwarded licencing conditions from South Wales Police, we confirm that we will adhere to all the conditions. Can you let me know you have received this email.

Kind regards

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**From:**  
**Sent:** 15 August 2023 10:53  
**To:**  
**Subject:** Re: New premise licence ;The Court House Coffee Shop

Morning

Thats great thank you for confirming.

Kind regards

---

**From:** >  
**Sent:** 15 August 2023 10:30  
**To:**  
**Subject:** FW: New premise licence ;The Court House Coffee Shop

Good Morning

is now on leave until September, but in answer to your question

**6) At least 70% of the public space is occupied by table and chairs.**

This only applies to the inside area of the Café not the outside. I hope this clarifies the condition for you.

Kind regards



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**From:**  
**Sent:** Tuesday, August 15, 2023 7:21 AM  
**To:**  
**Subject:** FW: New premise licence ;The Court House Coffee Shop

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**From:**  
**Sent:** Tuesday, August 15, 2023 7:21 AM  
**To:**  
**Subject:** FW: New premise licence ;The Court House Coffee Shop

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**From:**  
**Sent:** Monday, August 14, 2023 6:56 PM  
**To:**  
**Subject:** Re: New premise licence ;The Court House Coffee Shop

**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

When I have reread the conditions I do have one query as below:-

**6) At least 70% of the public space is occupied by table and chairs.**

I just want to clarify you mean the seating area inside the building which is absolutely fine, if however you also mean the outside seating area then that would be a problem as we could not afford to fill that space with outside furniture,. we also would not want to do this, as it is grassed and the children that come into the coffee shop run around on it and it is a safe area for them to do so.

Thanks

# **APPENDIX D**

## **Pollution Control Representation**

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

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23 August 2023 14:25

**To:** Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)  
**Subject:** Pollution Control Representation to Licence Application for The Court House Coffee Shop

**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.

Shared Regulatory Services Ref: 1052146

Dear

I have reviewed the application and associated documents, and I have concerns in regard to public nuisance as there is a residential property above the premises that overlooks the outdoor seating area.

On the grounds of prevention of public nuisance, we request that the following conditions are added to the licence:

1. Windows and doors (except for access and egress) shall be shut after 21:00 hours during licensable activity.
2. The movement of bins, glass bottles and rubbish will not be undertaken between 21:00 hours and 08:00 hours, in order to avoid potential disturbance.
3. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby premises.
4. No patrons shall be admitted to or allowed to remain in the external seating area of the premises between the hours of 21:00 hours and 08:00 hours on any day.
5. No speakers or music will be used after 21:00 hours in the external area.
6. Notices are to be placed in dedicated smoking areas requesting that customers do not create a noise nuisance.

It is the authorities position that we are objecting to the above application on the grounds of prevention of public nuisance however this objection can be overturned should the applicant agree to the above conditions.

Please let me know if you would like to discuss these conditions further.

City of Cardiff Council, Statement of Licensing Policy, Section 7.4C: Prevention of Public Nuisance, contains the following guidance.

Noise and nuisance arising from the operation of licensed premises will be considered. This will include not only the type of licensable activity taking place, for example, the playing of music, but also other wider issues that may cause disturbance such as patrons leaving the premises, either on foot or by car, or the disposal of refuse which must be carried out at reasonable time.

Operators should take particular care to ensure that customers using external drinking areas, smoking areas or the pavement outside, do not cause unnecessary nuisance to local residents. It is suggested that the terminal hour for external areas that are in close proximity to residential properties does not exceed 21:00hrs. Careful consideration should also be given to determining suitable external areas for smoking. Ideally designated smoking areas should be sited at the furthest distance from residential properties and cigarette bins should be provided. Furthermore operators should also ensure as far as possible that large numbers of their customer do not block pavements, thereby causing pedestrians to step out into the roadway.

Best regards,