

LICENSING SUB-COMMITTEE: 8 October 2021

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 064590

Name of Premises: Mood Lounge, 119a-121 City Road, Roath, Cardiff, CF24 3BP

Ward: Plasnewydd

1. **Application**

- 1.1 An application for the Grant of a Premises Licence has been received from Mood Lounge Limited in respect of Mood Lounge, 119a-121 City Road, Roath, Cardiff, CF24 3BP.
- 1.2 The applicant has applied for the following:
- (1) In respect of the following licensable activities:
 - (i) The provision of regulated entertainment in the form of recorded music (indoors).
 - (ii) The provision of late night refreshment (indoors).
 - (2) Description of Premises (as stated by applicant):

“Shisha and juice bar serving food and non alcoholic drinks like smoothies, juices and coffees. All on one floor, inside sitting area with open sky windows”.
 - (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: 12:00 to 02:00
 - (4) To provide licensable activities during the following hours:
 - (i) The provision of regulated entertainment in the form of recorded music (indoors):

Monday to Sunday: 12:30 to 02:00
 - (ii) The provision of late night refreshment (indoors):

Monday to Sunday: 23:00 to 02:00
- 1.3 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 and the proposed conditions have been agreed to by the applicant. A copy of the representation and subsequent agreement 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.

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: 20/9/2021 at 12:19 PM

Coordinates:

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CITY ROAD

Entrance

- (H) HEAT DETECTORS
- (SD) SMOKE DETECTORS
- (E) EMERGENCY EXIT
- (EW) ESCAPE WINDOW
- FRSC-30 30 MINUTES FIRE RESISTANCE SELF CLOSING DOOR
- ALL ABOVE LINKED TO MAINS.
- (E)→ EMERGENCY LIGHTING
- (FD) FIRE DOOR

THESE VENTED AREA WALL SHOULD BE KEPT OPEN ALL THE TIME. THERE SHALL NOT BE ANY SHUTTER, DOOR OR WINDOW INSTALLED

WALL A- 11.4 M
 WALL B- 7.1 M
 WALL C- 6.8 M
 WALL D- 10.5 M

TOTAL LENGTH- 11.4 + 7.1 + 6.8 + 10.5 = 35.8 M

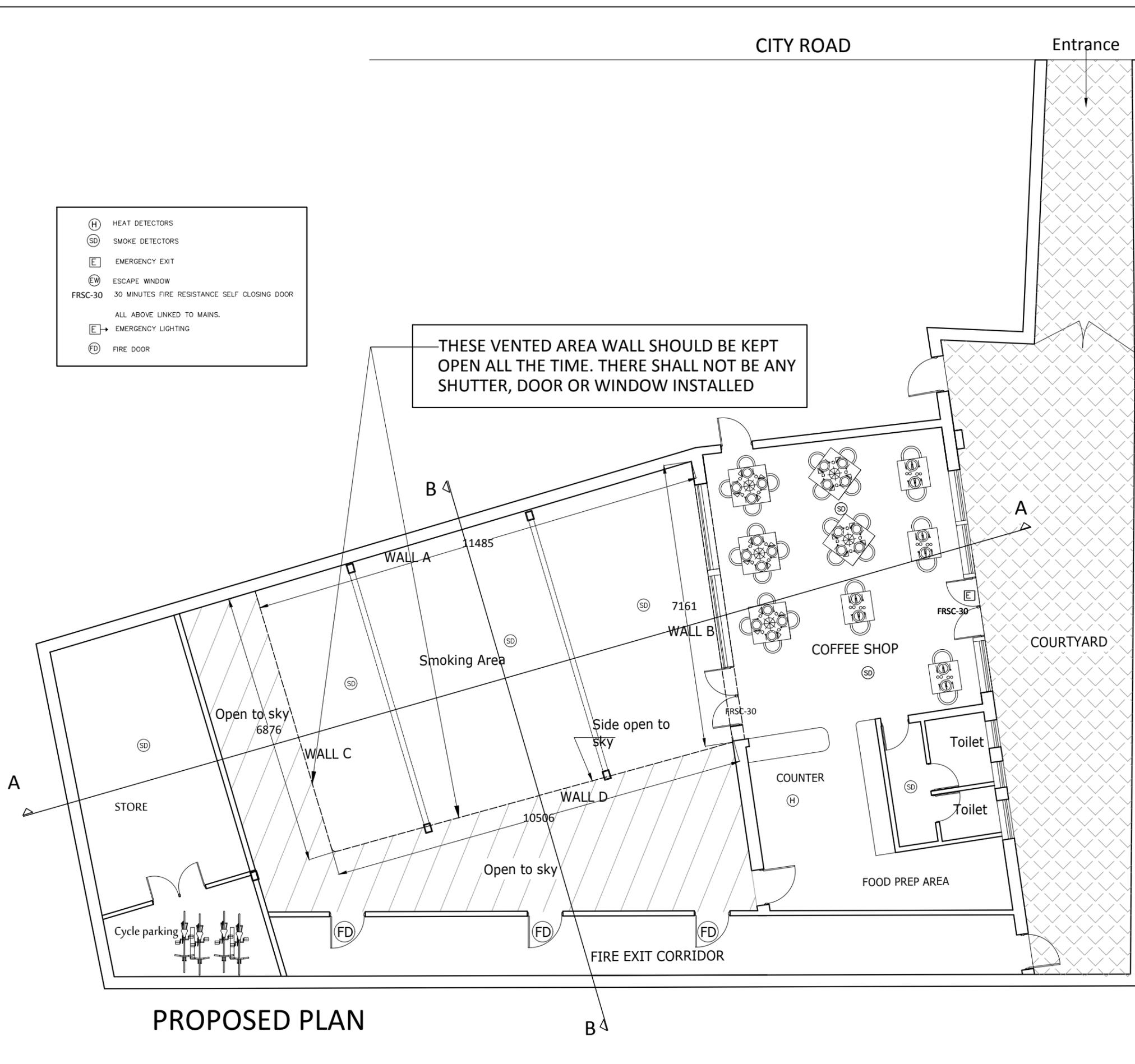
CEILING HEIGHT = 4.2M

TOTAL WALL AREA = 35.8 X 4.2 = 150.36 M²

WALL C + WALL D = 10.5 + 6.8 = 17.3 M

TOTAL WALL AREA OPEN TO SKY = 17.3 X 4.2 = 72.66 M²

TOTAL WALL AREA OPEN TO SKY IS APPROXIMATELY 50 % OF TOTAL WALL AREA



PROPOSED PLAN

Drawing Title :-		
R/O119-121 CITY ROAD, CARDIFF		
Date : DEC 2019	Drawn By : NZ	
Scale : 1:100	Approved : JP	
Project Ref No.	Drawing No.	Revision Ref.
	003	
cds (Newbridge Ltd)		
Design Services		
t 07772403351	CDS (Newbridge) LTD	
f -	Cwmffynnon Cottage	
e jopy@aol.com	Twyn College	
w -	Newbridge	
	NP11 3NR	

APPENDIX B

Operating Schedule

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.

CUSTOMERS COMING FOR A SHISHA DO NOT CAUSE ANY TROUBLE. IT IS ALL INDOORS,THEY EAT AND SMOKE AND WE NEVER HAD ANY ISSUES. WE HAVE ENOUGH STAFF AND CAMERAS TO MONITOR THE PREMISES IF ANY PROBLEM WE WOULD ADDRESS IT AT ONCE.

b) The prevention of crime and disorder

NO ALCOHOL IS SERVED AT THE PREMISES AND OUR CUSTOMERS DO NOT CAUSE ANY ISSUES. OUR SITTINGS ARE NOT CROWDED AND WE ONLY ACCEPT SMALLER NUMBERS OF CUSTOMERS.

c) Public safety

Continued from previous page...

ENOUGH SPACE BETWEEN TABLES TO AVOID ANY ISSUES FROM CLOSE PROXIMITY. ALL THE SITTINGS ARE IN ONE PLACE SO EASY TO MONITOR AND CONTROL. WE HAVE ENOUGH STAFF TO MONITOR AND ADDRESS ANY SITUATION IF NEEDED.

d) The prevention of public nuisance

BECAUSE NO ALCOHOL IS SERVED OUR CUSTOMERS LEAVE THE AREA QUIETLY THEREFORE NO PUBLIC NUISANCE. FEW TABLES THEREFORE PEOPLE LEAVE AT DIFFERENT INTERVALS WITHOUT ANY PROBLEMS.

e) The protection of children from harm

CHILDREN ARE NOT ALLOWED

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

APPENDIX C

South Wales Police Representation & Agreement

Barker, Kirstie

From:
Sent: 14 September 2021 08:46
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: Police Representations-Mood Lounge 119a-121 City Road. Cardiff.
Attachments: Signed Headed Paper-Mood Lounge.pdf; Headed Paper-Mood Lounge 119a-121 City Road.docx

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

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

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

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

To whom it may concern,

Please find attached representations made by South Wales Police in respect of the application for a new premises licence at The Mood Lounge, City Road, Cardiff.

South Wales Police object to the grant of the application as applied for under the following licensing objectives, namely,

The Prevention of Crime and Disorder.

The Prevention of Public Nuisance.

The Protection of Children from Harm.

However, should the applicant confirm their agreement in writing with the proposed conditions from South Wales Police, then any objection made to the grant of the application will be withdrawn.

Yours sincerely,

Rob Gunstone 

Cwnstabl yr Heddlu 3487 / Police Constable 3487.

Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police

URS y Dwyrain / Eastern BCU

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

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

SWYDDOGOL – OFFICIAL

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

13th September 2021

Mood Lounge
119a-121 City Road
Roath
Cardiff
CF24 3BP

**APPLICATION FOR A NEW PREMISES LICENCE. THE LICENSING ACT 2003.
MOOD LOUNGE.119a-121 CITY ROAD ROATH.CARDIFF. CF24 3BP**

To whom it may concern,

I have caused enquiries to be made into this application. The premises concerned is located at City Road in Cardiff and is currently operating as a Shisha Lounge.

The applicant seeks to conduct the following licensable activity as outlined within the application, namely

1. The provision of regulated entertainment in the form of recorded music (indoors):

Monday to Sunday: 12:30 to 02:00 hours.

2. The provision of late night refreshment (indoors):

Monday to Sunday: 23:00 to 02:00 hours.

The applicant goes on to further detail the proposed use of the premises within the application as follows;

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 oedl.

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.



“Shisha and Juice Bar serving food and non-alcoholic drinks like smoothies, juices and coffees. All in one floor, inside sitting area with open sky windows”

The applicant seeks to

“Extend opening hours from 23:00 to 02:00hrs as customers come for a shisha at night, usually and they stay longer time than a normal restaurant to smoke shisha. Music plays in the background only while people sit, eat and smoke. No alcohol is served at the premises. We are suffering because no enough turnover because it is only limited few hours, with corona it got worse and we are currently losing money. If we do not get more customers we will be forced to close”

The premises has been the subject of a site visit and consultation with the applicants. The attached plan is consistent with the current layout of the premises and illustrates the area into which they seek to conduct licensable activity.

MEASURES OFFERED BY THE APPLICANT.

General.

Customers coming for a shisha do not cause any trouble. It is all indoors. They eat and smoke and we never had any issues. We have enough staff and cameras to monitor the premises. If any problem we would address it at once.

The Prevention of Crime and Disorder.

No alcohol is served at the premises and our customers do not cause any issues. Our sittings are not crowded and we only accept smaller numbers of customers.

Public Safety.

Enough space between tables to avoid any issues from close proximity. All the sittings are in one place so easy to monitor and control. We have enough staff to monitor and address any situation if needed.

The Prevention of Public Nuisance.

Because no alcohol is served our customers leave the area quietly, therefore no public nuisance. Few tables therefore people leave at different intervals without any problems.

The Protection of Children from Harm.

Children are not allowed.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynir 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



POLICE REPRESENTATIONS.

Whilst the above measures are noted, there is little offered by the applicant, which would promote and uphold the licensing objectives. The application places more emphasis on the financial implications of not being granted a licence that what measures will be put in place to ensure that a well run and safe premises is operated. Therefore, at this time South Wales Police object to the grant of this application as applied for under the following licensing objectives, namely;

The Prevention of Crime and Disorder.

The Prevention of Public Nuisance.

The Protection of Children from Harm.

PROPOSED POLICE CONDITIONS.

The following conditions are proposed in order to support and uphold the above named licensing objectives at the premises.

1.A CCTV system shall be installed to an agreed standard as approved by South Wales Police and it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances, exits and any external area associated with the premises. The images will be kept for a minimum period of 31 days. Images will be produced to a Police employee, in a readily playable format, upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

2.An incident book will be kept and maintained at the premises at all times. It shall be made available on request to a Police employee. This book will record the following:

- All crimes reported at the venue
- Any ejections of patrons
- Any disorder on the premises
- Any visit by representatives of a relevant authorities
- Any failure of the CCTV system.

3.On Fridays, Saturdays and those Sundays before a Bank Holidays, there will be a minimum of two SIA registered door supervisors employed at the premises from 21:00hrs until closure of the premises.

4.At all other times, SIA registered door staff will be employed at the premises in accordance with a written risk assessment carried out by the Premises. A copy of the risk assessment will be maintained for 12 months and be made available to the Police immediately upon request.

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.



5. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby premises. A member of management or a SIA registered door supervisor will monitor patrons leaving at the closing time.

6. A register of door supervisors will be kept at the premises. The Register shall contain the full name and SIA registration number of each door supervisor, stating the start and end duty times from each door supervisor. The Register shall be kept by the Premises for a minimum of 12 months and will be made available to a Police employee on request.

7. When SIA registered door supervisors are employed at the premises they will utilise at least one body worn video device. Any such device will be capable of recording both audio recordings and visual images. The recordings will be kept for a minimum of 31 days and will be produced to a Police employee in a readily available format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

8. On those occasions when SIA registered door supervisors are employed at the premises, the manager of the premises will ensure that an adequate system for measuring the number of patrons in the premise is used such as clicker devices. Numbers of patrons on the premises will be recorded hourly in the door supervisor log book.

9. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.

10. At least 80% of the public space will be occupied by tables and chairs at all times.

11. The premises will operate a Challenge 25 policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the PASS mark hologram.

12. No persons under the age of 18 will be allowed on the premises.

Yours faithfully,

M. Conquer CI 3353
M. Conquer.

Chief Inspector.

COPY TO:

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

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



Barker, Kirstie

From: Mood Lounge
Sent: 15 September 2021 18:27
To:
Cc: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Police Representations-Mood Lounge 119a-121 City Road. Cardiff.

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

Hi There,

I can confirm that I happy to do all your enquiries has been Mentioned on your latter.

Kind regards

Mood lounge LTD

Director

Khaled Alramadan

On Tue, 14 Sep 2021 at 08:45,

wrote:

To whom it may concern,

Please find attached representations made by South Wales Police in respect of the application for a new premises licence at The Mood Lounge, City Road, Cardiff.

South Wales Police object to the grant of the application as applied for under the following licensing objectives, namely,

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The Prevention of Public Nuisance.

The Protection of Children from Harm.

However, should the applicant confirm their agreement in writing with the proposed conditions from South Wales Police, then any objection made to the grant of the application will be withdrawn.

APPENDIX D

Other Persons Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 06 September 2021 10:53
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Fw: [Scan] 2021-09-06 10:49
Attachments: 2021-09-06 10-49.pdf

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

Dear Sir / Madam

Please see attached form with concerns relating to residential units on city road and Russell street due to location of applicants building.

Kind regards,

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	MOON LOUNGE
Address of premises:	119 -1219 CITY RD CARDIFF CF24 3BP
Application No. (if known)	

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

Please summarise your concerns about this application:

Location of building and Steel Frame construction. Between city Rd and Russell Street. Concern for noise levels for residential units and crime + violence.