

LICENSING SUB-COMMITTEE: 26 November 2021

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 066478

Name of Premises: Tonight Josephine, 46 Caroline Street, Cardiff, CF10 1FF

Ward: Cathays

1. Application

1.1 An application for the Grant of a Premises Licence has been received from +Venture Battersea Limited in respect of Tonight Josephine, 46 Caroline Street, Cardiff, CF10 1FF.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The sale by retail of alcohol for consumption on and off the premises
- (ii) The provision of regulated entertainment in the form of films (indoors), live music (indoors), and recorded music (indoors)
- (iii) The provision of late night refreshment (indoors)

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

"Cocktail bar".

(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: 10:00 to 03:30 hours

An additional hour will be permitted on the day British Summertime commences

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

- (i) The sale by retail of alcohol for consumption on and off the premises:
Monday to Sunday: 10:00 to 03:00 hours
An additional hour will be permitted on the day British Summertime commences
- (ii) The provision of regulated entertainment in the form of films (indoors), live music (indoors), and recorded music (indoors):
Monday to Sunday: 10:00 to 03:00 hours
An additional hour will be permitted on the day British Summertime commences
- (iii) The provision of late night refreshment (indoors):
Monday to Sunday: 23:00 to 03:00 hours
An additional hour will be permitted on the day British Summertime commences

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 steps proposed by the applicant to meet the licensing objectives are attached to the report. This can be found in **Appendix B**.

3. Relevant Representations

3.1 A representation has been received from South Wales Police. A copy of the representation is attached as **Appendix C**.

3.2 A representation has been received from South Wales Fire & Rescue Service. A copy of the representation is attached as **Appendix D**.

3.1 A representation has been received from Cardiff Licensing Enforcement. A copy of the representation is attached as **Appendix E**.

3.2 A representation has been received from other persons (a local ward Councillor). A copy of the representation is attached as **Appendix F**.

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: 1:1500

Date: 11/11/2021 at 7:40 AM

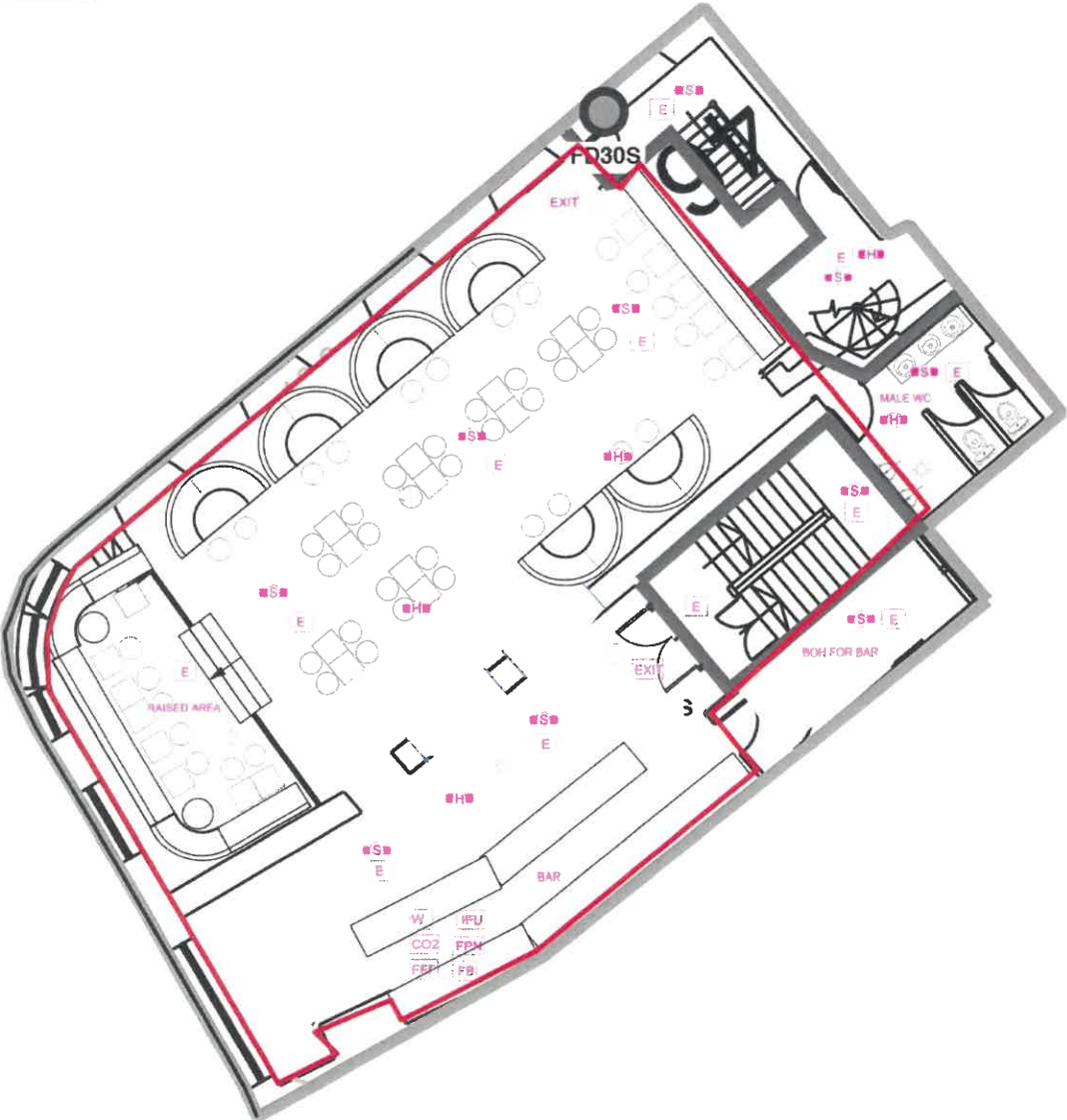
Coordinates:

© Crown copyright and database rights (2014).

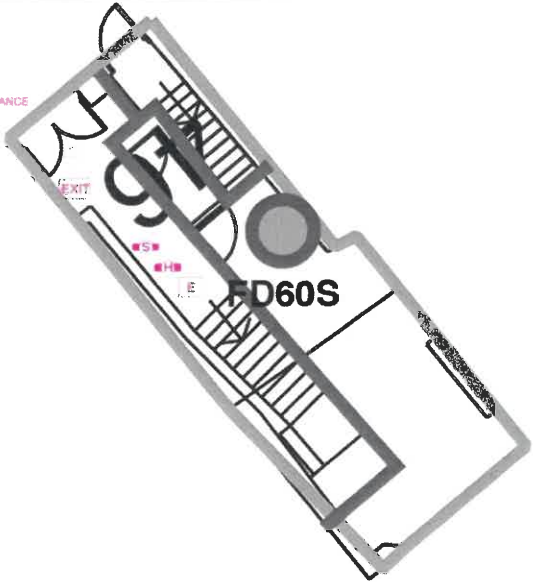
This copy is produced specifically to supply County Council information NO further copies may be made.

Ordnance Survey 100023376 (2014).

DESIGN INTENT
ALL DIMENSIONS TBC ON SITE



FIRST FLOOR PLAN



GROUND FLOOR PLAN

KEY PLAN



- S** FIRE ALARM SYSTEM SMOKE DETECTOR
- H** FIRE ALARM SYSTEM HEAT DETECTOR
- S** FIRE ALARM SYSTEM SMOKE DETECTOR/ SOUNDER BASE
- H** FIRE ALARM SYSTEM HEAT DETECTOR/ SOUNDER BASE
- S** FIRE ALARM SYSTEM MANUAL BREAK GLASS UNIT
- S** FIRE ALARM SYSTEM FLASHING BEACON
- IFU** FIRE ALARM SYSTEM INPUT/OUTPUT RELAY UNIT
- E** EMERGENCY LIGHTING
- EXIT** ILLUMINATED EMERGENCY EXIT SIGN
- FPN** STATUTORY FIRE PROCEDURE NOTICE
- FB** FIRE BLANKET
- W** FIRE EXTINGUISHER - WATER
- CO2** FIRE EXTINGUISHER - CO2
- FFF** FIRE EXTINGUISHER - FFF
- IFU** LANDLORD'S LINK (EXACT SPECIFICATION TBC)
- IFU** MUSIC
- IFU** MECHANICAL SHUTDOWN
- IFU** DIMMER RACKS
- IFU** RED CARE
- IFU** SPRINKLERS
- IFU** ANSUL UNIT
- FAP** FIRE ALARM PANEL
- CP** CALL POINT

LEGEND

RED LINE DENOTES THE AREA OF LICENSABLE ACTIVITIES

INTERNAL APPROX AREA: 167 SQM

NOTE: 1. ALL ALARM REQUIREMENTS TO BE CONFIRMED BY CLIENT

GENERAL NOTES
1. ALL FINISHES ARE TO CONFORM TO THE REQUIRED CURRENT BUILDING REGULATIONS IN THE APPLICABLE COUNTRY (IN RESTAURANTS ALL FINISHES ARE TO BE CLASS 1 OR EQUIVALENT)
2. CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, DRAWINGS, DETAILS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH ANY WORK.
3. ALL SPECIFIED ITEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
4. CONTRACTOR TO PROVIDE A WORKING ENVIRONMENT WHICH CONFORMS TO THE CURRENT HEALTH AND SAFETY AT WORK CONDITIONS AND LEGAL AUTHORITY REGULATIONS.
5. ALL DIMENSIONS ARE TO BE CARRIED OUT TO A HIGH STANDARD.
6. ANY DIMENSIONS ARE TO BE TAKEN FROM THE SETTING OUT PLAN ONLY AND ARE NOT TO BE SCALED FROM THE DRAWINGS.

7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO UNDER TAKE AND ENSURE THAT ANY BUILDING WORK IS CARRIED OUT UNDER THE LOCAL AUTHORITY REQUIREMENTS.
8. THE CONTRACTOR IS TO CHECK AND APPROVE ALL DESIGN (SHOP FITTINGS AND CONSTRUCTION DETAILS AND OFFER ALTERNATIVES TO THE DESIGNER FOR APPROVAL.
9. IN THE EVENT THAT DRAWING INFORMATION IS NOT THE SAME, AND IF THE DESIGNER AND/OR SUPERVISOR OFFICER ARE UNAVAILABLE FOR COMMENT, THE PROPOSED PLAN IS TO BE READ AND CORRECTED TO THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE OTHER PER EXISTING CONTRACT DOCUMENTS.
10. COPYRIGHT OF FINCH INTERIORS. NOT TO BE REPRODUCED.
11. ALL REQUESTED DRAWINGS SHOWING FIGURES AND CONSTRUCTION DETAILS ARE REQUIRED TO BE APPROVED BY DESIGNER PRIOR TO COMMENCEMENT OF WORK.

Revisions:

Issue Codes: P = Primary, T = Tender, C = Construction

Rev: 1 Date: 14/09/2021 Deleted: FOR INFORMATION



Client: ADVENTURE

Project: CARDIFF: TONIGHT JOSEPHINE

Dwg Title: GROUND AND FIRST FLOOR: LICENSING PLAN

Dwg Type: PLAN

Project ref No: 2119

Dwg. No: LIC_01

Date: AUG 21

Rev: A

Scale: 1:100

Drawn By: A3

FET

DESIGN INTENT

ALL DIMENSIONS TBC ON SITE

KEY PLAN



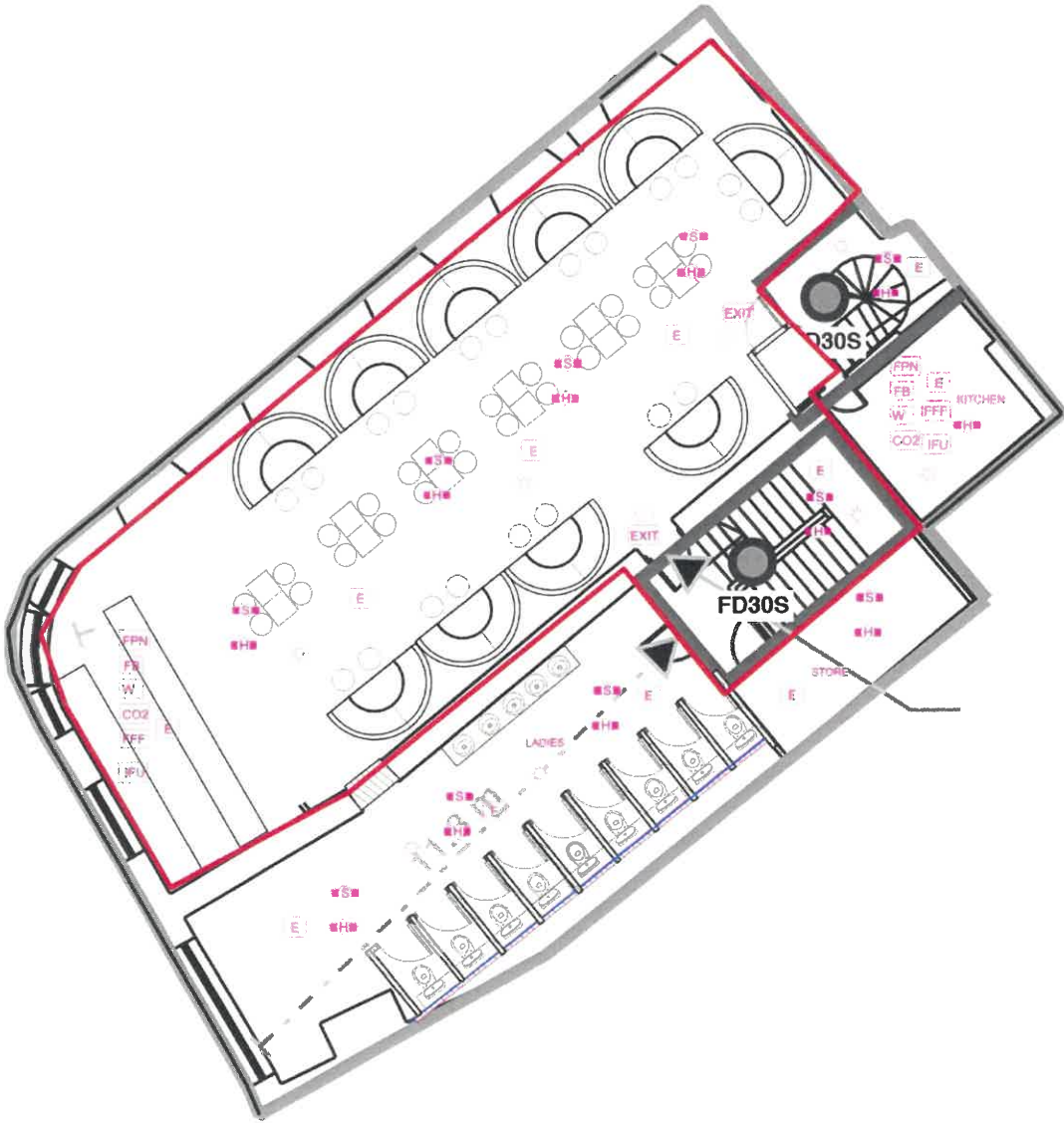
- FIRE ALARM SYSTEM SMOKE DETECTOR
- FIRE ALARM SYSTEM HEAT DETECTOR
- FIRE ALARM SYSTEM SMOKE DETECTOR/ SOUNDER BASE
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- LANDLORD'S LINK (EXACT SPECIFICATION TBC)
- MUSIC
- MECHANICAL SHUTDOWN
- DIMMER RACKS
- RED CARE
- SPRINKLERS
- ANSUL UNIT
- FIRE ALARM PANEL
- CALL POINT

LEGEND

RED LINE DENOTES THE AREA OF LICENSABLE ACTIVITIES

INTERNAL APPROX AREA:
130 SQM

NOTE: 1. ALL ALARM REQUIREMENTS TO BE CONFIRMED BY CLIENT



SECOND FLOOR PLAN
COVERS (WITH BAR) : 84

GENERAL NOTES

1. ALL FINISHES ARE TO CONFORM TO THE REQUIRED CURRENT BUILDING REGULATIONS IN THE APPLICABLE COUNTRY (IN RESTAURANTS ALL FINISHES ARE TO BE CLASS 1 OR EQUIVALENT)

2. CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, DRAWINGS DETAILS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH ANY WORK.

3. ALL SPECIFIED ITEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS

4. CONTRACTOR TO PROVIDE A WORKING ENVIRONMENT WHICH CONFORMS TO THE CURRENT HEALTH AND SAFETY AT WORK CONVENTIONS AND LOCAL AUTHORITY REGULATIONS

5. ALL FINISHES ARE TO BE CARRIED OUT TO A HIGH STANDARD

6. ANY OMISSIONS ARE TO BE TAKEN FROM THE SETTING OUT PLAN ONLY AND ARE NOT TO BE SCALED FROM THE DRAWINGS

7. IT IS THE CONTRACTORS RESPONSIBILITY TO OBTAIN TIME AND ENSURE THAT ANY BUILDING WORK IS CARRIED OUT UNDER THE LOCAL AUTHORITY REQUIREMENTS

8. THE CONTRACTOR IS TO CHECK AND APPROVE ALL DESIGN SHOP FITTINGS AND CONSTRUCTION DETAILS AND OTHER ALTERNATIVES TO THE DESIGNER FOR APPROVAL

9. IN THE EVENT THAT DRAWING INFORMATION IS NOT THE SAME, AND IF THE CONTRACTOR AND/OR SUPERVISING OFFICER ARE UNABLE TO RESOLVE THE DISCREPANCY, THE PROPOSED PLAN IS TO BE READ AS CORRECT

10. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE OTHER PROJECT DOCUMENTS

11. COPYRIGHT OF FINCH INTERIORS. NOT TO BE REPRODUCED

12. ALL REQUESTED DRAWINGS SHOWING FINISHES AND CONSTRUCTION DETAILS ARE REQUIRED TO BE APPROVED BY DESIGNER PRIOR TO COMMENCEMENT OF WORK

Revisions:

Issue Codes: P = Preliminary, T = Tender, C = Construction

Rev: 1 Date: 14/09/2021 Details: FOR INFORMATION

FINCH

Client:
ADVENTURE

Project:
CARDIFF: TONIGHT JOSEPHINE

Project ref No:
2119

Date:
AUG 21

Dwg Title:
SECOND FLOOR: LICENSING PLAN

Dwg No:
LIC_02

Rev:
A

Scale:
1:100

Dwg Type:
PLAN

Drawn By:
FET

Check By:
A3

APPENDIX B

Operating Schedule

Continued from previous page...

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

Not to be added as conditions:-

This is an application by +Venture Battersea Ltd for a new premises licence for the ground floor (entrance only), first and second floors of 46 Caroline Street.

The first floor is currently licensed and most recently traded as Charllestons Brasserie & Restaurant with licensable activities until 6am and closing at 6.30am.

The Applicant

The Applicant is part of the Adventure Bar Group (operating now within Nightcap).

Adventure operate nine different premises, many in Cumulative Impact or stress areas, particularly in the West End of London.

They also operate a rooftop bar opposite Waterloo Station, London, trading until 2am on Friday and Saturday and with a maximum occupancy of 600.

In Birmingham, they operate, having been granted a new licence, a basement on Burlington Arcade/Stephenson Street with a maximum occupancy of 440 until 2am with closing at 2.3am.

Most recently they have applied for a new licence until midnight for what was previously Digbeth Arena in Birmingham, now trading as Luna Springs, with an occupancy of 2,000.

Adventure are serious, successful and accomplished operators who do not compromise in terms of quality of offer, professional and effective management and thorough staff training.

Background and Premises

The Applicant has been in discussions with the Landlord and wishes to operate on two floors a cocktail bar with entertainment.

There is shown on the two plans significant fixed and loose seating.

Tonight Josephine is particularly popular with women and on the second floor there is the proposed introduction of a significant number of female toilets to reflect this.

It is proposed that entrance will be gained on the ground floor on Caroline Street and then customers will move to the first and/or second floors.

Initially, there have been discussions with Licensing and the Police in relation to a variation of the existing premises, but because of the addition of the second floor a new premises application is clearly the only practical approach.

Cumulative Impact Zone and Conditions

There have been telephone conversations with Rob Gunstone of Cardiff Licensing Police and it is proposed to arrange a meeting.

The Applicant has not suggested specific conditions, but will readily agree CCTV coverage, Challenge 25, staff training in relation to licensing law, incident log and the provision of door staff.

The Applicant appreciates these premises are in Cardiff's Cumulative Impact Area, but there is a significant reduction (although the premises are bigger) from the existing licence (number CCCP00973) which allows all licensable activities until 6am with closing at 6.30am.

Continued from previous page...

This is an old licence granted initially in 2005, rather outdated and lacking in the sort of conditions which would normally be expected in a city centre particularly a stress area.

The Applicant therefore contends that a combination of its own experience in operating late-night venues, a more up to date licence with conditions to promote the licensing objectives, and an effective reduction in trading of three hours per day, will not add to the negative Cumulative Impact in the city.

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

See box a) above

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

APPENDIX C

South Wales Police Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 November 2021 15:24
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu);
Subject: Police Representations-Tonight Josephine, 46 Caroline Street, Cardiff.
Attachments: Headed Paper- Tonight Josephine V4.docx; Signed Headed Paper-Tonight Josephine..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, 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.

To whom it may concern,

Please find attached representations made by South Wales Police in respect of the above application. The position of South Wales Police is one of objection to the grant of the application as applied for under the provisions of Cardiff City Council Cumulative Impact Policy and the following Licensing Objectives, namely;

The Prevention of Crime and Disorder.

South Wales Police therefore request that this matter be heard before a sitting of the Cardiff City Council Licensing Committee in order to determine the grant of the application.

Yours sincerely;


Cwnstabl yr Heddlu 3487 / Police Constable 3487.
Adran Drwyddedu / Licensing Department

Heddlu De Cymru / South Wales Police
URS y Dwyrain / Eastern BCU
Gorsaf yr Heddlu Bae Caerdydd / Cardiff Bay Police Station
Stryd James / James Street
Bae Caerdydd / Cardiff Bay
CF10 5EW

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

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.
3rd November 2021

Tonight Josephine
46 Caroline Street
Cardiff
CF10 1FF.

**APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003.
TONIGHT JOSEPHINE. 46 CAROLINE STREET. CARDIFF.CF10 1FF.**

To whom it may concern,

I have caused enquiries to be made into this application. The premises is located on Caroline Street in Cardiff City centre and sits amongst a number of other hospitality venues. It has previously been utilised as a first floor, late night restaurant. The proposed use of the premises will be that of a Cocktail Bar to the first and second floor of this property with access being gained at street level via stairs from Caroline Street.

The Application.

Within the application, the premises and its proposed use is described as follows by the applicant ;

“Cocktail Bar”

Please see additional comments made under ‘General’ as per the application.

The applicant has requested permissions to conduct the following licensable activity;



The sale by retail of alcohol for consumption on and off the premises:

1. The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 10:00 to 03:00.

An additional hour on the day when British Summertime commences.

2. The provision of regulated entertainment in the form of films, live music and recorded music (all indoors):

Monday to Sunday: 10:00 to 03:00

An additional hour on the day when British Summertime commences

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

Monday to Sunday: 23:00 to 03:00

An additional hour on the day when British Summertime commences

The opening hours of the premises as per the application are as follows;

Monday to Sunday 10:00 to 03:30

Measures offered by the applicant in support of the application.

General.

Not to be added as conditions:-

This is an application by +Venture Battersea Ltd for a new premises licence for the ground floor (entrance only), first and second floors of 46 Caroline Street.

The first floor is currently licensed and most recently traded as Charlesons Brasserie & Restaurant with licensable activities until 6am and closing at 6.30am.

The Applicant

The Applicant is part of the Adventure Bar Group (operating now within Nightcap).

Adventure operate nine different premises, many in Cumulative Impact or stress areas, particularly in the West End of London.

They also operate a rooftop bar opposite Waterloo Station, London, trading until 2am on Friday and Saturday and with a maximum occupancy of 600.

In Birmingham, they operate, having been granted a new licence, a basement on Burlington Arcade/Stephenson Street with a maximum occupancy of 440 until 2am with closing at 2.30am.

Most recently they have applied for a new licence until midnight for what was previously Digbeth Arena in Birmingham, now trading as Luna Springs, with an occupancy of 2,000.

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.



Adventure are serious, successful and accomplished operators who do not compromise in terms of quality of offer, professional and effective management and thorough staff training.

Background and Premises.

The Applicant has been in discussions with the Landlord and wishes to operate on two floors a cocktail bar with entertainment.

There is shown on the two plans significant fixed and loose seating.

Tonight Josephine is particularly popular with women and on the second floor there is the proposed introduction of a significant number of female toilets to reflect this.

It is proposed that entrance will be gained on the ground floor on Caroline Street and then customers will move to the first and/or second floors.

Initially, there have been discussions with Licensing and the Police in relation to a variation of the existing premises, but because of the addition of the second floor a new premises application is clearly the only practical approach.

Cumulative Impact Zone and Conditions

There have been telephone conversations with Rob Gunstone of Cardiff Licensing Police and it is proposed to arrange a meeting.

The Applicant has not suggested specific conditions, but will readily agree CCTV coverage, Challenge 25, staff training in relation to licensing law, incident log and the provision of door staff.

The Applicant appreciates these premises are in Cardiff's Cumulative Impact Area, but there is a significant reduction(although the premises are bigger) from the existing licence (number CCCP00973) which allows all licensable activities until 6am with closing at 6.30am.

This is an old licence granted initially in 2005, rather outdated and lacking in the sort of conditions which would normally be expected in a city centre particularly a stress area.

The Applicant therefore contends that a combination of its own experience in operating late-night venues, a more up to date licence with conditions to promote the licensing objectives, and an effective reduction in trading of three hours per day, will not add to the negative Cumulative Impact in the city.

The Prevention of Crime and Disorder.

See box a) above

Public Safety.

See box a) above

The Prevention of Public Nuisance.

See box a) above



The Protection of Children from Harm.

See box a) above

Police Representations.

Whilst the above as offered by the applicant within the application are acknowledged, as per the application, "The Applicant has not suggested specific conditions, but will readily agree CCTV coverage, Challenge 25, staff training in relation to licensing law, incident log and the provision of door staff."

The position of South Wales Police is one of objection to the grant of the application as applied for under the provisions of the City of Cardiff Council Statement of Licensing Policy 2020-2025, Sec 8.1 Cumulative Impact Policy and under the following licensing objective, namely that of;

The Prevention of Crime and Disorder

South Wales Police therefore request that this application is heard before the Cardiff City Council Licensing committee. Following this hearing, should the Licensing Committee be so disposed to grant the application, then South Wales Police request that the following conditions are added to the premises licence;

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 and exits and any external areas 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 log (in either hard copy or electronic form) shall be kept at the premises and made available for inspection on request of an authorised officer of the Council or a Police Officer. The log will record the following;
 - a) all crimes reported to the premises
 - b) all ejections from the premise of customers including residents and their bona fide guests and non-residents;
 - c) any incidents of disorder;
 - d) all seizures of drugs or offensive weapons;
 - e) any faults in the CCTV system.



3. Sunday to Thursday when licensable activity is to be conducted past 00:00hrs, SIA registered door supervisors shall be employed from 2100hrs, until closure of the premises for the first 65 Patrons. Additional SIA registered door supervisors will be employed at a ratio of 1-65 thereafter.
4. On those days designated by South Wales Police as Major Event days in the City Centre, SIA registered door supervisors will be employed at the premises from either 16:00hrs that day or no less than two hours before the commencement of the event, whichever is earlier, until closure of the premises. There will be a minimum of three SIA registered door supervisors employed on the above days for the first 65 patrons. Additional SIA registered door supervisors will be employed at a ratio of 1-65 thereafter.
5. On Fridays, Saturdays and those Sundays preceding Bank Holidays, when licensable activity is to be conducted past 00:00hrs, SIA registered door supervisors shall be employed at the premises from 2100hrs, until closure of the premises for the first 65 Patrons. Additional SIA registered door supervisors will be employed at a ratio of 1-65 thereafter.
6. Prior to closure of the premises to the public SIA registered door supervisors will be provided outside of the venue to assist in the safe dispersal of patrons as they leave the premises. These door staff will utilise body worn cameras at all times whilst outside the premises and wear high visibility tabards or similar clothing.
7. The Premises shall maintain a register (which may be in hardcopy or digital form) of all SIA licensed door supervisors on duty at the premises which will include the following details:-
 - a) The SIA registration number and name of the door supervisor;
 - b) Date and time when the door supervisor commenced and finished a period of duty with a signed acknowledgement by that person;
 - c) If the door supervisor is not an employee of the Premises Licence holder, the name of the person, company or agency by whom that person is employed or through whom the services of that person is engaged;
 - d) the register should be kept on the premises and made available for inspection upon request by an authorised officer of the Council or a Police Officer.



8. When SIA registered door supervisors are employed at the premises, they will utilise a minimum of three body worn video devices. 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.
9. On those occasions when SIA registered door supervisors are employed at the premises, the DPS will ensure that an adequate system for measuring the number of patrons in the premise is used by such as clicker devices. Numbers of patrons on the premises will be recorded hourly in the door supervisor log-book.
10. The premises shall use a radio system which is monitored by the Local Authority and South Wales Police.
11. The Designated Premises Supervisor or a Personal Licence holder shall be present, at all times that alcohol is offered for sale.
12. Non-glass vessels will be used from 23:00hrs each night when the premises opens beyond 03:00hrs
13. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.
14. Open containers of alcohol shall not be removed from the premises.
15. At least 70% of the public space will be occupied by tables and chairs at all times.
16. The Designated Premises Supervisor shall be a member of the Cardiff Licensees Forum and will attend meetings in person or by sending a suitable proxy.
17. On days classified as major event days by South Wales Police, all drinks will be dispensed into non-glass vessels, with the exception being hot drinks.
18. 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.
19. All bottles of spirits supplied to patrons will be fitted with a measured 25ml pourer approved by South Wales Police.



20. Pre-booked Alcoholic beverages;

- a. One 75cl bottle of spirits { being alcohol with an ABV 15% or more } is permitted to be pre-booked and pre-paid electronically per multiple of four customers.
- b. One 75cl bottle of wine, sparkling wine or champagne is permitted to be pre-booked and pre-paid electronically per multiple of two customers.

Should the party size permit the ordering of more than one bottle, or the equivalent of spirits or wine, the bottles may be delivered to the party at the ratio above.

- 21. Last admission to the premises will be 01:00hrs daily. The exception to this will be those existing customers who have temporarily left the premises to smoke in any designated smoking area attached to the premises.
- 22. The premises will adopt the drug safe scheme. A lockable Drugs safe will be installed at the premises and accessible only to a Police officer or member of Police staff. Any drugs seized at the premises will be recorded in the premises incident book. This entry will record the date and time of the seizure, the details of the person seizing the items, a description of the items and the circumstances of the seizure. Where it is suspected that a person is supplying drugs then Police will be contacted at the time.
- 23. Suitable medically trained staff will be on the premises whenever said premise is open to the public. A dedicated area shall be provided, for the purpose of providing care to patrons who are in need of assistance through injury, intoxication, or awaiting collection. In cases where patrons refuse all offer of assistance, all steps taken by staff at the premise shall be recorded, to evidence what efforts were made to ensure the safety of the individual concerned.
- 24. There will be no mobile alcohol sales persons of any sort. All sales of alcohol will be by way of static bars.

In addition, South Wales Police seek a reduction in the hours of licensable activity requested within the application as follows,

1. The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 10:00 to 02:30.

An additional hour on the day when British Summertime commences.

2. A reduction in the trading hours of the premises as follows;

Monday to Sunday: 10:00 to 03:00.

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.





Yours faithfully,

J. Lewis.

A/ 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.



APPENDIX D

South Wales Fire & Rescue Service Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 November 2021 14:59
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: License Application Tonight Josephine 49 Caroline Street Cardiff
Attachments: LA02 51-04273-01 2-11-2021.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.

Please find the representation from SWFRS for the above premises.

Regards

Rheolwr Gwylfa

Watch Manager

Diogelwch Tân i Fusnesau

Business Fire Safety

Pencadlys Gwasanaeth Tân ac Achub

South Wales Fire and Rescue Service

De Cymru

Headquarters

Parc Busnes Forest View

Forest View Business Park

Llantrisant

Llantrisant

CF72 8LX

CF72 8LX



Cardiff City Council
Licensing Department
City Hall
Cathays Park
Cardiff
CF10 3ND
Licensing@cardiff.gov.uk

Our Ref: DT/51-04273-01 (LA02)
Your Ref:
Date: 05 November 2021
Contact:
Tel:
E-mail: firesafety@southwales-fire.gov.uk

Dear Sir/Madam,

**LICENSING ACT 2003
APPLICATION FOR: GRANT OF PREMESIS LICENSE.
AT 46 CAROLINE STREET, CARDIFF, CF10 1FF**

I confirm that I have received a copy of an application dated 6 October 2021 in respect of the above premises.

It is not the policy of the Fire and Rescue Authority to carry out inspections of licensed premises except under specific circumstances. However, this should not be interpreted as meaning that fire precautions in the above mentioned premises is necessarily satisfactory.

The Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risks to which relevant persons are exposed. All licensed premises are required by the Order to record the significant findings from this assessment.

Where a premises has a licence in accordance with the Licensing Act 2003, an occupancy figure should be applied to the licensed area. The figure should be entered into the fire risk assessment as a significant finding.

The premises will be inspected in due course in accordance with South Wales Fire and Rescue Service's risk-based inspection programme.

Having examined the submitted plan proposals of the premises and information in our files, on behalf of the Fire and Rescue Authority, notice is hereby given of representations against the present application. The grounds for the representations are detailed in the enclosed report.

This Authority cannot enforce these matters directly under current fire safety regulations until such times as persons are employed on the premises.

Business Continuity

It would be a wise investment of your time to consider how a fire may affect your business continuity and plans for growth. There is a wealth of useful information and advice available free of charge from: <http://bit.ly/2s7vuLd>

Further Information

Guidance documents covering the standards required in the various classes of premises are available for download or purchase from the Communities and Local Government website at:

<https://www.gov.uk/workplace-fire-safety-your-responsibilities/who-is-responsible>

Alternatively you can refer to our business fire safety pages on our website at:

<http://www.southwales-fire.gov.uk>

Please quote our reference in all future correspondence.

Yours faithfully

A rectangular area that has been redacted, likely containing a signature or name.

for Assistant Chief Fire Officer

SOUTH WALES FIRE AUTHORITY

LICENSING ACT 2003

NOTICE OF REPRESENTATIONS

NAME AND ADDRESS OF PREMISES: TONIGHT JOSEPHINE,
46 CAROLINE STREET, CARDIFF, CF10 1FF

APPLICANT: +VENTURE BATTERSEA LIMITED

APPLICATION FOR: +VENTURE BATTERSEA LIMITED

REASON FOR REPRESENTATIONS: This authority is of the opinion that the application, as submitted, does not appear to adequately promote the PUBLIC SAFETY licensing objective.

DATE OF INSPECTION: 2 NOVEMBER 2021

FIRE SAFETY OFFICER:

The Fire and Rescue Authority makes representations against this application on the following grounds:

1 Emergency routes and exits

1.1 The number, distribution and/or size of emergency routes and exits is inadequate

- 1.1.1** The number, distribution and dimensions of emergency routes and exits available are not considered adequate having regard to the use, equipment and dimensions of the premises and the maximum number of persons who may be present there at any one time. This should be remedied by the provision of additional/alternative exits/routes, from the following areas:
- If the spiral stair is to form part of the escape route from the second floor, it should be designed in accordance with guidance given in BS 5395-2.
 - Escape stairs should have an absolute minimum width of 1000mm which is in accordance with paragraph 17.4.1 of BS 9999 2017.

APPENDIX E

Cardiff Licensing Enforcement Representation

From: Evans, Kirsty
Sent: 03 November 2021 21:27
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Tonight Josephine - Licensing Enforcement Representation

Hello,

Re: Tonight Josephine, 46 Caroline Street, Cardiff CF10 1FF – New Premises Licence Application

I am writing to submit a representation on behalf of the Enforcement Section of the Licensing Authority in respect of the above application for Tonight Josephine.

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

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

The premises itself is located in an area that is subject to the Council's Cumulative Impact Policy (CIP) and the applicant's proposals would mean that the premises would fall within the 'red' category in Table 1 of the Cumulative Impact Policy (CIP). The CIP has been adopted due to high levels of alcohol related crime and disorder in the interests of public safety and the avoidance of nuisance. The policy creates a rebuttable presumption that the application will be refused or subject to certain limitations, unless the applicant can successfully demonstrate the proposals will not add to the negative cumulative impact on one or more of the licensing objectives.

Having read the application, I am disappointed to note that the applicant has not put forward any conditions in which they would promote the Licensing objectives, but do note however that they are willing to agree to certain conditions. As it stands I am of the opinion that the application is not "exceptional" which is expected of an application falling within the CIP.

Caroline Street is a busy street, particularly during the early hours of the morning with high incidents of anti-social behaviour, I do not believe that the applicant's proposals go far enough in demonstrating that this new business type will not add to the negative cumulative impact already experienced in this area.

I am happy to continue discussions with the applicant in the hope that the application can be improved.

Kind regards,

Kirsty



Kirsty Evans | Licensing Policy Officer

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

[Follow us on Twitter / Dilynwch ni ar Twitter](#)

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ trwyddedu@caerdydd.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

APPENDIX F

Local Ward Councillor Representation

Barker, Kirstie

From: Mackie, Norma (Cllr)
Sent: 24 October 2021 13:03
To: Barker, Kirstie
Cc: Merry, Sarah (Cllr); Weaver, Christopher (Cllr); Ahmed, Ali (Cllr)
Subject: RE: Licensing Act 2003: Application for the grant of a Premises Licence - Tonight Josephine, 46 Caroline Street, Cardiff, CF10 1FF

Dear Kirstie,

I write on behalf of the Cathays ward Councillors to object to this application.

We believe this application will not comply with the Cumulative Impact Policy (CIP) for that area brought in to promote the Licensing Objectives, where there is a presumption that licenses will be refused unless there is an exceptional application.

The impact of a further bar open until 3am will.

The CIP is in place to reduce Crime and Disorder and Public Nuisance and to promote Public Safety. This application will do none of those things and would very likely increase Crime and Disorder and Public Nuisance and reduce Public Safety, as it would bring more late night drinking to Caroline Street.

We already have more than enough bars in the City Centre that our police have to manage on a daily basis and we should not be creating more.

We would ask the committee to refuse this application.

Regards

Norma

Cllr Norma Mackie

Cynghorydd dros Cathays / Councillor for Cathays

Cadeirydd Trwyddedu a Diogelu'r Cyhoedd / Chair of Licensing and Public Protection