

LICENSING SUB-COMMITTEE: 14 January 2022

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 068387

Name of Premises: Next Retail Limited, 82-88 Queen Street, Cardiff, CF10 2GR

Ward: Cathays

1. Application

- 1.1 An application for the Grant of a Premises Licence has been received from Next Retail Limited in respect of Next Retail Limited, 82-88 Queen Street, Cardiff, CF10 2GR.
- 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):

“Retail store selling clothes, footwear, furniture and accessories. The Licence is to enable Next Retail Limited to sell alcoholic gifts at this store”.
 - (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 Friday: 09:00 to 20:00
Saturday: 06:00 to 19:30
Sunday: 11:00 to 17:00

On days when the NEXT sale is planned to start the store opening hours will commence at 06:00 hours.

During the month of December, the store opening hours will be extended until 00:00 hours.
 - (4) To provide licensable activities during the following hours:
 - (i) The sale by retail of alcohol for consumption off the premises:

Monday to Friday: 09:00 to 20:00
Saturday: 06:00 to 19:30
Sunday: 11:00 to 17:00

On days when the NEXT sale is planned to start, licensable activity will commence at 06:00 hours.

During the month of December, permitted hours for licensable activity will be extended until 00:00 hours.

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. A copy of the representation can be found attached as **Appendix C**.

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.

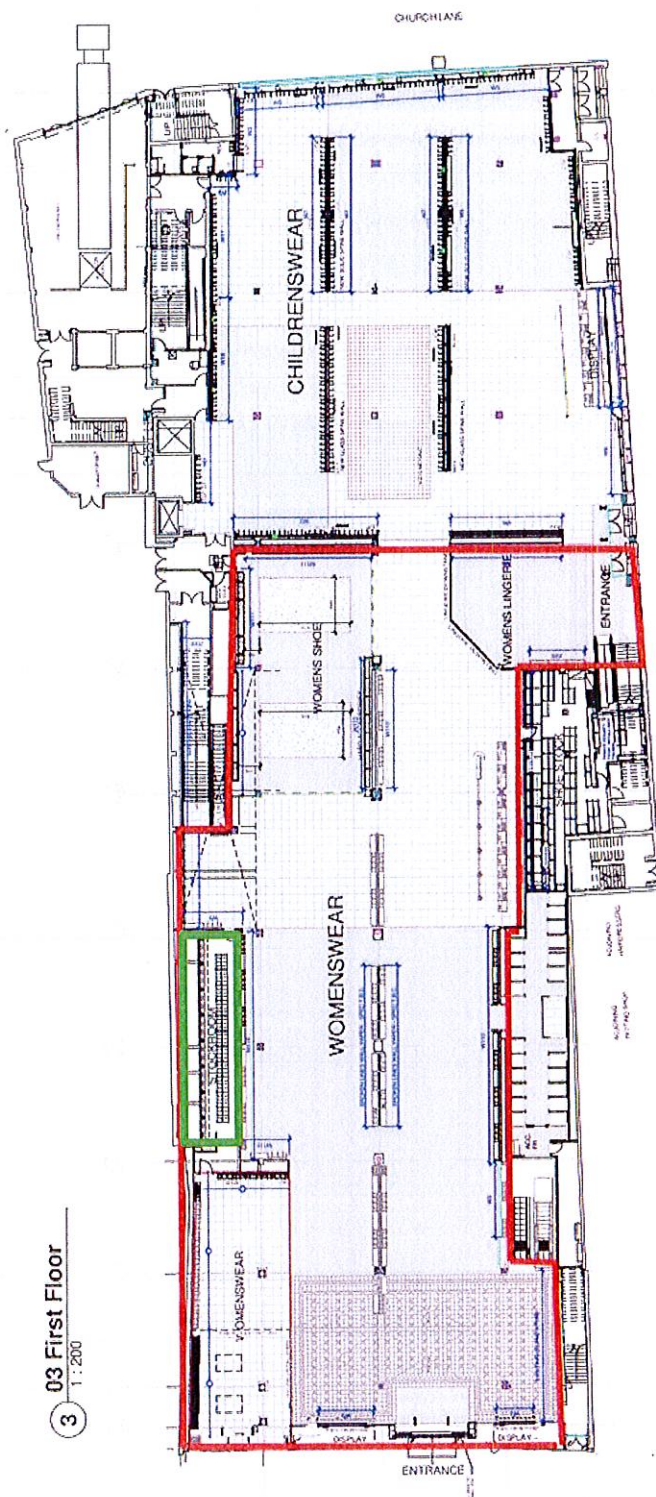
5. Issues for Discussion

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

03 First Floor
3 1:200



APPENDIX B

Operating Schedule

Continued from previous page...

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

This Company operates a retail business from the aforementioned premises, providing a range of goods and services, including the sale of alcohol (in the form of alcoholic gifts) for consumption off the premises.
Sales of the alcoholic gifts are primarily concentrated during seasonal events such as Christmas & Mothers/Fathers Day but will also occur at other times throughout the year as appropriate.
We operate a robust and well established training policy for all our staff, which includes information in relation to age related sales stock.
Alcohol will never amount to more than 1% of the entire store's stock.
This information is provided to support the Application made by the Company and to demonstrate the Company's commitment to supporting the licensing objectives.

b) The prevention of crime and disorder

This Company has adopted the following steps to ensure the prevention of crime and disorder and these measures are in place prior to this application being submitted.
Staff training emphasises vigilance in monitoring customer activity to minimise general theft and public disorder.
The store operates a CCTV system which is used to monitor general activity within the store. Store security is the responsibility of the Manager or delegated to a designated member of staff in the Manager's absence. All recordings are retained and kept for a minimum of 28 days and are accessible to a Police Officer upon request.
Notices are displayed at the point of sale advising customers of the Company's Policy in relation to age-related sales.
Stocks of alcohol are stored in a section of the locked storeroom as shown on the plan submitted in support of this application.

c) Public safety

All stores have fire and smoke detection equipment.
General staff training includes steps to ensure the safety of customers in and around the premises including evacuation in the event of a fire.
Store design aims to ensure safe ingress and egress of customers.

d) The prevention of public nuisance

All staff are required to be diligent in monitoring activities in and around the premises and are instructed to report incidents to the designated member of staff responsible for security or the Store Manager.
All staff are trained in respect of the requirement to refuse the sale of alcohol to an intoxicated customer.

e) The protection of children from harm

The Company has a Policy in relation to underage sales in respect of alcohol and other age-restricted goods. In relation to alcohol, this requires staff to challenge any person attempting to purchase alcohol who appears to be under the age of 25 and request proof of age where necessary.
Employees are briefed on current recognised proof of age schemes and other forms of identification deemed to be acceptable as proof of age.
The Company's till system utilises an "electronic flag" on all age restricted products which triggers a prompt on the till reminding the operator to check the age of the purchaser when such products are scanned.

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: 22 December 2021 10:37
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Premises Licence Application NEXT Queen Street
Attachments: License Application NEXT.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, 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,

Please find attached the Premise Licence Application for Next Queen Street.

Kind regards
Mike



4813 Michael Stone - 4813 Michael Stone

Adran Diogelwch Cymunedol | Community Safety Department

Urhs Caerdydd a'r Fro / Cardiff & Vale BCU

South Wales Police - Heddlu De Cymru



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

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

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

21st December 2021

Next Retail Limited
82-88 Queen Street,
Cardiff,
CF10 2GR.

RE: Application for the grant of a premise licence, "Next Retail Limited, 82-88 Queen Street, Cardiff. CF10 2GR"

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

The applicant has applied for a premises licence to allow the sale of alcohol for consumption away from the premises, from a currently unlicensed store on Queen Street, Cardiff.

This Company operates a retail business from the aforementioned premises, providing a range of goods and services, including the sale of alcohol (in the form of alcoholic gifts) for consumption off the premises.

Sales of the alcoholic gifts are primarily concentrated during seasonal events such as Christmas & Mothers / Fathers Day but will also occur at other times throughout the year as appropriate.

The Company operate a robust and well established training policy for all staff, which includes information in relation to age related sales stock.

Alcohol will never amount to more than 1% of the entire store's stock.

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 applicant has provided a number of measures to promote the licensing objectives which are both appropriate and proportionate.

The applicant has confirmed through consultation that the selling of alcohol will be during the stores trading hours.

The applicant therefore applies to conduct the following licensable activity:

Supply of alcohol;

Monday to Friday 09:00 – 20:00.

Saturday 06:00 – 19:30.

Sunday 11:00 – 17:00

On days when the NEXT sale is planned to start the store opening/licensable hours will commence at 06:00. In addition, during the month of December, the store opening/licensable hours will be extended until 00:00.

Opening Hours;

Monday to Friday 09:00 – 20:00.

Saturday 09:00 – 19:30. (Next sale store opens at 06:00)

Sunday 10:30 – 17:00.

Hours agreed for the sale of alcohol:

Monday to Friday 09:00 – 20:00.

Saturday 06:00 – 19:30.

Sunday 11:00 – 17:00

On days when the NEXT sale is planned to start the store opening/licensable hours will commence at 06:00. In addition, during the month of December, the store opening/licensable hours will be extended until 00:00.

Measures offered by the applicant in support of the application:

General

Designated premises supervisor nominated.

Monitoring of CCTV.

Challenge 25.



Regular training of all staff.

Prevention of Crime and Disorder

CCTV in place, images kept for 28 days and available for Police.

Staff training emphasises vigilance in monitoring customer activity to minimise theft / public disorder.

Proof of age policy will be in place.

Stocks of alcohol are stored in a locked storeroom.

Public Safety

All stores have fire and smoke detection equipment.

General staff training includes steps to ensure the safety of customers in and around the premises including evacuation in the event of a fire.

Store design aims to ensure safe ingress and egress of customers.

The Prevention of Public Nuisance

All staff are required to be diligent in monitoring activities in and around the premises and are instructed to report incidents to the designated member of staff responsible for security or the store manager.

All staff are trained in respect of the requirement to refuse the sale of alcohol to an intoxicated customer.

The Protection of Children from Harm

The Company has a Policy in relation to underage sales in respect of alcohol and other age-restricted goods. In relation to alcohol, this requires staff to challenge any person attempting to purchase alcohol who appears to be under the age of 25 and request proof of age where necessary.

Employees are briefed on current recognised proof of age schemes and other forms of identification deemed to be acceptable as proof of age.

The Company's till system utilises an "electronic flag" on all age restricted products which triggers a prompt on the till reminding the operator to check the age of the purchaser when such products are scanned.

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The applicant has offered a number of points that would seek to promote the licensing objectives. However, it is felt that more is required to comprehensively promote the four licensing objectives. As such, I have compared the applicants offering against neighbouring premises and comprised a list of conditions that fit with the operating schedule and nature of the business.

Therefore the Police seek to include the conditions below that are appropriate and proportionate to the application. Such conditions have been used on like premises in Cardiff and the Vale and have prevented incidents of crime and disorder from occurring.

POLICE REPRESENTATION

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

Prevention of Crime and Disorder,

Prevention of Public Nuisance,

The premises falls within the Cumulative Impact Zone as per Cardiff Councils Statement of Licensing Policy.

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

I recommend that South Wales Police make an objection to this application for a premises licence, However, should the committee be of mind to grant this application, we ask that the permitted activities and conditions are attached to the premises licence as listed below;

1. A CCTV system to be installed to an agreed standard as approved by South Wales Police and maintained at all times when the premises are open. The system will cover all licensable areas of the premises, also including all entrances and exits. The images will be kept for a minimum period of 31 days. The images will be produced to a Police employee in a readily playable format immediately upon request when the premise is open and at all other times, as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

2. An incident record will be kept at the premises. Any incident of crime or disorder witnessed by staff or any incident reported by customers is to be noted in the log. The following information shall be recorded in relation to each incident:

- Date and time of the incident
- Name of person making the report
- Names of the parties involved (if known) or description of the parties (in as much detail as possible)

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.

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- Nature of the incident
- Any action taken thereafter
- Refusals of sale

Staff will be trained in relation to their responsibility to complete an incident report. Access to incident reports shall be made available to South Wales Police on request.

3. The premises will operate a 'Challenge 25' policy. This policy will be brought to customers' attention by staff and through the display of appropriate signage. The only forms of identification recognised will be photographic identification cards, such as a driving licence, passport, or proof of age scheme card with PASS logo.

4. Anyone being utilised for the sale of alcohol will receive relevant training in relation to alcohol sales and the promotion of the licensing objectives. This training will be refreshed annually with a record held on the premise. The training record shall be retained for a period of 18 months and will be made available for inspection upon request by a South Wales Police officer or other authorised person.

5. No beer, lager or cider will be sold on the premises with an ABV of over 6%

6. When the store is open and the sale of alcohol is taking place a minimum of one security guard will be in place for the duration of the stores trading hours.

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

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

Yours faithfully,



M.CONQUER

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.

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