

LICENSING SUB-COMMITTEE: 28 January 2022

Report of the Head of Regulatory Services

Application to vary a Premises Licence

Application No: 068773

Name of Premises: Three Elms, Merthyr Road, Whitchurch, Cardiff, CF14 1JE

Ward: Whitchurch & Tongwynlais

1. Application

1.1 An application to vary a Premises Licence has been received from Greene King Brewing & Retailing Limited in respect of Three Elms, Merthyr Road, Whitchurch, Cardiff, CF14 1JE.

1.2 The current licensable activity and hours permitted are as follows:

- (i) Opening hours:
Monday to Saturday: 07:30 to 23:20
Sunday: 07:30 to 22:50
Good Friday: 07:30 to 22:50
Christmas Day: 07:30 to 15:20 and 19:00 to 22:50
New Year's Eve: until the start of permitted hours on New Year's Day.
- (ii) The sale by retail of alcohol for consumption on and off the premises:
Monday to Saturday: 09:00 to 23:00
Sunday: 12:00 to 22:30
Good Friday: 12:00 to 22:30
Christmas Day: 12:00 to 15:00 and 19:00 to 22:30
New Year's Eve: until the start of permitted hours on New Year's Day.
- (iii) The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors) and entertainment of a similar description (indoors):
Monday to Saturday: 09:00 to 23:00
Sunday: 09:00 to 22:30
- (iv) The provision of late night refreshment (indoors and outdoors):
Monday to Saturday: 23:00 to 23:30

1.3 The application requests the following:

To vary the licensing plans to include the following:

- General refurbishment works to the existing trade area including alterations to fixed seating (remove/relocate/replace).
- Minor alterations to back-bar fitting, including new tiling and shelving. Front bar to remain as existing with new over clad front.
- New safety flooring throughout.
- External works to include a covered dining area

- 1.3 A site map showing the premises and a copy of the proposed plan 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** along with a copy of the existing conditions referred to.

3. Relevant Representations

- 3.1 A number of representations have been received from other persons (local residents). Copies of the representations can be found attached as **Appendix C**.
- 3.2 A representation has been received from a local Ward Councillor. A copy of the representation can be found 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



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

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Ordnance Survey 100023376 (2014).

APPENDIX B

Operating Schedule

Continued from previous page...

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.

As per existing premises licence

b) The prevention of crime and disorder

As per existing premises licence

c) Public safety

As per existing premises licence

d) The prevention of public nuisance

As per existing premises licence

e) The protection of children from harm

As per existing premises licence

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

ANNEXES: CONDITIONS**Annex 1 - Mandatory Conditions****Mandatory conditions where licence authorises supply of alcohol**

- (1) No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Mandatory conditions where licence authorises supply of alcohol for consumption on the premises

1.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the



ANNEXES: CONDITIONS continued ...

permitted price.

5. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

<http://www.legislation.gov.uk/ukdsi/2014/9780111109120/images/ukdsi_9780111109120_en_001>
where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

6. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

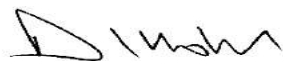
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions Consistent with the Operating Schedule

1. Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas Day between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. A period of 30 minutes is allowed at the end of each such period of permitted hours for the consumption of alcohol on the premises by persons taking meals provided the alcohol was supplied ancillary to a meal.

For other purposes or in other parts of the premises the hours set out above shall continue to apply.

2. The external areas attached to the premises should not be used after 22:30 hours each day.



Dave Holland
Shared Regulatory Services

4 December, 2020



APPENDIX C

Other persons (local residents) representations

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 24 December 2021 12:29
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc:
Subject: Application: Three Elms, Merthyr Road, Whitchurch, CF14 1JE. Proposed variation by Greene King
Attachments: Manager message.jpg

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.

We wish to object to this variation application, in particular to the external covered dining area, for reasons relating to noise pollution, light pollution, and highways.

- Noise pollution – we are concerned by any outdoor facility at these premises. We feel this establishment abdicates all responsibility for any noise it generates outside – recent examples are the Munich Beer Festival weekend it held in the marquees which this application will replace, and a scene of many dozens of young people fighting, screaming and crying in the main Merthyr Road at 1am on a Sunday morning. Several complaints were made by locals over that beer festival weekend. A senior member of staff told me to ‘give them a weekend off’ and ‘phone the council on Monday’. A more recent event – again in an outside marquee - attracted a number of calls to your 101 service, if you wish to investigate further. The manager himself admitted noise from recent events had been ‘excessive’. See attached. There are often people congregating in the car park until very late, shouting. Most nights we endure beeping of horns well after shut-tap. As we say, none of this is policed by the premises, and we live in a residential area. We fear the permanent outdoor area proposed in this variation will make the situation even worse.
- Highways – we believe these premises do not have enough parking spaces for the number of people who eat there, and in recent years, spaces have actually been reduced through Covid-outdoor marquees and the selling of Christmas trees. These have taken a considerable amount of space in the back car park, and these proposed plans appear to continue to take up a large area of the rear car park, as well as additional footfall to the premises. Where are they all going to park? Parking relating to these premises have been an issue for some time and we feel it is getting worse, and will worsen further if this variation is agreed. As we have told ward members before, people living on Whitchurch Common have been increasingly squeezed by Cardiff council measures elsewhere in the community – measures to restrict Heath Hospital parking have moved people towards our homes; many shoppers now park outside our houses because of the car parking charges introduced in the village; and the restrictions of parents taking their children to Melin Gruffydd have created a rat-run on nearby Mervyn Road. This situation is exacerbated especially at the weekends by the Elms, which we believe has too big a footfall for the parking spaces provided for its diners, resulting in their customers parking in the local community, making access to own homes difficult. Images below show the extent of illegal parking in the local community on occasions.
- Light pollution – there is already a significant issue with light pollution from these premises intruding into nearby homes. We fear that an additional, external area will make this situation even worse.

We ask that these matters are taken into consideration by the local authority as we fear the impact this application will have on our local community.

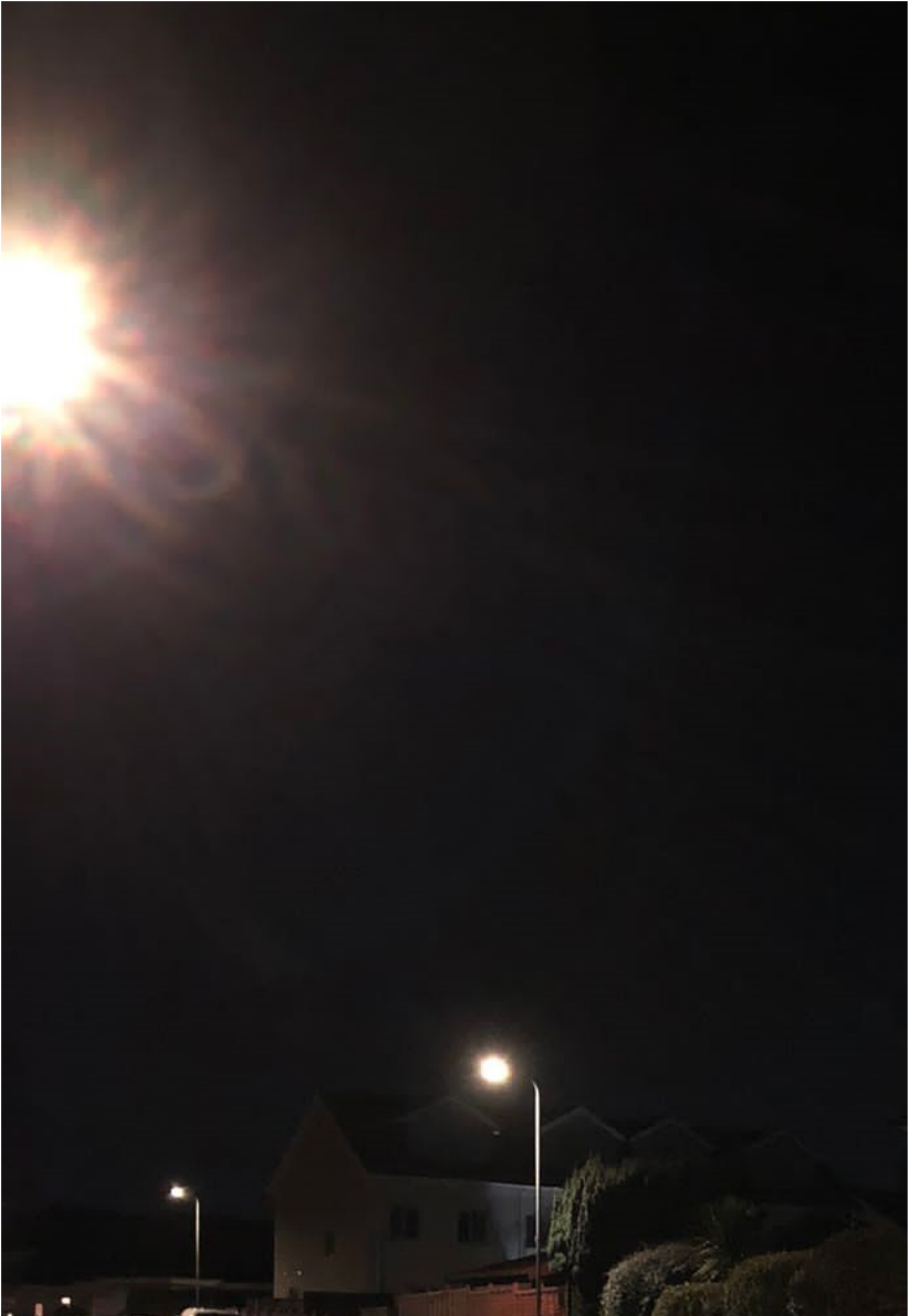
Many thanks.











Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 04 January 2022 18:06
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Cc: Phillips, Michael (Cllr)
Subject: Representation re License Variation Application Three Elms
Attachments: 3 Elms license variation application 2021.pdf

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.

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

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

Dear Sir/Madam,

Please see the attached letter for our representation regarding the Application for License Variation by the Three Elms, Merthyr Road. Please note that we are also sending this to our Council Representative, Michael J Phillips.

We have also copied the text of the letter below, in case of any problems with the attachment.

Contents of the attached letter:

To Licensing Section:

We have serious concerns about the plans for the creation of a permanent outdoor seating area at the Three Elms and we urge you to reject the application.

We also urge you to restrict the license for outdoor service back to the original small side veranda, disallowing the expansion which took place during pandemic conditions when meeting indoors was not possible.

Our concerns arise because

- The great increase in outdoor service during pandemic times has resulted in the loss of parking spaces and increased public nuisance and disorder;
- The proposed plan would make a very large area for licensed outdoor dining and drinking a permanent feature of our residential neighbourhood;

- The proposed plan would nearly double the overall seating capacity of the pub, adding 110 seats under cover outside to the 130 seats inside;
- The plan would make the loss of parking spaces, now covered during pandemic times by outdoor marquees, permanent at the same time as it increased seating.

As described below, our concerns relate to all four of the licensing objectives (Prevention of Crime and Disorder; Public Safety; Prevention of Public Nuisance; Protecting Children from Harm).

Outdoor Seating and Noise

Originally, there was no outdoor seating at the Three Elms. Shortly after indoor smoking was banned in 2007, the pub created a small outdoor seating veranda on the building's right hand side, where patrons could have a smoke. Although the area was small and the service available there was limited at that time, the outdoor seating had an immediate and poor effect on our quiet enjoyment of our homes and gardens, primarily due to increased and persistent noise. There were loud conversations, arguments, music flowing out from the open double doors of the building, expostulations with passers by, celebrations, etc.

During the covid lockdowns in 2020 and 2021, when the pub could not offer indoor service, it erected outdoor marquees in the car park and served patrons there. As we feared, the noise problems increased significantly with all the patrons now being outdoors. There were also more instances of visible misbehaviour. There was more overspill parking on our streets because many of the parking spaces at the pub were now covered with seating. On at least one occasion (Oktoberfest, 2021) there was outdoor live music, even though the current license does not allow outdoor music.

Over a period of years, we and our neighbours have reported noise issues both through 101 and with the Shared Regulatory Service (03001236696). The noise problem is serious and persistent – it has been impossible to listen to music, watch television or sleep in the rooms at the front of our houses and it has been difficult to relax and enjoy summer evenings in our gardens.

Please note that the outdoor noise problem exacerbates an already existing noise problem from very loud music inside the pub and from noisy out of control patrons in the parking area and on the pavement. The Three Elms does not have a good track record of managing or preventing the problem. Its limited willingness or ability to act as good neighbours over a period of years is a factor to take into account when considering this application.

Parking and Traffic

Plas Treoda suffers from an influx of people using our street as a park and ride area when they come to catch the bus into town or to join coach trips leaving from in front of the Three Elms. We also have shoppers from the village and, of course, we already absorb overflow parking from the Three Elms. Parents park nearby to pick up their children after school for Melin Griffith School.

In 2019, we even started to see incidents of people parking on the actual Common. Through the efforts of our Whitchurch and Tongwynlais Pact, a series of “no parking” signs along the edge of the Common were erected by the Parks Department and they have reduced this problem, although not completely eliminated it.

Because there are always cars parked along one side of our street, it essentially functions as a one lane road, where cars going in opposite directions need to pause by an open space to let the other car pass. Traffic is heavy, however, as Plas Treoda is used as a convenient short cut between Merthyr Road and Manor Way. The cars come down Cae Gwyn Road and around the curve at the church very quickly, without really knowing what is beyond the curve. Often what is beyond the curve is a group of school children on their regular route going to and from Whitchurch High School or going to and from the bus stops.

Thus we have a poor combination of heavy and fast two way traffic down a narrow (basically one lane) residential street, in a residential area with a lot of foot traffic across the Common.

Add to this a complex intersection where Plas Treoda, Mervyn Road and Methyr Road come together. It isn't unusual to find a mini grid lock, with someone turning from Merthyr Road into Mervyn Road stuck waiting for someone in Mervyn Road to complete a turn into Plas Treoda who in turn is stuck waiting for someone in Plas Treoda to turn onto Merthyr Road.

The combination of traffic and restricted parking has led to many cases of parked cars being sideswiped by passing traffic. Personally, we have lost two wing mirrors this way in the past several years and had three serious scratches on the side of our car. Just last week, a car parked on our street for several days by a traveller joining one of the coach trips was so seriously damaged by a passing vehicle that it had to be towed away. None of the drivers responsible for these accidents stopped to report them.

Nearly doubling the number of patrons in the pub while seriously reducing the number of parking spaces will exacerbate the demand for parking, the traffic flow problems and the risk of accident to vehicles and pedestrians.

Anti Social Behaviour

There has been a history of anti social behaviour from some of the pub's patrons. There have been instances of physical fighting or threats, of damage to the electrical junction box and to the bollards at the street crossing, of public urination, of loud arguments and of knocking over garbage bins, of broken pint glasses in the bus stop.

Significantly increasing the number of patrons is almost sure to increase the occurrence of bad behaviour and moving this behaviour from indoors to outdoors will make it even more intrusive on the neighbourhood while also making it more difficult for the manager to see or control it.

Please do not approve this application.

Thank you for your attention.

31 December, 2021

Re: Application for Variation of a Premises License
Three Elms, Merthyr Road, CF14 1JE

To Licensing Section:

We have serious concerns about the plans for the creation of a permanent outdoor seating area at the Three Elms and we urge you to reject the application.

We also urge you to restrict the license for outdoor service back to the original small side veranda, disallowing the expansion which took place during pandemic conditions when meeting indoors was not possible.

Our concerns arise because

- The great increase in outdoor service during pandemic times has resulted in the loss of parking spaces and increased public nuisance and disorder;
- The proposed plan would make a very large area for licensed outdoor dining and drinking a permanent feature of our residential neighbourhood;
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During the covid lockdowns in 2020 and 2021, when the pub could not offer indoor service, it erected outdoor marquees in the car park and served patrons there. As we feared, the noise problems increased significantly with all the patrons now being outdoors. There were also more instances of visible misbehaviour. There was more overspill parking on our streets because many of the parking spaces at the pub were now covered with seating. On at least one occasion (Oktoberfest, 2021) there was outdoor live music, even though the current license does not allow outdoor music.

Over a period of years, we and our neighbours have reported noise issues both through 101 and with the Shared Regulatory Service (03001236696). The noise problem is serious and persistent – it has been impossible to listen to music, watch television or sleep in the rooms at the front of our houses and it has been difficult to relax and enjoy summer evenings in our gardens.

Please note that the outdoor noise problem exacerbates an already existing noise problem from very loud music inside the pub and from noisy out of control patrons in the parking area and on the pavement. The Three Elms does not have a good track record of managing or preventing the problem. Its limited willingness or ability to act as good neighbours over a period of years is a factor to take into account when considering this application.

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Thus we have a poor combination of heavy and fast two way traffic down a narrow (basically one lane) residential street, in a residential area with a lot of foot traffic across the Common.

Add to this a complex intersection where Plas Treoda, Mervyn Road and Methyr Road come together. It isn't unusual to find a mini grid lock, with someone turning from Merthyr Road into Mervyn Road stuck waiting for someone in Mervyn Road to complete a turn into Plas Treoda who in turn is stuck waiting for someone in Plas Treoda to turn onto Merthyr Road.

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three serious scratches on the side of our car. Just last week, a car parked on our street for several days by a traveller joining one of the coach trips was so seriously damaged by a passing vehicle that it had to be towed away. None of the drivers responsible for these accidents stopped to report them.

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There has been a history of anti social behaviour from some of the pub's patrons. There have been instances of physical fighting or threats, of damage to the electrical junction box and to the bollards at the street crossing, of public urination, of loud arguments and of knocking over garbage bins, of broken pint glasses in the bus stop.

Significantly increasing the number of patrons is almost sure to increase the occurrence of bad behaviour and moving this behaviour from indoors to outdoors will make it even more intrusive on the neighbourhood while also making it more difficult for the manager to see or control it.

Please do not approve this application.

Thank you for your attention.

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 05 January 2022 21:58
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)
Subject: Re: Application for variation of license at Three Elms Merthyr Road

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.

On 5 Jan 2022, at 21:50,

> wrote:

Re Application for Variation of a Premises License Three Elms Merthyr Road CF14 1JE

We wish to object to this Application, in particular the proposed covered outside seating area for the following reasons:

- Traffic and Parking Issues

if this proposal to build outside covered seating on a substantial section of car parking area at the Premises is agreed there would be an inevitable increase in an area that already has high levels of traffic and frequent

serious congestion on Merthyr Road, Plas Treoda and surrounding streets.

We already have people who use Plas Treoda as a Park and Ride facility, village shoppers and customers of the Three Elms, the latter being unable to park at the Three Elms because of reduced capacity of parking spaces.

Weekends or particular events at the Premises worsen the parking situation in Plas Treoda and surrounding streets, often resulting in residents not being able to access their homes easily because of inconsiderate parking.

We have also experienced significance levels of noise and disturbance when patrons return to pick up their vehicles at closing time including, shouting, arguing and slamming doors.

-Noise Issues

We are already concerned and disturbed by noise from outside the Premises at closing times, there have been loud arguments, threatening behaviour towards each other, fighting, screaming, crying, all of which can be clearly

heard and observed by residents of Plas Treoda.

Likewise loud music, this can be heard when it is playing inside the Premises, it is extremely loud when it is playing outside the Premises. A recent example was the Oktoberfest event which was held in the marquees and inside

the Premises. At one point the continuous very loud music became intolerable, I went over to the Premises to ask if the noise level could be reduced. I spoke to the manager who said that they had a license to play music

outside the building and they would not be reducing the volume, however he assured me that it would stop at 10pm. I left the Premises, only to be pursued on to the pavement by the landlady who started shouting and shrieking

at me because I had complained about the noise. She referred to residents of Plas Treoda as 'you lot' are always complaining about something.

She continued that there was nothing that we could do as this was 'not a residential area' and 'they could do what they liked'. I was shocked and disturbed by her behaviour , and her attitude towards residents of Plas Treoda. Obviously

I said that this is a residential area , but as she continued shouting and screeching and saying it is not a residential area I simply walked away from her. This does not auger well for future community relations. This matter was reported to Licensing who advised that they could pursue this, but I declined.

We would be very concerned about the impact on the local community if the proposal for the covered outside seating area was approved, and we ask that you consider our concerns and comments.

Thankyou,

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From:
Sent: 03 January 2022 17:23
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Phillips, Michael (Cllr); Jones-Pritchard, Michael (Cllr); Morgan, Linda (Cllr); Rees, Mia (Cllr)
Subject: Greene King Brewing & Detailing Limited, Three Elms, Merthyr Road, Whitchurch, Cardiff, CF141JE

Dear Sir/Madam,

I am writing to you about the licensing variation application as above.

We live the Three Elms, . Before moving here in 1997, we lived near the Philog and the Three Elms was our local. We have not frequented this pub since moving as it has not always been managed in a neighbourly manner with excessive noise, misuse of the smoking shelter and other areas for outdoor drinking, disruptive behaviour, fighting and urinating in the street by customers as they leave. This happened most recently over the Christmas period with three people shouting, fighting and throwing the bins around which were out for collection, with the police called to deal with the matter. Over the years, issues with the Three Elms have resulted in a number of complaints and petitions from local residents and has involved police, Councillors, AMs and MPs.

We were disappointed to learn about this application and were especially disappointed that we were not made aware of the associated planning application.

This application claims to result in a loss of 4 parking places which is evidently incorrect. Due to Covid we believe that temporary facilities were allowed in the rear car park and the four noted parking spaces are in addition to those temporarily lost previously. Residents of Plas Treoda already often have problems with people parking in our street, with some houses having no off-street parking either. Some people park and cross the road to get to the pub and the loss of parking will exacerbate this issue. Others park to catch the bus into the city centre, to walk into Whitchurch Village, or to catch a coach trip away for a few days, with coaches leaving from outside the pub. The pressure on local parking is sometimes acute and adding to the issue with this application will make it worse with the only option for Plas Treoda residents being an application for Residents Only parking though this is unlikely to be approved and would also likely be poorly policed. The easiest way of reducing pressure on local parking would be to decline consent for the Three Elms to use their car park for anything other than parking.

A second issue is noise caused by people arriving and leaving the pub and from music played, sometimes at excessive volume late into the night. This application will likely make noise issues worse and result in more complaints from local residents.

We formally request that this application is declined.

Regards

APPENDIX D

Ward Councillor Representation

Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu)

From: Morgan, Linda (Cllr)
Sent: 04 January 2022 10:50
To: ; Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu); Phillips, Michael (Cllr); Jones-Pritchard, Michael (Cllr); Rees, Mia (Cllr)
Subject: Re: Greene King Brewing & Detailing Limited, Three Elms, Merthyr Road, Whitchurch, Cardiff, CF141JE

Good morning. I fully agree with the above sentiments. I have received a fair number of complaints over the Christmas period. I am also concerned about the hygiene status which I will ask SRS to investigate.
Linda

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From:
Sent: Monday, January 3, 2022 5:23:29 PM
To: Licensing (Licensing Regulatory) / Trwyddedu (Rheoleiddio Trwyddedu) <licensing@cardiff.gov.uk>; Phillips, Michael (Cllr) <Michael.J.Phillips@cardiff.gov.uk>; Jones-Pritchard, Michael (Cllr) <Michael.JonesPritchard@cardiff.gov.uk>; Morgan, Linda (Cllr) <Linda.Morgan@cardiff.gov.uk>; Rees, Mia (Cllr) <Mia.Rees@cardiff.gov.uk>
Subject: Greene King Brewing & Detailing Limited, Three Elms, Merthyr Road, Whitchurch, Cardiff, CF141JE

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Regards