

Meeting of:	Licensing Sub-Committee
Date of Meeting:	Monday, 31 October 2022
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Grant of a Premises Licence
Purpose of Report:	To consider an application under the Licensing Act 2003 for a Premises Licence.
Report Owner:	Licensing Authority
Responsible Officer:	The Licensing Authority
Elected Member and Officer Consultation:	Statutory Consultation
Policy Framework:	This is a matter for decision by the Licensing Act 2003 Sub Committee
Executive Summary:	
<ul style="list-style-type: none"> To consider an application under the Licensing Act 2003 ("the Act") for the grant of a Premises Licence at Willmore's 1938, The former Golf Kiosk, Cliff Parade, Penarth, CF64 5BP, submitted by Charlotte Court of Will-Cater Ltd. 	

Recommendation

- 1.** The Sub-Committee is required to determine the application having regard to the Council's Statement of Licensing Policy, the Guidance issued by the Home Office, the application and any representations submitted.

If minded to grant the application, the Sub-Committee is requested to confirm whether any additional conditions are to be imposed or only those which are consistent with and set out in the operating schedule. Section 10 of the Home Office Guidance relates to conditions attached to Premises Licences. Mandatory conditions apply to the licence in respect of a Designated Premises Supervisor, age verification policy and authorisation by personal licence.

Reason for Recommendation

- 1.** To advise the Members of the relevant options available to them under the Licensing Act 2003 in determining the matter.

1. Background

- 1.1** When discharging its functions the licensing authority must promote the following licensing objectives set out in the Licensing Act 2003:

The prevention of crime and disorder
Public Safety
The prevention of public nuisance
The protection of children from harm

- 1.2** On 5th September 2022 the Licensing Authority received an application for the grant of a Premises Licence for Willmore's 1938, The former Golf Kiosk, Cliff Parade, Penarth, CF64 5BP. A copy of the relevant parts of the application form is attached at Appendix A to this Report which includes a plan of the proposed premises. The application seeks authorisation for the licensable activity of the sale by retail of alcohol on the premises. The permitted hours applied for are 1030 to 2230 each day of the week, for consumption on and off the premises and no application is made for non-standard timings.
- 1.3** Also included in the Application is the request for the permission to provide Recorded Music. However, under The Deregulation Act 2015 between the hours of 1030 and 2300, this activity is not licensable provided that the premises is licensed to sell alcohol.

- 1.4 The application includes an Operating Schedule which sets out the steps the applicant proposes to take to promote the licensing objectives and is set out in Box M of the Application form at Appendix A.
- 1.5 On 3rd October 2022 the Licensing Authority was notified that a number of additional conditions had been proposed by South Wales Police in relation to the application and that the applicant had agreed to the inclusion of these conditions in the Operating Schedule. A copy of the agreed conditions is attached at Appendix B. Members are requested to note that whilst the Police describe the application, the timings for the sale of alcohol were reduced after the application was circulated for consultation.

2. Key Issues for Consideration

- 2.1 The application was advertised in accordance with the regulations. The period for making representations ended on 3rd October 2022.
- 2.2 Under The Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 a Responsible Authority or any other person may make relevant representations at any time during the 28 day consultation period.
- 2.3 During the consultation period 11 representations were received from other persons and the relevant representations within the emails received are summarised within Appendix C.
- 2.4 The authority is only empowered to consider relevant representations as defined in Section 18 (6) of the Licensing Act 2003 that is, "representations which are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives" which are not deemed frivolous or vexatious. Having regard to the statutory guidance issued under Section 182 of the Licensing Act 2003, only those relevant representations which relate to the licensing objectives are included within the summary.
- 2.5 A Premises Licence, once granted, will generally remain in force indefinitely. The circumstances in which it will not do so are when:

It is revoked; or
The applicant requests a licence for a limited time only; or
It is suspended; or
It lapses due to some incapacity on the part of the licence holder; or
It is surrendered.
- 2.6 At the time this report was drafted, the representations had not been withdrawn and therefore a full hearing of this application is necessary.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

3.1 This report relates to a regulatory function of the Council.

4. Climate Change and Nature Implications

4.1 This report relates to a regulatory function of the Council.

5. Resources and Legal Considerations

Financial

5.1 Fees associated with the issue of Licences are set in statute and support the administration and enforcement of the Licensing Act 2003 functions.

Employment

5.2 None.

Legal (Including Equalities)

5.3 Section 18 of the Licensing Act 2003 provides as follows;

18 Determination of application for premises licence

(1) This section applies where the relevant licensing authority—

(a) receives an application for a premises licence made in accordance with section 17, and

(b) is satisfied that the applicant has complied with any requirement imposed on him under subsection (5) of that section.

(2) Subject to subsection (3), the authority must grant the licence in accordance with the application subject only to—

(a) such conditions as are consistent with the operating schedule accompanying the application, and

(b) any conditions which must under section 19, 20 or 21 be included in the licence.

(3) Where relevant representations are made, the authority must—

(a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

(b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

(4) The steps are—

(a) to grant the licence subject to—

(i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
(ii) any condition which must under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

- 5.4** The Licensing Act 2003 Sub-Committee must have regard to the Vale of Glamorgan Council's Statement of Licensing Policy, and pay particular attention to Sections 3, 7, 8, 12 and 20. There are no specific policies relating to the area or for this type of application. Sections 2, 9 and 10 of the Statutory Guidance issued under Section 182 of the Licensing Act 2003 relate to this application.

6. Background Papers

The Licensing Act 2003; The Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003; Regulations to the 2003 Act; Vale of Glamorgan Council's Statement of Licensing Policy.

APPENDIX A

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We CHARLOTTE M COURT
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description			
WILMORE'S 1938 THE FORMER GOLF KIOSK CLIFF PARADE PENARTH			
Post town	PENARTH	Postcode	CF64 5BP

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ TO BE CONFIRMED

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14), in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	09	2022

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS A KIOSK WITH A SHEETER NEXT TO IT WITH THE BAR IN. THERE IS ALSO SITTING TO THE REAR OF THE BUILDING WHICH IS FENCED OFF FROM THE ROOM.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	WILL-CATER LTD TRADING AS WILLMORE'S 1938 .
Address	CHURCHGATE HOUSE 3 CHURCH ROAD WHITCHURCH CARDIFF CF14 2DX .
Registered number (where applicable)	12371525
Description of applicant (for example, partnership, company, unincorporated association etc.)	LTD COMPANY

Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.30	22.30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	10.30	22.30			
Wed	10.30	22.30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10.30	22.30			
Fri	10.30	22.30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10.30	22.30			
Sun	10.30	22.30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - <u>please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10.30	22.30			
Tue	10.30	22.30			
Wed	10.30	22.30			
Thur	10.30	22.30			
Fri	10.30	22.30			
Sat	10.30	22.30			
Sun	10.30	22.30			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	[REDACTED]
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence	[REDACTED]
Issuing licensing authority (if known)	VALE OF GLAMORGAN.

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08 00	23 00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	08 00	23 00	
Wed	08 00	23 00	
Thur	08 00	23 00	
Fri	08 00	23 00	
Sat	08 00	23 00	
Sun	08 00	23 00	

M

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

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

As criminal activity or associated problems may take place despite efforts of the licensee.
In this circumstance we will take any necessary steps to remedy the problems. We will be following Challenge 25. Such issues are for the courts of law.
Also there will be CCTV in place (5 cameras) covering all areas.

c) Public safety

We would be diligent to over seeing over-crowding if ever occurred. For our food hygiene certificate, carry out risk assessments for fire safety and also be aware of first-aid needs and that staff are trained. To able Disabled access.

d) The prevention of public nuisance

To make sure that we are diligent to our license which is not to be noisy and to stick to our hours of opening. To provide recycling bins and have correct collection times. i.e not early or late 11pm. There is a facility for parking and we will invite regular meetings with the community/residents.

e) The protection of children from harm

We will be checking customers for proof of age with either passport, driving licence, CitizenCard. (Challenge 21 scheme). To restrict access when needed. Time restriction. To keep a log of refusal. To restrict entertainment to comply with our premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
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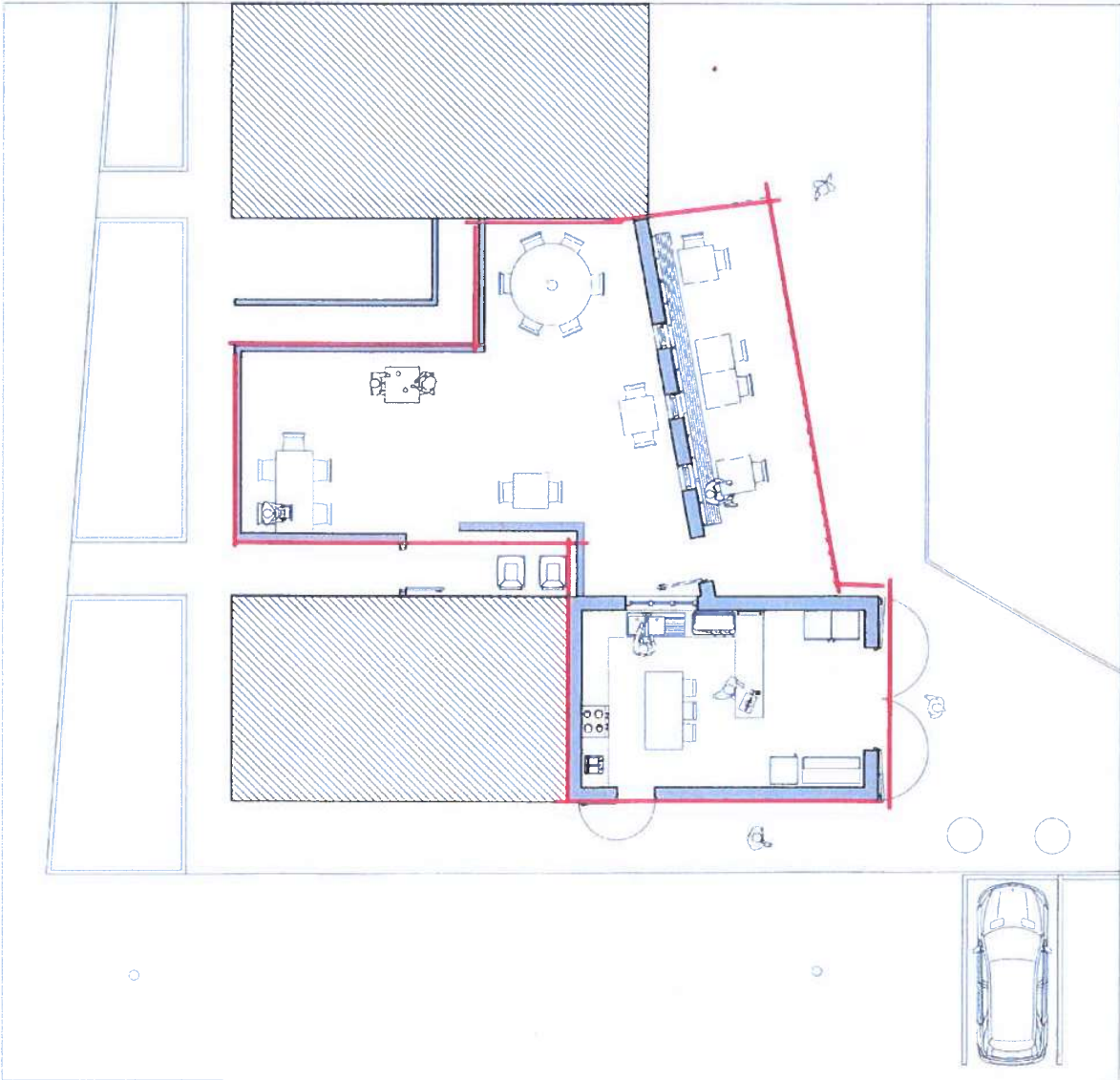
	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	5/9/2022
Capacity	DIRECTOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
WILL-CATER Ltd - trading as WILLMORE'S 1938			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

1



Page Title: Propose Plan

No 1: Plan

Scale: 1:100

Page Size : A3

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

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APPENDIX B

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

30th September 2022

Charlotte Court,


RE: Application for the grant of a premise licence "WILMORE'S 1938", (The Former Golf Kiosk), Cliff Parade, Penarth, CF64 5BP.

I have caused 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 premise licence that will permit alcohol sales for both on and off-premise consumption from a new café on the grounds of the caravan and camping site. The hours requested for alcohol sales are not excessive and are shorter than the operating times of the business.

The applicant has applied for the following licensable activity permissions:

Opening Hours:

Monday to Sunday 08:00 – 23:00.

Recorded Music:

Monday to Sunday 08:00 – 23:00.

Late Night Refreshment: (applied for but not required due to closing time)

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.



Monday to Sunday 08:00 – 23:00.

Sale of Alcohol for ON and OFF premise consumption

Monday to Sunday 11:00 – 23:00.

Measures offered by the applicant in support of the application:

General

(Left Blank)

Prevention of crime and disorder.

As criminal activity or associated problems may take place despite efforts of the licensee.

In this circumstance we will take any necessary steps to remedy the problems.

Such issues are for the courts of law.

Also, there will be CCTV in place (5 camera's) covering all areas.

Public Safety

We would be due diligend to over-seeing over-crowding if ever occurred. For our food hygiene certificate, carry out risk assessments for fire safety and also be aware of first aid needs and that staff are trained. To able disabled access

Prevention of public nuisance

To make sure that we are due diligend to our license which is not to be noisy and to stick to our hours of opening. To provide recycling bins and have correct collection times I.E. not early/late/11pm. There is a facillite for parking and we will invite regular meetings with the communitte/residents.

Protection of children from harm

We will be checking customers for proof of age with either passport, driving licence, citizencard. (Challenge 21 scheme) to restrict access when needed.

Time restriction. To keep a log of refusal. To restrict entertainment to comply with our premises.

We therefore ask that the Licensing Committee hear the representation made by the Police when determining the grant of this application.

Contained within the application are a number of points that would begin to promote the licensing objectives, however, more is required. As such, during the consultation period South Wales Police have been in contact with the applicant. Using their points on the application as a base, fully

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateli gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police



comprehensive conditions that are appropriate and proportionate to the application have been agreed upon. These conditions are set out in the representations below.

As such, South Wales Police do not object to the granting of this licence as the applicant has agreed to abide by the conditions set out below.

1. A CCTV system will be installed to an agreed standard approved by South Wales Police and maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises to which the public have access (excluding toilets) including all public entrances and exits. The images will be available for a minimum of 30 days. The images will be produced to a Police employee, in a readily playable format, immediately 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. 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, HM Forces Card or proof of age scheme card with PASS logo.
3. 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)
 - Nature of the incident
 - Any action taken thereafter
 - Refusals of saleStaff 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.
4. All customer focussed staff 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 12 months and will be made available for inspection upon request by a South Wales Police officer or other authorised person.
5. No open containers of alcohol shall be taken away from the premises, save for alcohol that is to be consumed in any outside area controlled by the premises.

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn aled gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police



If you wish any further information then please contact Police Licensing Officer Scott McCarthy at the Cardiff Bay Police Station ☎ [REDACTED]



Yn eiddo [REDACTED]

[REDACTED]

A/Chief Inspector

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Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
South Wales Police welcomes receiving correspondence in Welsh and English.
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Jeremy Vaughan
Prif Gwnstabl | Chief Constable

Heddlu De Cymru
South Wales Police



APPENDIX C

Willmores

<p>Representation 3 CJ</p>	<p>Prevention of Crime and Disorder.</p> <p>The area is already challenged by drug trading and minor traffic offences, this would be expected to increase should a venue providing both music and alcohol, with off license sales, is allowed.</p> <p>Public Safety.</p> <p>The locality includes a children's playground and a large green space for ball games and picnics. Opening a licensed venue, particularly towards the evening, in this area with low street lightening and poor road marking may adversely affect public safety.</p> <p>Prevention of Public Nuisance</p> <p>The Vale have successfully controlled the excess litter seen during lock-down but an Off License will create additional rubbish.</p> <p>The nuisance of light pollution and its effect on mental health is often underestimated.</p> <p>With music the risk of increased noise pollution would be most significant to the 2 adjacent care homes, Morel Court, and the Waverly.</p> <p>Protection of Children from Harm.</p> <p>The proximity of a popular children's playground and a green space seems an unsuitable location for a venue providing both on and off sales of alcohol for 11 hours a day.</p>
<p>Representation 4 CH</p>	<p>Prevention of Crime and Disorder</p> <p>As the police will testify, there is considerable disturbance already in the adjoining Cliff Top Car Park even without fuelling from locally-dispensed alcohol.</p> <p>Public Safety</p> <p>The site is within a public park surrounded by residential houses and a care home. It could scarcely be a less appropriate place to allow take-away alcohol.</p> <p>Prevention of Public Nuisance</p>

	<p>The Cliff Top Park is one of the few remaining dark and peaceful areas remaining in Penarth. We should be encouraging families to enjoy this space, not revellers.</p> <p>Protection of Children from Harm</p> <p>The Cliff Top Kiosk abuts an extremely popular playground, and alcohol and music are a potent mix that can hardly enhance the safety of children.</p>
<p>Representation 5 RL</p>	<p>Prevention of Crime and Disorder</p> <p>The area immediately adjacent to “The Premises”, in particular the Cliff Top Car Park, has for many years been the scene of many criminal acts and behaviours. This is well known to the South Wales Police Force. I have witnessed the sale of illegal drugs, the taking of illegal drugs and also regular acts of dangerous and reckless driving. These acts have all been reported to the police and are well documented.</p> <p>The selling, and off premises selling of alcohol in an area with such a reputation and history is irresponsible. It will exacerbate an already well known place of criminal and disorderly behaviour. The Vale Council can work with South Wales Police in preventing even greater illegal activity by not granting the licence to “The Premises” on the terms proposed.</p> <p>Public Safety</p> <p>“The Premises” is immediately adjacent to a much loved, and used from dawn until dusk, children's playground (built brilliantly by the Vale of Glamorgan Council), alongside a park frequented by old and young throughout the year, plus residential houses and a care home. To grant the sale and off premises sale of alcohol from early morning until late at night will threaten the safety of many people, young and old as the area already attracts people who have threatened public safety. The cramped space of “The Premises” will inevitably lead people to take their alcohol and drink in the adjoining areas which will create tension and could well lead to even more incidents.</p> <p>Prevention of Public Nuisance.</p> <p>The children's playground next to “The Premises” resounds to the sound of children's laughter. To drown this out with music from “The Premises” is not only a public nuisance it destroys a special family area. For the residents, both in houses of very close proximity and the patients in the nearby care home, granting a music licence until 22.30 will create a serious public nuisance. Moreover it will destroy the peace, calm and tranquility of the adjacent public park with music which will travel a great distance. The park is frequented until late at night by dog walkers, the old and</p>

	<p>the young, enjoying a reflective space free of unwelcome noise.</p> <p>Protection of Children from Harm.</p> <p>Selling alcohol, and consuming alcohol bought from “The Premises” just feet away from a busy children’s playground, which attracts people and children from diverse backgrounds, some of whom do not consume alcohol, is irresponsible beyond belief. Exposing young and vulnerable children to play in front of a “bar” with people who could consume and buy alcohol and even sit in the playground and drink is simply irresponsible. The Vale of Glamorgan Council has a duty of care to protect children, and should not be complicit in creating such an inappropriate environment</p>
<p>Representation 6 GJ</p>	<p>Prevention of Crime and Disorder.</p> <p>I regularly witness the distribution and consumption of drugs taking place in the car park and area surrounding the location of the premises in question. The area is also used by local youths who congregate there, prior to racing each other to another predetermined destination. By providing easy access to alcohol in this area will be adding fuel to the fire.</p> <p>Public Safety.</p> <p>The area surrounding the premises consists of an adjoining cafe (which closes at 6pm), a children's playground, an elderly person's home, and residential properties. The large green area is used by the public for many social reasons but not alcohol related. When the area is in darkness it is virtually empty of the general public. It is not well lit and provides an ideal location for those not wishing to be seen.</p> <p>Prevention of Public Nuisance</p> <p>The obvious public nuisance would be from the noise generated by the music and comings and goings of customers. While this would not necessarily be a problem during the day (possibly the music could be a problem depending on volume), in the evening it would be very noticeable, especially to the adjacent properties.</p> <p>A large number of customers would probably travel by car increasing the noise in what is currently a quiet area. There will be an increase in the amount of rubbish generated. As the sale of alcohol is ‘OFF premises’, there will probably be plastic glasses and glass bottles left on the grassed and surrounding area. This is obviously dangerous (broken glass etc), to both the public (children playing football etc) and animals (including the large number of dogs exercised in the area.</p> <p>Protection of Children from Harm</p>

	<p>The idea of adults consuming alcohol while standing adjacent to a children's play area is not a good idea in any form.</p> <p>While the idea of regenerating the former golf kiosk in this manner appears a good one, I do not think that being open late in the evening, playing music and particularly selling alcohol 'Off License' is the way to do it.</p>
<p>Representation 7 GV</p>	<p>Allowing the sale and the drinking of alcohol in such close proximity to young children is irresponsible and inappropriate for the Vale Council to support. The premise (the former Golf Kiosk and Public Shelter) is directly adjacent to a very popular children's play area. The outline sketch marked in red on the notice will significantly hinder rights of way for people with push chairs and accompanying young children.</p> <p>There will be an inevitable result of people who purchased alcohol on the premises to take it and drink in the surrounding and unlicensed area. The family friendly nature of these spaces will be totally changed through the consumption of alcohol in the open air as outlined on the sketch map. The Vale of Glamorgan quite rightly forbids the consumption of alcohol on Barry Island Beach. The family and children friendly environment around the Golf Kiosk, directly adjacent to a children's playground, is no different to Barry Island Beach.</p> <p>The area in question has yet again been the subject of recent police enquiries. We received in the last month a visit from the local community police regarding incidents in and around the area of the Golf Kiosk</p> <p>We are aware of the ongoing and frequent incidents of the selling and consumption of drugs, drinking alcohol and joy riding in the car park next to the Golf Kiosk. The police have been regularly informed of these events. There has been damage done to the children's play area as a result of these behaviors, which the Vale Council has to make good at considerable cost.</p> <p>The police appear to be unable to manage these incidents in a timely manner. We need to help the police not create more problems for the police in granting such a license.</p> <p>To grant a music license from 1030 in the morning until 22.30 at night, in such a small premise, in open air, adjacent to both a home for disabled people and Cliff Parade residents is misguided.</p>
<p>Representation 8 RE</p>	<p>1 Prevention of Crime and Disorder:</p> <p>Over the past ten years there has been a considerable increase in rowdy and drunken behaviour emanating from the car park and field, adjoining the proposed licensed premises. The car park, in particular, has become a venue</p>

for "boy racers" using it as a mini race track at night and when parked up are often heard shouting, bawling and blasting out music. During the summer holiday period the adjoining field has become the regular meeting place for large meetings of youths to indulge in heavy drinking sessions with accompanying loud music. It is also well known locally that both locations are haunts for drug abusers.

As a consequence, what was a peaceful and quiet neighbourhood during the night has changed dramatically over the past years. Complaints have been made frequently to the local police about this disturbing behaviour, to little avail, and the police in turn have sought assistance from the local authority to manage the problem. The sale of alcohol from another convenient local source, particularly during the evening hours, will undoubtedly add further to this problem.

2. Public Safety:

My comments, as stated in 1 above, are highly relevant when considering the potential danger to public safety. The problems arising out of the sale (off premises) during night time are self evident particularly against the backdrop of the behaviour patterns identified above. Sooner or later there are bound to be confrontations between neighbours and these miscreants who seem, in the main, to be fuelled by alcohol and drugs.

3. Prevention of Public Nuisance:

As residents of this neighbourhood we should be entitled to experience the quiet enjoyment of our surroundings. The grant of an alcohol license, particularly until 10.30 pm, is highly likely to exacerbate a public nuisance which already exists. As to the proposed music license there seems no restriction as to what part/s of the premises this will be allowed and how it will be contained.

The former kiosk and storage area adjoining are the only parts of the premises which are enclosed. The former public shelter and the 'garden area' appear to be open areas and would be unable to contain the sound of the music, thus resulting in a potential noise nuisance to the neighbouring properties.

As a neighbour I already experience the loud playing of music emanating from the car park at night without wishing to suffer more from Willmore's. Apart from the residential properties, one must also be conscious of the need of the very many patients residing in the adjoining Waverley Nursing Home, who are even more vulnerable to noise pollution than the majority of other neighbours.

4. Protection of Children from Harm:

	<p>Willmores, like Cionis, is situated immediately adjacent to the Children’s Play Area which, apart from a similar facility in Cosmeston Park, is probably the most popular of it’s type in the area. The potential sale and drinking of alcohol in that immediate open vicinity would be detrimental to the safety of children and leave them vulnerable to loutish behaviour.</p> <p>Finally, can I make the point that it might be argued that many of the points made above are based on fears of what could potentially happen if the grant of licenses proceeded without conditions attached. However, the reality is that I and my neighbours have been assailed by nighttime alcohol generated noise nuisance for some considerable time. It doesn’t take the use of a crystal ball to anticipate the added potential problems arising from this application if passed without restriction.</p>
<p>Representation 9 RT</p>	<p>I have read the letters of objection lodged by GJ/CH/RL and RE and adopt their grounds of objection as being mine too.</p> <p>Should the Committee be minded nevertheless to grant a licence then may I ask that it be subject to conditions intended to address concerns under all four licensing objectives. I suggest –</p> <p>Alcohol – prevention of crime and disorder, public safety, prevention of nuisance, protection of children from harm - that there be no off sales – the surrounding area (beyond the land included in the applicant’s lease) onto which such off sales are likely to be taken is a grassed leisure area used by families of all ages and a play area for young children and not appropriate for the consumption of alcohol. The adjoining car park would be equally inappropriate.</p> <p>that the licensing hours be limited to 7.00pm so that it is a facility for those using the Cliff Walk and field and not an evening venue – for which its limited indoor space is totally unsuited even in summer let alone colder months with dark evening.</p> <p>Music – prevention of crime and disorder, public safety, prevention of nuisance, protection of children from harm - That, reflecting the nearby private houses and old people’s home and the very limited indoor space at this site, any music shall be played at such volume that it is not audible in such houses and that there be no speakers outside the shuttered spaces.</p>
<p>Representation 10 CL</p>	<p>Prevention of Crime and Disorder</p> <p>This area is already used by joy riders and for the sale of drugs, and I have witnessed of a regular basis, the noise and disruption already present in the car park in late evenings. Adding alcohol and music into this mix can only worsen the problem.</p>

	<p>Public Safety</p> <p>The area is used by children in the playground and by locals from the residential care home and retirement home near by. These vulnerable people would be affected by the addition of alcohol sales on and off the small premises, and the increased litter would also be an issue and a danger.</p> <p>Prevention of Public Nuisance</p> <p>This area is presently family orientated and use by vulnerable people, as above and the addition of alcohol sales and music would create a Public Nuisance.</p> <p>Protection of Children from Harm</p> <p>The playground directly adjacent to the premises is very well used by locals and people travelling from further afield. The increased litter alone would be harmful, as well as adding the possibility of intoxicated adults into the mix.</p>
<p>Representation 11 MP</p>	<p>We object in the strongest possible terms to Wilmore's application to sell alcohol from their newly installed bar in the public shelter on Penarth cliff top. This is not acceptable so close to a children's playground and would completely change the nature of this area given to the people of Penarth by the Plymouth estate for rest and recreation.</p>
<p>Representation 12 PB</p>	<p>The potential for conflict between imbibing Willmore's 1938 customers and members of the public seeking to access the Car Park, Cliff walk or Children's Play Area should not be ignored. It cannot be right to allow a scheme whereby such conflict may occur and occur in such close proximity to children playing. The Licenced area should not be allowed to extend beyond the confines of the Shelter and the existing buildings.</p>
<p>Representation 13 Cllr Anthony Ernest</p>	<p>(1)Prevention of Crime and Disorder. There are a number of concerns expressed locally by nearby residents as to noise and nuisance in the adjoining Car Park, especially after dark. I support the residents' concerns. The availability of alcohol in the evenings at an Off Licence will enhance these concerns.</p> <p>(2)Public Safety. There is a very popular Childrens' Playground within a few feet of the premises, and the ready availability of alcohol will endanger Public Safety if alcohol can be taken out of the premises onto the play area.</p> <p>(3)Prevention of Public Nuisance. My response is as for 2. above, in addition to the potential for nuisance to neighbouring dwellings.</p>

	<p>(4)Protection of children from harm. Once again, having alcohol available within a few feet of children at play is a potential cause of harm.</p> <p>No objection would be made to On-Sales, providing the hours were restricted to Daytime, or more particularly 1000 – 1800 hours, Monday to Saturday.</p>
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- Representation 1 did not relate to the licensing objectives
- Representation 2 was resubmitted as Representations 5 and 10 above