

Meeting of:	Licensing Sub-Committee
Date of Meeting:	Tuesday, 05 July 2022
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Grant of a Premises Licence – Fredwell Café, Pant Wilkin Stables, Aberthin, Cowbridge
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
<p>Executive Summary:</p> <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 Fredwell Café, Pant Wilkin Stables, Aberthin, Cowbridge, CF71 7GX, submitted by Mr Christopher Birch of Fredwell Café and Patisserie Ltd. 	

Recommendations

- 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.

Reasons for Recommendations

- 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 10th May 2022 the Licensing Authority received an application for the grant of a Premises Licence for Fredwell Café, Pant Wilkin Stables, Aberthin, Cowbridge, CF71 7GX. A copy of the relevant parts of the application form is attached at Appendix A to this Report. The application seeks authorisation for the licensable activity of the sale by retail of alcohol on the premises.
- 1.3** Also included in the Application is the request for the permission to provide Live and Recorded Music. However, under The Deregulation Act 2015 between the hours of 8:00 and 23:00, these activities are not licensable on premises licensed to sell alcohol. Likewise, the request for the provision of Late Night Refreshment contained in the application is superfluous, as Late Night Refreshment is only a licensable activity between the hours of 23:00 and 05:00.
- 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 7th June 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.
- 1.6** Members are asked to note that whilst South Wales Police refer to an external seating at the premises within their covering letter, the Application and Application plan do not make provision for an external seating area to be included in the premises licence. The Application itself is only for on sales e.g. the sale of alcohol for consumption within the premises, the extent of which is outlined in green on the Plan attached as Appendix C. There is no reference to an outside seating area within the application itself.
- 1.7** An outdoor space which is not covered by the premises licence is therefore an off-sale but the applicant has not requested both on and off sales. There is currently a temporary relaxation in place within the Licensing Act 2003 (enacted through the Business and Planning Act 2020) which was introduced to assist businesses during the Covid pandemic. The provisions in the Act enable off-sales to be made into spaces not covered by the premises licence. This temporary relaxation is currently set to end on 30 September 2022.

2. Key Issues for Consideration

- 2.1** The application was advertised in accordance with the regulations. The period for making representations ended on 7th June 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 two representations were received from other persons and the relevant representations within the emails received are attached to the Report as Appendix D.
- 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.
- 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, neither of the representations had 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 11 Modification of premises licences to authorise off-sales for limited period

(1) The Licensing Act 2003 has effect as if it were subject to the modifications in subsections [\(2\)](#) to [\(7\)](#).

(2) The Act has effect as if, in Part 9 (miscellaneous and supplementary), after section 172E there were inserted—

“Modification of premises licences to authorise off-sales for limited period

5.5 172FAuthorisation of off-sales for limited period

(1) Subsection [\(2\)](#) applies to a premises licence if—

(a) the licence has effect, or is capable of having effect, on the day on which this section comes into force (“day X”),

(b) immediately before day X, it is an on-sales only licence, and

(c) no disqualifying event has occurred in relation to the licence in the period of three years ending with day X.

(2) The premises licence is to be treated as if, at the beginning of day X, it is varied so that it authorises off-sales during the relevant period subject to the condition that every off-sale must be made at a pre-cut off time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises.

(3) Any provisions of the premises licence on day X are suspended in so far as they are inconsistent with the authorisation granted by virtue of subsection [\(2\)](#) (and for so long as that authorisation has effect).

(4) Subsection [\(5\)](#) applies to a premises licence if—

(a) the licence has effect, or is capable of having effect, on day X,

(b) immediately before day X, it authorises the sale by retail of alcohol for consumption on the licensed premises and it also authorises off-sales, and
(c) at that time that authorisation is subject to one or more of the following—
(i) one or more conditions relating to the time when an off-sale may be made that would prevent an off-sale during the relevant period being made at a pre-cut off time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises;
(ii) one or more conditions applicable to pre-cut off times that would prevent an off-sale during the relevant period where the alcohol is sold in an open container;
(iii) one or more conditions applicable to pre-cut off times that would prevent an off-sale during the relevant period where it is a sale for delivery.

(5) The premises licence is to be treated as if, at the beginning of day X, it is varied so that, in so far as and for so long as it authorises off-sales during the relevant period, it includes—

(a) where the requirement in subsection [\(4\)\(c\)\(i\)](#) is met, a condition that off-sales that would otherwise have been prevented by the condition or conditions mentioned in subsection [\(4\)\(c\)\(i\)](#) from being made at a pre-cut off time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises may be made at such a time;
(b) where the requirement in subsection [\(4\)\(c\)\(ii\)](#) is met, a condition that off-sales at a pre-cut off time that would otherwise have been prevented by the condition or conditions mentioned in subsection [\(4\)\(c\)\(ii\)](#) from being in the form of alcohol sold in an open container may be in that form;
(c) where the requirement in subsection [\(4\)\(c\)\(iii\)](#) is met, a condition that off-sales at a pre-cut off time that would otherwise have been prevented by the condition or conditions mentioned in subsection [\(4\)\(c\)\(iii\)](#) from being a sale for delivery may be such a sale.

(6) For so long as a condition has effect by virtue of subsection [\(5\)\(a\)](#), [\(b\)](#) or [\(c\)](#), the conditions of the licence referred to in subsection [\(4\)\(c\)\(i\)](#), [\(ii\)](#) or [\(iii\)](#) (as the case may be) are suspended in so far as they prevent the matters mentioned in that provision.

(7) The references in subsections [\(3\)](#) and [\(6\)](#) to an authorisation or condition having effect include the authorisation or condition as subsequently varied or modified in so far as it has effect in relation to the relevant period.

(8) For the purposes of subsection [\(1\)\(c\)](#) a disqualifying event has occurred in relation to a premises licence in the three year period mentioned in that provision if, at any time during that period—

(a) the relevant licensing authority refused to grant a premises licence in respect of the licensed premises authorising off-sales,

- (b) the relevant licensing authority refused to vary the premises licence so as to authorise off-sales, or
- (c) the premises licence was varied or modified so as to exclude off-sales from the scope of the licence.

(9) In the case of a premises licence which is capable of having effect on day X, references in this section to what the licence authorises are to be read as references to what it would authorise were it to have effect.

(10) In this section—

5.6 (a) “on-sales only licence” means a premises licence which—

(i) authorises the sale by retail of alcohol for consumption on the licensed premises, but

(ii) does not authorise off-sales;

(b) “off-sales” in relation to a premises licence means the sale by retail of alcohol for consumption off the licensed premises; and references to an off-sale are to be read accordingly;

(c) “sale for delivery” in relation to a premises licence means an off-sale for delivery by or on behalf of the holder of the licence to a building which is used for residential or work purposes (or both);

(d) “the relevant period” means the period beginning with day X and ending with—

(i) 30 September 2021, or

(ii) if earlier, the revocation or expiry of the premises licence or the exclusion of off-sales from the scope of the licence.

(11) In this section “pre-cut off time”—

(a) in relation to licensed premises and a day, means any time between when the premises first open that day for the purposes of selling alcohol for consumption on the premises and 11pm (but this is subject to paragraph (b));

(b) in relation to licensed premises and a day throughout which the premises are open for the purposes of selling alcohol for consumption on the premises, means any time between when the premises are first open that day for the purposes of selling alcohol for consumption on the premises and 11pm.

(12) Where a premises licence authorises the sale by retail of alcohol for consumption in an outdoor area of the licensed premises at some, but not all, of the times when it authorises the sale by retail of alcohol for consumption elsewhere on the premises, times when the premises are not open for the purposes of selling alcohol for consumption in the outdoor area of the premises are to be regarded for the purposes of this section as times when the premises are not “open for the purposes of selling alcohol for consumption on the premises”.

- 5.7** 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.

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 Christopher Birch

(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 [REDACTED] Pant Wilkin Stables, Aberthin,			
Post town	Cowbridge	Postcode	CF71 7GX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

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)					

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 Fredwell Café and Patisserie Limited
Address The Gate House, Aberthin, Cowbridge CF71 7GX
Registered number (where applicable) 13843169
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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)

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

X

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

X

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10:00	22:30	<u>Please give further details here</u> (please read guidance note 4) The organiser gets consent for the performance from a person who is responsible for the premises. The audience does not exceed 500.		
Tue	10:00	22:30			
Wed	10:00	22:30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	10:00	22:30			
Fri	10:00	22:30	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	10:00	22:30			
Sun	10:00	22:30			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10:00	22:30	<u>Please give further details here</u> (please read guidance note 4) Recorded music to be played as background music or as part of entertainment. The audience does not exceed 500.		
Tue	10:00	22:30			
Wed	10:00	22:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	10:00	22:30			
Fri	10:00	22:30	<u>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</u> (please read guidance note 6)		
Sat	10:00	22:30			
Sun	10:00	22:30			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10:00	22:30	<u>Please give further details here</u> (please read guidance note 4) The Late-night refreshment will be consumed indoor with a limit of 3 drinks person, and to be consumed only with food.		
Tue	10:00	22:30			
Wed	10:00	22:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	10:00	22:30			
Fri	10:00	22:30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	10:00	22:30			
Sun	10:00	22:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) The Late-night refreshment will be consumed indoor with a limit of 3 drinks person, and to be consumed only with food. The age restriction to purchase alcoholic drinks will be 25 and over.					
Mon	10:00	22:30						
Tue	10:00	22:30						
Wed	10:00	22:30						
Thur	10:00	22:30						
Fri	10:00	22:30						
Sat	10:00	22:30						
Sun	10:00	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	Mr Christopher Birch
Date of birth	██████████
	██████████
	██████████
	██████████
	██████████
Postcode	██████████
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	22:30	<p><u>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</u> (please read guidance note 6)</p>
Tue	10:00	22:30	
Wed	10:00	22:30	
Thur	10:00	22:30	
Fri	10:00	22:30	
Sat	10:00	22:30	
Sun	10:00	22:30	

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)

We are adopting a 3 drinks per person limit and only with food.

b) The prevention of crime and disorder

Drink will only be served with food and we will only serve alcohol to those who are over 25.

c) Public safety

Operating Age.
No alcohol will be taken off premises.

d) The prevention of public nuisance

Alcohol will only be served indoor with a limit of 3 drinks per person, and only to be consumed with food.

e) The protection of children from harm

We will not serve alcohol to anyone under the age of 25.
There is a low alcohol limit on drinks, and it only be consumed with food.

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
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	her 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	C.Birch
Date	2/3/2022
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)			
Post town		Postcode	
Telephone number (if any)			
<div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 20%;"></div>			

URhS Caerdydd a'r Fro
 Gorsaf Heddlu Bae Caerdydd,
 Stryd James, Bae,
 Caerdydd CF10 5EW
 Telifon: 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.

6th June 2022

Christopher Birch,



RE: Application for the grant of a premise licence "FREDWELL CAFÉ + PATISSERIE", [REDACTED]
Pant Wilkin Stables, Aberthin, Vale of Glamorgan, CF71 7GX.

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 is seeking a premise licence for ON premises consumption only for a new premises in a rural location, just outside Cowbridge. The site measures 17m by 6m is set to operate as a café and patisserie with 40 internal seats and 20 external seats. Drink offerings will include teas, coffees, soft drinks, craft beers and local wine. The alcohol will only be sold to those customers ordering food to be consumed on the premises. There is an external area measuring 12m by 8m, where patrons will be able to consume their food and drink purchases.

The applicant has applied for the following licensable activity permissions;

Opening Hours;

Monday to Sunday, 10:00 – 22:30.

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



Sale of Alcohol for ON premise consumption

Monday to Sunday, 10:00 – 22:30.

Live Music (not licensable due to the times requested)

Monday to Sunday, 10:00 – 22:30.

Recorded Music (not licensable due to the times requested)

Monday to Sunday, 10:00 – 22:30.

Late Night Refreshment (not licensable due to the times requested)

Monday to Sunday, 10:00 – 22:30.

Measures offered by the applicant in support of the application:

General

We are adopting a three drinks per person limit only with food.

Prevention of crime and disorder.

Drink will only be served with food and we will only serve alcohol to those who are over 25.

Public Safety

Operating Age.

No alcohol will be taken off premises.

Prevention of public nuisance

Alcohol will only be served indoor with a limit of 3 drinks per person, and only to be consumed with food.

Protection of children from harm

We will not serve alcohol to anyone under the age of 25.

There is low alcohol limits on drinks, and it only be consumed with food.

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

The applicant hasn't offered any formal conditions in their application and only offered repetitive 'bullet points', alluding to the measures they will set in place to promote the licensing objectives.

Therefore, it is felt that more comprehensive, appropriate and proportionate conditions are required to fully promote the licensing objectives.

Should this licence be granted, then South Wales Police seek the inclusion of the conditions listed below. These conditions have been shared with the applicant during the consultation process.

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 31 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. At least 50% of the licensed area will be laid with tables and chairs.

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



6. Whenever the premises is hired out for a private function or a pre-planned event is held and alcohol is being sold, the Designated Premise Supervisor or a Personal Licence holder will be present for the duration of the event.
7. Alcohol will only be sold to those customers that have purchased food to be consumed on the premises, save for occasions when the premise is hired out for a private function.

Should the applicant agree to abide by these conditions, South Wales Police will withdraw their request for a hearing in this matter.

If you wish any further information then please contact Police Licensing Officer Scott McCarthy at the Cardiff Bay Police Station ☎ 02920 633421.



J.LEWIS

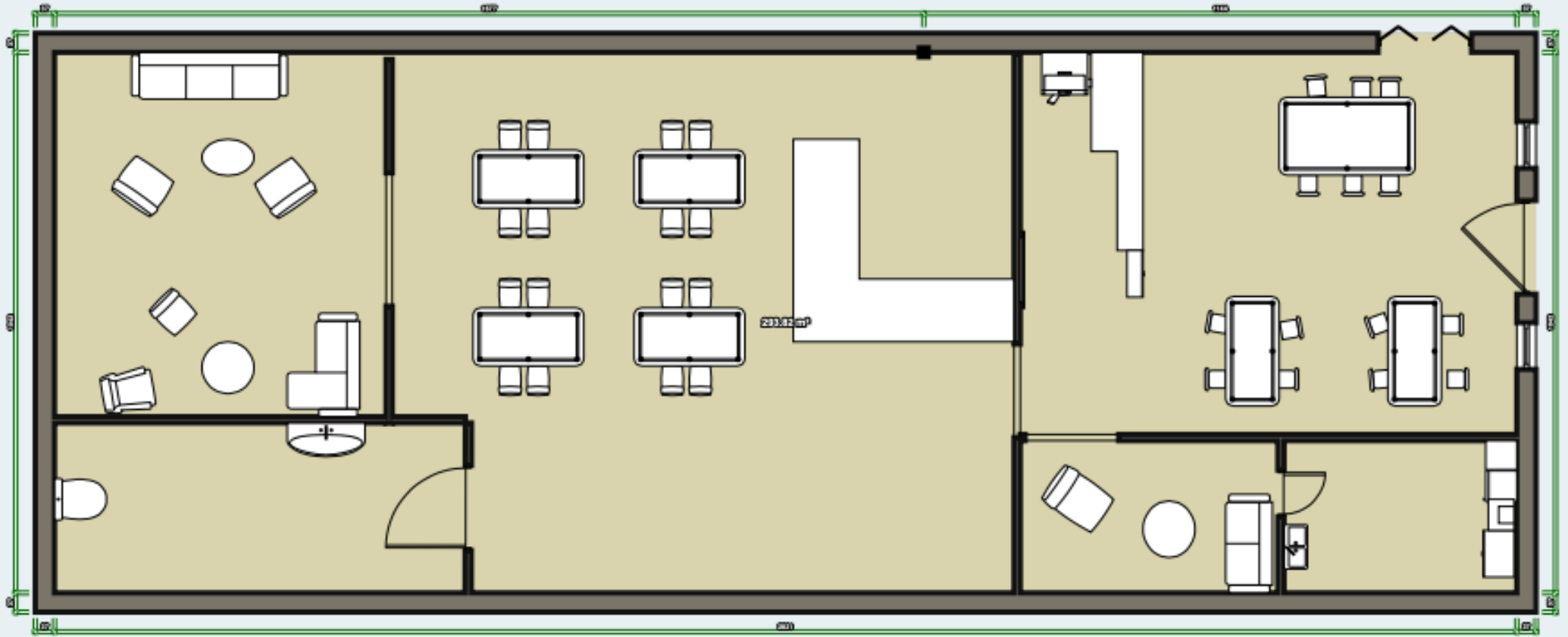
A/Chief Inspector

SWYDDOGOL – OFFICIAL

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.
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APPENDIX C



APPENDIX D

<p>Representation 1 (Llanquian Road)</p>	<p>Granting an alcohol licence will inevitably lead to even more raucous behaviour so I oppose it being granted. If it is (as I expect it will be) then 10.30pm is far too late.</p>
<p>Representation 2 (Llanquian Road)</p>	<p>If this café were to have an alcohol licence we would have an escalation of noise in the evening which would affect myself and other residents on Llanquian Road.</p>