

Dear Sirs

These submissions are presented to the Vale of Glamorgan licensing sub-committee in support of an application for a new premises licence at the Bakehouse Commercial Street Llantwit Major.

Application

The application is submitted by Laura Sneddon who owns and operates the existing premises. Put simply this application can be summarised as follows:

- Laura runs a coffee shop.
- She wants to add alcohol to the range of products on offer, namely a handful of spirits, wines and bottled beers.
- She would like to host appropriate food and drink events, perhaps with modest music, as the business develops.

There is no intention of fundamentally changing the nature of the business, Laura is simply looking to enhance what is there.

Description

The application form contains a general description of the premises as follows:

Bakehouse is a café serving brunches/lunches to eat in or takeaway. We will be serving hot and cold drinks and a small selection of wines/spirits and bottled beers to be consumed on the premises with food. We plan to have a small selection of speciality bottled wines and beers in our 'bottle shop' that can be bought and taken away should customers want to. We plan to open mainly daytime and occasional evenings with pop up street food offerings, cocktails and occasional acoustic music.

The building is a detached property in the heart of Llantwit Major, which resides on a corner position. Outside the entrance to the property is a one way street into Llantwit Major. The back of the property opens onto a small lane which is a no through road.

The café seats approx. 30-35 people and is situated over the ground floor of the building. Entrance is into the main room which contains the bar/counter area with some seating. Off the main room is another room which holds additional seating and leads to the toilet and kitchen area. It also contains stairs to the small upstairs area which is closed off to the public and only for staff use. This upstairs area has extra storage and a toilet/shower facility.

The café has a small courtyard outside the back door for storage of bins, this area is not for public use, but is a fire exit.

We intend to apply to the council for seating outside the property. This will be a small number of tables and chairs on the pavement outside the main shopfront of the cafe.

Above is a flat owned by the landlord of the café, and is rented. Access to this flat is via its own door at the back of the café on the dead end road.

The area surrounding the café is a mixture of commercial and residential properties. To the right of the property is another restaurant, directly next door to the café is a kitchen showroom.

Regulated Entertainment

Whilst the original application proposed live music recorded music and indoor sports (as the police observed not least for transparency) these elements have now been withdrawn.

- Live music

Whilst it is intended that there will be evenings in which live music is an accompaniment at the premises, the Live Music Act deregulates that activity here, such that no permission is required.

- Recorded music is proposed to be background only and that, too, does not require a separate permission.

- Indoor sports – there was a misunderstanding by the applicant that if she was to show any televised sport this permission would be required. It is not and so like the two elements above has been removed.

Sale of alcohol

This application therefore is concerned with the sale of alcohol, both on and off sales. The off sales will allow for a small “bottle shop” as part of the offer

Hours

The proposed hours for sales of alcohol are set out in the application but can be summarised as 10am until 10:30pm.

The opening hours of the premises are proposed from 8am until 11pm. In the early morning the premises will continue to operate as a coffeeshop, with drinks and breakfast/pastries/cakes available. A 30-minute wind down period is proposed as part of the application.

DPS

Laura is also proposed to be the DPS.

Community engagement

Laura undertook consultation with both the local residents prior to the submission of the application. She undertook a letter drop and put a note through 30+ addresses in the immediate vicinity of the premises. This letter was delivered to residents in all properties directly surrounding Bakehouse — including those on Stag Lane (to the rear of the premises), Commercial Street (the applicant's front entrance), and Cross Keys (directly opposite). The letter (attached here) was also displayed in the window of the premises. One positive response was received on email and a couple of customers made positive comments to Laura directly. Feedback from those Laura and the team have spoken to has been warm and encouraging. One person popped in to express concerns, but having chatted it through they left content. That individual has not served a representation.

Following submission of the application three residential representations were received. Laura has written to each of the individuals (letter attached here) explaining a little bit about the proposals, the withdrawal of the entertainment elements with an invitation to engage. At the time of drafting this note no response has been received.

Responsible authorities

The police engaged with Laura and proposed some finesses and amends to the operating schedule. The detail of these various conditions are set out in the licensing agenda papers and for ease of reference are reproduced here.

1. *A CCTV system will be operated and maintained at all times. The system will cover all areas of the premises to which the public have access, excluding the toilets. CCTV images will be retained for a minimum of 31 days and will be produced to a police employee or authorised council officer, 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 sufficiently trained staff to facilitate this.*
2. *An incident book shall be kept at the premises and maintained on site for a period of twelve months. It shall be made available on request to a Police employee and will record the following:*
 - *All crimes reported to the venue.*
 - *Any complaints received (of a criminal or licensing nature).*
 - *Any incidents of disorder.*
 - *Any visit by a representative of a relevant authority or a member of the emergency services.*
 - *Any failures of the CCTV system.*
3. *The premises will operate a ‘Challenge 25’ policy. This policy will be brought to the attention of customers through the use of appropriate signage, displayed in prominent positions in the premises. The only form of identification recognised will be photographic identification cards such as driving licence, passport, armed forces identification cards or proof of age scheme cards. All staff will receive the appropriate Challenge 25 training.*

4. *Staff authorised to carry out licensable activity shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. The DPS shall keep records of such training for a period of 18 months.*
5. *Prominent, clear and legible notices are displayed at all exits requesting patrons to respect local residents and to leave the premises and the area quietly.*
6. *Windows and doors will be kept closed whenever live music is performed at the premise.*
7. *All bottles and glass are to be removed from public areas as soon as the contents have been drunk or are empty.*
8. *Any sale of alcohol for consumption off the premises shall be in manufacturer sealed containers only.*
9. *At least 60% of the internal floor space will be laid with tables and chairs.*
10. *Any bars or service points will be situated within the curtilage of the main building. No bars or service points will be situated in the outside seating area.*
11. *Any external furniture will be removed or made unusable by 21:00.*

These have been agreed and the police have withdrawn their representation (provided that these conditions are attached to the grant of any licence).

National Guidance

The committee and officers will be familiar with the national guidance's under section 182 of the Licensing Act 2003. We submit that paragraph 9:12 of the national guidance is of particular import here. That states "*each responsible authority will be an expert in their respected field, and in some cases it is likely that a particular responsible authority will be the licensing authorities' main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the nighttime economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authorities' main source of advice on matters relating to the promotion of the crime and disorder licensing objective.*"

That none of the responsible authorities has seem fit to serve representations (or in the case of the police are satisfied with the revised conditions proposed) is, we say, a matter the Licensing Sub Committee should give significant weight.

Objections

The objections are broadly similar in nature. Each objection raises the resident experience of local public houses in Llantwit Major.

From the attached photographs we submit, that this premise cannot fairly equate to a public house. It is not only significantly smaller, obliged to be laid out to tables and chairs, but is specifically intended to offer the Llantwit Major community an opportunity to socialise outside of a traditional public house environment.

Clear Distinctions

The anxieties and concerns that are articulated in the objections, suggesting that anti-social behaviour, from customers departing the premises is respectfully misplaced. The nature type and style of the venue, the décor and design, the drinks range are all profoundly different to that which might be found in a local public house.

Whilst we are entirely respectful of the concerns that are articulated about the other licence premises the committee will understand that this application is to be considered on its individual merits.

For this reason, that there will be no draught beer/drinks is an obvious distinguishing feature.

The hours of operation are below what would have historically been considered public house hours (before the advent of the Licensing Act 2003) and are significantly below the hours that premises in the vicinity have on their respective permissions. The application cannot fairly be said to be excessive and the suggestion that one of the representations that the premises will operate into late hours (23:30 or beyond) is incorrect.

The proposal is a perfectly natural and appropriate development of the existing operation. It is not proposed that alcohol will be a primary focus of the operation, at any point, but for those who wish to accompany a meal with a glass or two of wine, or perhaps those who wish to socialise with friends and family in a convivial environment, outside of a public house or, perhaps, the neighbouring town or city centres, is to be welcomed in Llantwit Major and cannot fairly be said to be likely to undermine the Licensing Objectives..

The Business

The business will predominantly continue to trade as it does now, but it is anticipated that it will, like all business, develop as it moves forwards. This might involve Hosting local street food pop-ups and kitchen takeovers, with alcohol served alongside and there may be occasional events like wine and charcuterie tastings and acoustic music nights. None of these threaten the licensing objectives.

Licensing Policy

The licensing policy articulates a number of considerations for councillors in making determinations of licence applications. We have attempted to summarise the significant points below:

Page 5 – ...residents, businesses and visitors to the Vale of Glamorgan council area deserve to have a wide choice of high quality and well managed entertainment and cultural venues operating within a safe, orderly and attractive? environment. The council also wishes to support responsibly operated businesses and the local economy.

Page 14 – ...premises of this type (pubs, bars and clubs) must consider measures to prevent crime and disorder on or emanating from their premises. The following are examples of control measures that may need to be addressed.(summarised)

- *Effective and responsible management of the premises.*
- *Training and supervision of staff.*
- *The internal layout and location of various pieces of equipment within premises, including the position of cash registers, gaming machines etc.*
- *The provision location of suitability of any CCTV and the need for police and local authority to have access to any recordings.*
- *The adequacy of staffing levels to maintain a safe environment.*
- *Management policy and action in relation to people who become intoxicated or disorderly.*
- *Participation of pub watch or other similar schemes.*
- *Policy/procedures in respect of age verification of preventing sales of alcohol to persons who are underage.*

Page 16 – Within all licensed premises, whether or not alcohol is to be sold, the licensing authorities expect there to be proper management arrangements in place which will ensure there is an appropriate number of responsible trained persons at the premises to enable compliance with all statutory duties and the terms and conditions of the premises licence.

Page 19 – None of the towns within Vale of Glamorgan council have an area with an excessive number of licensed premises in close proximity, therefore it is not envisaged that the cumulative impact policy will be introduced within the authority in the foreseeable future.

We suggest that all the above points point fairly toward this being an appropriate application and suitable licensed premises.

Conclusion

This application strikes the right balance between proportionate, appropriate, sustainable, necessary growth that promotes the licensing objectives so as to ensure that the impact upon residents, neighbours and others is both managed and manageable.

For all the reasons articulated above, we will be submitting to the Licensing Sub-Committee that this application can be granted as amended.

We will be in attendance before the licensing committee to support the application and to develop these points.

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