

LEADER'S OFFICE

My Ref: EM7342

Your Ref:

Date: 21 September 2007



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

Mr Graham Winter
76 Landmark Place
Churchill Way
Castle
Cardiff
CF10 2HS

Dear Mr Winter

Mardi Gras Event - 1/2 September 2007

Thank you for your letter dated 10 September regarding the above.

An application was made to the Licensing Authority on 20 July 2007 by the premises licence holder for the Pulse nightclub in Churchill Way, for the grant of a Premises Licence for that part of Churchill Way outside the club to allow a 'street party' during the Mardi Gras weekend on 1/2 September 2007.

The application was in respect of providing entertainment and the sale of alcohol in a defined area in Churchill Way with the provision of an Outdoor Stage and Marquee Tent. The application related to entertainment being provided on the Outdoor Stage and in the Marquee from 11.00am until 04.00 hours on the Saturday and from 11.00am until 00.00 (midnight) on the Sunday.

The application was advertised in the Western Mail on Friday 20 July 2007 and prescribed Notices were placed by the applicant both on the front main doors (facing outwards) of Pulse in Churchill Way and on nearby lamp posts for the duration of the 28 day period following the date of application. This is to permit representations to be made to the licensing Authority in accordance with the requirements of the Licensing Act 2003.

The Authority is not legally permitted under the Act to actively seek out objectors to any Licence application but letters informing all premises that surround the proposed event site of the application were sent out on the 23 July. In addition a visit was made to Landmark Place on 23 July and the Concierge suggested that it would be possible for a letter/notice informing

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Leader's Office, Room 525, County Hall, Atlantic Wharf, Cardiff CF10 4UW
Tel (029) 2087 2500 Fax (029) 2087 2599

residents of the application could be placed on each of the 4 notice boards that are located at four separate entrances and that he would arrange to put them in place. On 24 July four copies of the attached letter/notice were delivered by hand to the Concierge at Landmark Place who agreed to put one on each of the Notice boards.

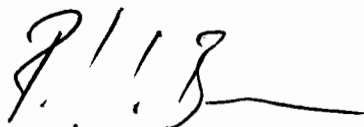
During the representation period that ended on 17 August representations were received from the South Wales Police, Health & Safety and Pollution Control. The applicant was able to agree with the representations submitted by both the Police and Health & Safety but were not prepared to agree with those submitted by Pollution Control. These representations were that live music, recorded music, amplified sound from films or the provision of facilities for making music should cease at 23.00 hours.

A Hearing was arranged in City Hall for Friday 31 August 2007. Following submissions made by both Pollution Control and the solicitor representing the applicant, the Licensing Sub-Committee resolved to grant the application for the event scheduled to take place on the next day, subject to Conditions including the proviso that outside Regulated Entertainment proposed for the Bandstand area in Queen Street terminated at 23.00 hours on the Saturday and 22.00 hours on the Sunday. A copy of the Decision Notice is attached.

The Licensing Section is currently investigating an alleged breach of the Premises Licence Conditions with the possibility of legal action being taken in respect of the alleged breach.

Pollution Control is currently investigating complaints from a number of residents of Landmark Place regarding noise disturbance and will initiate a review of the Premises License if appropriate. I understand Pollution Control has written to you to ask if you would like to provide evidence to support any application for a review of the Premises License.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Berman', with a long horizontal flourish extending to the right.

COUNCILLOR RODNEY BERMAN
LEADER OF CARDIFF COUNCIL

DECISION OF THE SUB COMMITTEE: 31st August 2007

The Sub Committee has before it an application in connection with the grant of a Premises Licence in respect of the Pulse Nightclub Mardi Gras, Churchill Way, Cardiff CF10 2DW

Representations have been made to the Authority by the South Wales Police, Health and Safety and Pollution Control. It is noted that the applicant has agreed to comply with the requirements of both the South Wales Police and Health and Safety and these representations will be incorporated into the Conditions of Premises Licence.

The representation from Noise Control, namely that live music, recorded music, amplified sound from films and the provision of facilities for making music should not be permitted beyond 23.00 hours, has not been agreed to by the applicant. It is this matter that the Sub Committee has to determine.

We have listened to all the evidence and submissions and have reread the material again. We have also considered the Licensing Act 2003 the Section 182 Guidance and our own Statement of Licensing Policy.

We have heard the representations made today by Pollution Control regarding matters relating to the prevention of public nuisance as it relates to reducing the impact of noise on nearby residential occupiers

Having considered the matters put forward to the Sub Committee we have decided to grant the application with the proviso that outside Regulated Entertainment proposed for the Bandstand area in Queen St terminates at 23.00 hours on Saturday and 22.00 hours on Sunday.

All the conditions which have been suggested by the applicant and agreed here today are accepted. We will not read out the conditions proposed by the applicant and the uncontested ones but we have considered each of these individually and consider them to be necessary.

Licensing Sub-Committee: 31 August 2007

My Ref / Cyf LSS/CCCP/01316
Your Ref /
Direct Line / Lein Uniongyrchol 029 20 871651
Date / Dyddiad: 24 July 2007

The Residents
Landmark Place Apartments
Churchill Way
Cardiff
CF10 2DW

Dear Sir/Madam

Re: Application for Premises Licence - Grant
Premises: Pulse Nightclub 'Mardi Gras' Event, Churchill Way, Cardiff
1st & 2nd September 2007

I am writing to advise you that an application has been received for a Premises Licence under the Licensing Act 2003 in respect of an event proposed to be held in Churchill Way on 1st & 2nd September 2007.

The application is to hold the said event in Churchill Way during the following hours:
Saturday 1st September 2007 – 11.00am to 04.30am
Sunday 2nd September 2007 – 11.00am to 00.30am

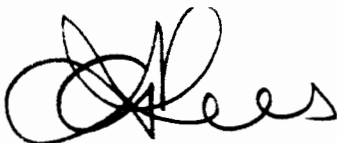
The Licensable Activities applied for are:

1. The sale by retail of alcohol for consumption on and off the premises.
2. The provision of regulated entertainment in the form of films, live music, recorded music, performances of dance and anything of a similar description to music or dance.
3. The provision of entertainment facilities for making music, dancing and entertainment of a similar description.
4. The provision of late night refreshment.

Residents in the vicinity of the premises or their representatives may make relevant representations on the application to this office by 17 August 2007.

I hope this is of assistance. If you have any queries or require any further information please do not hesitate to contact this office.

Yours faithfully



Gemma Rees
Licensing and Strategic Services

PLEASE REPLY TO: Licensing and Strategic Services, Cardiff Council, City Hall,
Cathays Park, Cardiff, CF10 3ND Tel (029) 2087 1651 Fax (029) 20871816 e-mail
licensing@cardiff.gov.uk