



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

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

AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 12 JANUARY 2018, 10.00 AM
Venue	ROOM 136, CITY HALL - CITY HALL
Membership	Councillor Jackie Parry (Chair) Councillors Jacobsen and Lancaster

1 **Declarations of Interest**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 **Application for the Grant of a Premises Licence - Chunky Chicken** (Pages 1 - 20)

Davina Fiore

Director Governance & Legal Services

Date: Monday, 8 January 2018

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda Item CO.

LICENSING SUB-COMMITTEE: 12 January 2018

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: 017122

Name of Premises: Chunky Chicken

Ward: Plasnewydd

1. Application

1.1 An application for a Premises Licence - Grant, has been received from CDF Chicken Ltd in respect of Chunky Chicken, 230 City Road, Cardiff, CF24 3JH.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

The provision of late night refreshment (indoors)

(2) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non-standard timings:

Monday to Sunday: 09:00 to 02:00

(3) To provide licensable activities during the following hours:

The provision of late night refreshment (indoors)

Monday to Sunday 23:00 to 02:00

2. Promotion of Licensing Objectives.

The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report.

3. Relevant Representations

Representations have been received in respect of the application, copies of which are enclosed with the report.

4. Legal Considerations.

4.1 In respect of the application the decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

4.2 In each case the Sub-Committee may make the following determination

- a) To grant the application.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) Reject the whole or part of the application.

4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. Issues for Discussion.

5.1 The application should be determined and the appropriateness of any conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

21 December 2017

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)

THE PREMISES IS A FAST FOOD RESTAURANT WITH THE OPTION TO EAT IN OR TAKEAWAY. WE INTEND TO WORK CLOSELY WITH THE LOCAL AUTHORITIES TO COMPLY WITH THE LICENSING OBJECTIVES.

b) The prevention of crime and disorder

CCTV WILL BE INSTALLED WITH 9 CAMERAS COVERING ALL VIEWS INTERNALLY (AND) EXTERNALLY. WE WILL HAVE A SAFE INSTALLED WITH NO ACCESS FROM THE STAFF.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Barker, Kirstie

From: Nassar Matthew Barnwell
Sent: 14 December 2017 09:31
To: Rob.Gunstone@south-wales.pnn.police.uk
Cc: Licensing (Licensing, Regulatory) \ Trwyddedu
Subject: Re: New Premises Licence- Chunky Chicken.

Hi Rob.

Thanks for the email I'm totally in agreement with everything on this email.

Thanks a lot for your advice in this matter.

Nassar Barnwell

> On 13 Dec 2017, at 11:10, "Rob.Gunstone@south-wales.pnn.police.uk" <Rob.Gunstone@south-wales.pnn.police.uk> wrote:

>

> To whom it may concern;

>

> Please see Police representations in respect of the above application. Should the applicant confirm their agreement with the proposed conditions, then the Police will withdraw any objection in respect of the granting of the new premises licence.

>

> Rob Gunstone.

> Pc 3487

> Police Licensing Department.

> Cardiff Bay Police station.

> James Street.

> Cardiff.

> CF10 5EW

>

> Tel 029 20 634 159

> Mob 07584 004 356

>

>

>

> Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101? Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr.

> Mewn argyfwng, ffoniwch 999 bob amser.

>

> Do you need to speak to police but don't require an emergency response? Call 101? The number can be used to report a non-emergency to any force in Wales and England.

> In an emergency, always dial 999.

>

> 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.

>

>

From: Rob.Gunstone@south-wales.pnn.police.uk
Sent: 13 December 2017 11:11
To: Licensing (Licensing, Regulatory) \ Trwyddedu; r
Subject: New Premises Licence- Chunky Chicken.
Attachments: 20171213120307540.pdf

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

To whom it may concern;

Please see Police representations in respect of the above application. Should the applicant confirm their agreement with the proposed conditions, then the Police will withdraw any objection in respect of the granting of the new premises licence.

Rob Gunstone.
Pc 3487
Police Licensing Department.
Cardiff Bay Police station.
James Street.
Cardiff.
CF10 5EW

Tel 029 20 634 159

Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101... Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to police but don't require an emergency response? Call 101... The number can be used to report a non-emergency to any force in Wales and England. In an emergency, always dial 999.

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.

Unauthorised use or disclosure of this email may be unlawful.

View our confidentiality statement at <https://www.south-wales.police.uk/en/email-confidentiality-statement/>

Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon.



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

6th December 2017.

Chunky Chicken.
230 City Road.
Cardiff.
CF24 3JH.

**APPLICATION FOR A NEW PREMISES LICENCE. LICENSING ACT 2003.
CHUNKY CHICKEN. 230 CITY ROAD, CARDIFF. CF24 3JH**

To whom it may concern,

I have caused enquiries to be made into this application. As a result of these enquiries, I now make the following representations. I therefore ask that the Licensing Committee hear these representations made by the Police when determining the grant of this application.

POLICE REPRESENTATIONS.

At this time, the Police object to the granting of a variation to the existing premises licence. However, should the applicant agree to the below detailed conditions, the Police will withdraw their objections and withdraw their request for a hearing before the Licensing Committee.

1. A CCTV system shall be installed to a standard as approved by South Wales Police and maintained and operated at all times the premises are open to the public. The system will cover all internal areas of the premises where the public have access {excluding toilets} including all entrances and exits and any external areas associated with the premises. The images shall be kept for a minimum of 31 days and shall be produced to a Police employee in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above.

Chief Constable Peter Vaughan, BSc (Hons), DipAppCrim Prif Gwnstabl

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 an authorised officer of the local authority or a member of police staff, which will record the following:

All crimes reported to the venue

Any complaints received (of a Criminal or Licensing nature)

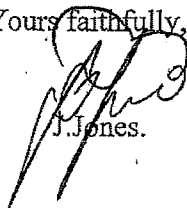
Any incidents of disorder

Any refusal of service.

Any visit by a representative of a relevant authority or a member of the emergency services.

Any failures of the CCTV system.

Yours faithfully,



Chief Inspector

COPY TO:

Claire HARTREY
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND

Barker, Kirstie

From:
Sent: 12 December 2017 23:39
To: Licensing (Licensing, Regulatory) \ Trwyddedu
Subject: objection- Extension of opening hours Chunky chicken
Attachments: 213A city road.pdf

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Hi,

I would like to object to the extension of opening hours till 2am for Chunky chicken at 230 City road, CF24 3JH cardiff.

Please view attached form.

Look forward to hearing from you regarding your final decision

Thanks

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	Chunky chicken
Address of premises:	230 City rd Cardiff CF24 3JH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
<p>Dear Planning Officer,</p> <p>With regards to the application for Chunky chicken to extend closing hours from 11:30 till 2 am, we would like to convey our strong objection and stongly request that permission not be granted. I live directly opposite the takeaway and the surrounding clubs and several kebab shops / missmillies that open till 3 am. It is not just the late night opening times but also the extra people attracted to the area during theses times that causes anti social behaviour/ noise/litter/ illegal parking.</p> <p>The owners of these properties apply for and are granted permission to operate late hours, yet live nowhere near any of their properties to put up with the disturbances caused.</p> <p>Increasing the current opening hours at Chunky Chicken will have negative implications for the adjacent residential homes on strathnairn st and glenroy st, which are already suffering with a shortage of parking spaces and smell from their chimney.</p>

I hope you will consider this plea from us.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section
Cardiff Council
Room 161
City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk

From:
Sent: 12 December 2017 14:20
To: Licensing (Licensing, Regulatory) \ Trwyddedu
Subject: Object to extension License for CDF Chicken
Attachments:

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

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

Dear Licensing Officer,

As a residence of Strathnairn street, I would like to express my strong objection for CDF Chicken (Chunky Chicken) in the license extension of opening hours from 11:30 till 2am. Please view the attached Representation form. I look forward to receiving your decision.

Thanks

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	CDF Chicken LTD
Address of premises:	Chunky Chicken 230 City Road Cardiff CF24 3JH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

Dear Officer,

I wish to express my anxieties regarding the extension of opening hours from 11:30 till 2 am of Chunky Chicken on 230 City road, Cardiff, CF24 3JH.

As a nearby resident, I live just behind the takeaway and strongly request that permission not be granted to open another food outlet / takeaway until 2 am or indeed beyond its current time of 11:30pm.

I think this area is already saturated and drowning in late night takeaways and through traffic of people. On weekends the place has been full and noisy with people from clubs and bars who take a taxi to Chunky chicken and walk home from there (rather than taking a taxi directly), increasing the noise, sleep disturbance and anti-social behaviour which can reach unacceptable levels.

The noise / fumes generated from the takeaway extractor fans permeate our street air quality leaving a permanent smell in the air.

Increasing the opening hours would mean a regular occurrence of such events.

Please could you consider our strong objection and assist in this matter.

Thankyou

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

Return your completed form to:

By Post:

Licensing Section
Cardiff Council
Room 161
City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk

Barker, Kirstie

From:
Sent: 19 December 2017 01:30
To: Licensing (Licensing, Regulatory) \ Trwyddedu
Subject: Objection to extend opening hours for 222 A city rd
Attachments:

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

The licensing Officer,

Please view the attached form regarding our objections to Chunky chickens plan to extend opening hours.

thanks

CARDIFF COUNCIL

Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications



Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	Chunky Chicken
Address of premises:	230 City road Cardiff CF24 3JH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
Dear Officer, We wish to convey our concern regarding the extension of opening hours from 11:30pm till 2 am of Chunky Chicken on 230 City road, Cardiff, CF24 3JH. As a resident living above abo ali, I live just above a nearby takeaway in the same block. we strongly request that permission not be granted to open another food outlet / takeaway until 2 am.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

I think this part of City road is already saturated and drowning in late night takeaways and through traffic of people. On weekends such places have been full and noisy with people from clubs and bars who are attracted, thus increasing the noise, anti-social behaviour which regularly reach unacceptable levels late in the night.

The noise and odour generated from their fumes already permeate our residence air quality leaving a permanent smell lingering in the air.

Increasing the opening hours would mean a regular occurrence of such events.

Please could you consider our objection and help us in this matter.

Thankyou

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

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Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk

CARDIFF COUNCIL

CARDIFF COUNCIL



Representation Submission Form

Licensing Act 2003 - Representation in respect of Premises Licence Applications

LICENSING DEPT

Details of person or body making representation	
Your Name:	
Your Address:	
Phone No:	Email:

Details of premises representation is about	
Name of Premises:	CDF Chicken
Address of premises:	Chunky Chicken 230 city road CF243JH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

Dear Officers,

I am expressing my strong concern regarding the extension of opening hours for Chunky chicken from 11:30 - 2am.

We are already suffering from increased congestion from their delivery car parking on our street. The area is saturated with late night takeaways. This has resulted in a loss of air quality from extractor fan fumes permeating into our street, noise and disturbed sleep from late night customers.

This area is already drowned in late night extra traffic from extra customers/people encouraged by the food outlets who remain in the area after the food outlet is closed. Other environmental issues such as rubbish and pollution is generated also. Other areas off Albany road which are not far away are clean, noise free and don't have odours generated from their extracting system.

Thankyou for listening and your consideration
Yours

The authority deals with all representations received in an open and transparent manner. By law the authority must provide the details of any representation to the applicant. The authority will also provide full details to the Licensing Committee to ensure that members have the full information when determining any application at a hearing. Details of any hearing must be made publically available and will be available on the Council website. By submitting this form you are giving permission for the authority to make the information supplied publically available.

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Cardiff Council
Room 161
City Hall
Cardiff CF10 3ND

By Email:

licensing@cardiff.gov.uk



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CHIEF EXECUTIVE
 Paul Orders
 County Hall
 Atlantic Wharf
 Cardiff CF10 4LW
 Tel: 029 20872000

City of Cardiff Council

Cyngor Dinas Caerdydd



Title

Scale: 1:1417

Date: 21/12/2017 at 12:47 PM

Coordinates

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