

LICENSING SUB-COMMITTEE: 27 May 2016

Report of the Head of Regulatory Services

Application for Premises Licence - Grant

Application No: CCCP/01929

Name of Premises: KFC (Excelsior Road)

Ward: Gabalfa

**1. Application**

- 1.1 An application for a Premises Licence - Grant, has been received from Kentucky Fried Chicken (GB) Limited in respect of KFC (Excelsior Road), Excelsior Road, Cardiff, CF14 3AT .
- 1.2 The applicant has applied for the following:
- (1) In respect of the following licensable activities:
    - 1) The provision of late night refreshment.
  - (2) Description of Premises (as stated by applicant):

“A well established KFC drive through restaurant with customer seating, service counter, drive through window and vehicle lane.”
  - (3) 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:

24 hours, 7 days a week.
  - (4) To provide licensable activities during the following hours:
    - 1) The provision of late night refreshment: 23:00 to 05:00

**2. Promotion of Licensing Objectives.**

- 2.1 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**

**16 May 2016**

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**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The applicant has consulted the Licensing Authority, the local noise/pollution team and South Wales Police in advance of this application.

The applicant would like to offer the following premises licence condition in support of the Licensing Objectives in the Licensing Act 2003:-

A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets) including all public entrances and exits and external areas used by customers. Images shall be kept for a minimum of 31 days.

The images shall be shown to a Police employee or authorised Officer of Cardiff Council Licensing immediately upon request and produced in a readily playable format within 24 hours when the premises are open and at all other times as soon as reasonably practical any production being subject to Data Protection Requirements. There will be sufficient staff training to facilitate the above."

b) The prevention of crime and disorder

No further steps are considered appropriate.

c) Public safety

No further steps are considered appropriate.

d) The prevention of public nuisance

No further steps are considered appropriate.

e) The protection of children from harm

No further steps are considered appropriate.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.



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

CARDIFF COUNTY COUNCIL<sup>th</sup> April 2016.

Geoffrey COOPER,  
Chapter three consulting,  
303 Goring Road,  
Worthing,  
BN12 4NX

25 APR 2016

LICENSING SECTION

**Re APPLICATION FOR THE GRANT OF A PREMISES LICENCE,  
"KFC" EXCELSIOR ROAD, CARDIFF CF14 3AT.**

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.

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

Should the applicants agree to comply with the representation made to meet the Licensing Objectives before a hearing then please accept that the Police will automatically withdraw their request for a hearing with the Licensing Committee.

**POLICE REPRESENTATION**

A CCTV system shall be installed to a standard agreed with South Wales Police. It will be maintained and operated at all times the premises are open to the public. The system shall cover all areas to which the public have access (excluding toilets) including all public entrances, exits and outside areas. Images shall be kept for a minimum of 31 days.

The images shall be produced to a Police employee or authorised Officer of Cardiff Council Licensing in a readily playable format immediately upon request when the premises are open and at all other times as soon as reasonably practical. There will be sufficient staff training to facilitate the above.

If the applicant does not agree with the afore-mentioned representations the Police objections will be based on the following:-

**HEDDLU DE CYMRU URhS Y DWYRAIN**

Gorsaf Heddlu Bae Caerdydd, Stryd James, Bae Caerdydd CF10 5EW  
Mewn argyfwng ffoniwch **999**, fel arall, ffoniwch **101**  
Ffacsimili: 029 2052 7280 Gwefan: [www.heddlu-de-cymru.police.uk](http://www.heddlu-de-cymru.police.uk)

**SOUTH WALES POLICE EASTERN BCU**

Cardiff Bay Police Station, James Street, Cardiff Bay CF10 5EW  
In an emergency always dial **999**, for non-emergencies dial **101**  
Facsimile: 029 2052 7280 Website: [www.south-wales.police.uk](http://www.south-wales.police.uk)

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


(The omission of providing cctv images to the Police immediately upon request in the offered condition places a burden on the Police and the Crown Prosecution Service.

Interviews of detained suspects will be unnecessarily delayed. Charging decisions from the CPS will also be delayed. This will have a negative effect on the four licensing objectives.)

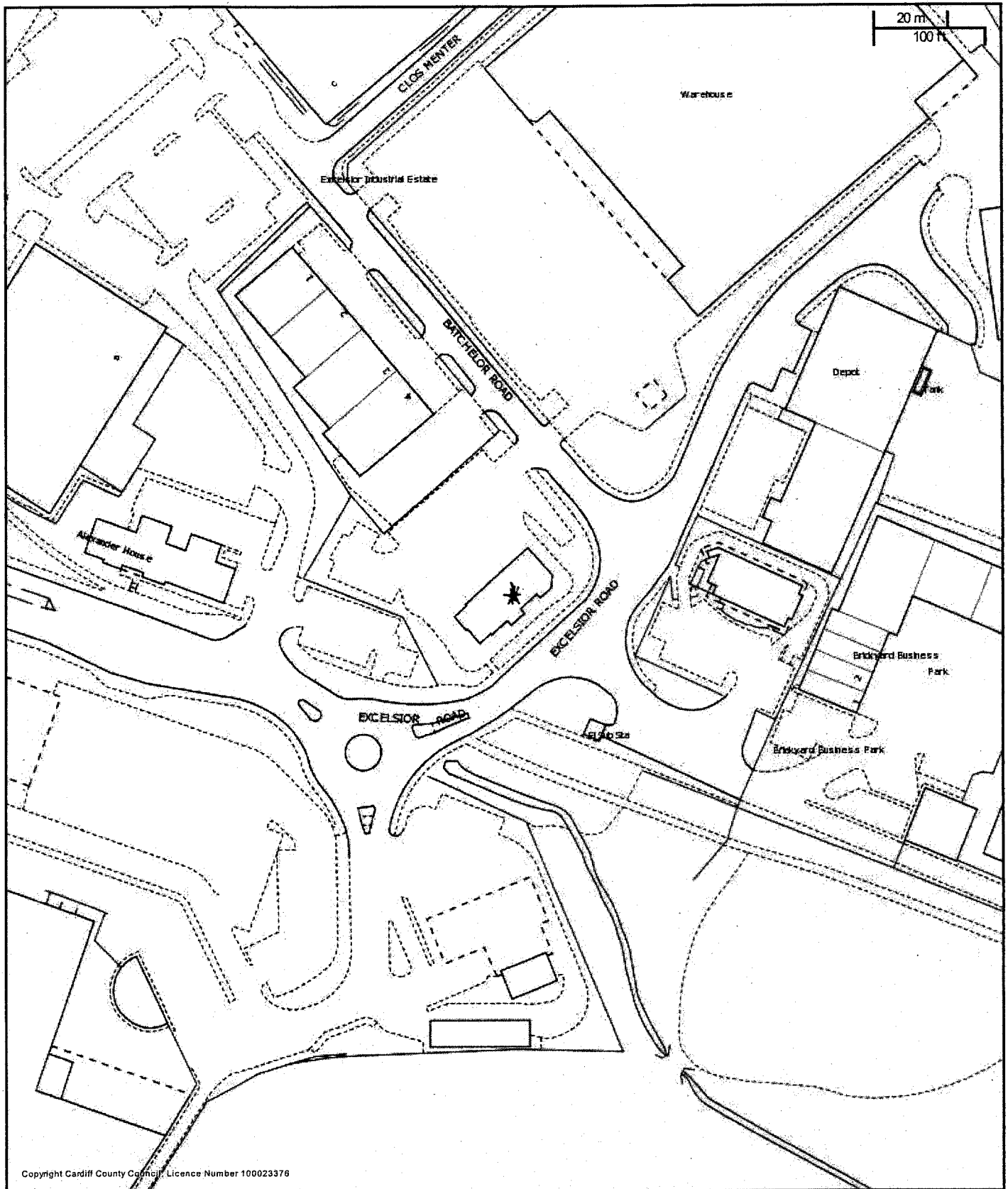
Additional evidence to support the notice of the objection will be presented at any subsequent Licensing Committee hearing. This evidence will be expanded on verbally, written, statistical or CCTV evidence.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Howe', written in a cursive style.

D. HOWE  
Chief Inspector.



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

**City of Cardiff Council**  
**Cyngor Dinas Caerdydd**



Title

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Coordinates:

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