

## LICENSING SUB COMMITTEE

15 NOVEMBER 2019

Present: Councillor Mackie (Chairperson)  
Councillors Bowen-Thomson and Derbyshire

### 23 : DECLARATIONS OF INTEREST

No declarations of interest were received.

### 24 : APPLICATION FOR THE GRANT OF A PREMISES LICENCE - KFC, ST MARY STREET

Applicants: Demipower (2017) Ltd.  
represented by Matthew Phipps

Responsible Authority: PC John Marchant and Sgt. Justin Hardwick

#### The Application

An application for the Grant of a Premises Licence was received from Demipower (2017) Ltd in respect of KFC, 112 St Mary Street, Cardiff.

The applicant applied for the following:

- (1) In respect of the following licensable activities:
  - (i) The provision of late night refreshment (indoors and outdoors)
- (2) Description of Premises (as stated by applicant):

“Use of the premises as a fast food outlet where hot food will be sold seven days a week for  
takeaway purposes, for home delivery and for consumption at the premises”
- (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:

Monday to Sunday: 10:00 to 00:30 hours
- (4) To provide licensable activities during the following hours:
  - a) The provision of late night refreshment (indoors and outdoors):

Monday to Sunday: 23:00 to 00:30 hours

#### Applicants Representations

At the commencement of the hearing Matthew Phipps stated that there has been some constructive dialogue between the applicants and the responsible authority. An agreement had been reached regarding the proposed conditions set out in the written representations received from South Wales Police. Mr Phipps addressed each conditions in turn. The majority of the conditions were accepted, some were amended and one was withdrawn. Mr Phipps also acknowledged that the premises is within the cumulative impact area but as there is already a premises licence in place, there would be no net cumulative impact. Mr Phipps stated that if the application were to be granted today they would surrender the licence for Papa Panda.

The agreed conditions were

1. 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.
2. On Major Event Days a minimum of two SIA registered door supervisors will be employed at the premises from either 6.00pm that day but no less than four hours before the commencement of the event, whichever is earlier, until closure of the premises.
3. A minimum of two SIA registered door supervisors will be employed on duty from 21:00 hours until close, when open to the public beyond 0030 hours.
4. When SIA registered door supervisors are employed at the premises they will utilise at least one body worn video device. Any such device will be capable of recording both audio recordings and visual image. The recordings will be kept for a minimum of 31 days and will be produced to a Police employee in a readily playable format within 24 hours 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.
5. The Designated Door Supervisor shall maintain a duty register of all persons engaged as door and security staff. This register must include the name and SIA number of the person employed, time and date of during commenced/finished with a signed acknowledgement by that person. The register must include the company employed or through whom the services of that person are engaged. The register shall be kept so that it can be inspected by a police employee or authorised officer of the Council. The register shall be kept for a period of three years.
6. An incident record 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 member of police staff and will record the following:

- a) all crime reported to the venue
  - b) any complaints received
  - c) any incidents of disorder
  - d) any ejections
  - e) any visit by a representative of a responsible authority or a members of the emergency services
  - f) any failures of the CCTV system
7. Signs will be prominently displayed at exits, requesting patrons leave the premises and surround area in a quiet orderly fashion.
8. At all time when the premises are open to the public the premises shall operate a radio system which is monitored by South Wales Police.

Mr Phipps advised that a number of the agreed conditions will replace those set out in the operating schedule submitted with the application.

#### Responsible Authority Representations

Sgt. Hardwick stated that the agreed conditions were considered to be appropriate and proportionate. South Wales Police still have concerns but are prepared to allow KFC to operate and implement their own policies. If those policies do not work then there may be a need to intervene.

RESOLVED : That the Sub-Committee having considered all the information, and in accordance with the requirements of the Licensing Act 2003, the Section 182 Guidance and the Licensing Authority's own Statement of Licensing Policy, GRANTED the premises licence subject to the conditions agreed.

#### 25 : URGENT ITEMS (IF ANY)

No urgent items were received.

The meeting terminated at 11.00 am