

**LICENSING SUB-COMMITTEE: 6th April 2018**

**Report of the Head of Regulatory Services**

**Application for Premises Licence - Grant**

**Application No: 020230**

**Name of Premises: Chicken.com, 13 Castle Street, Cardiff, CF10 1BS**

**Ward: Cathays**

**1. Application**

1.1 An application for a Premises Licence - Grant, has been received from Mr Syed Wasif Hussain in respect of Chicken.com, 13 Castle Street, Cardiff, CF10 1BS.

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:

Sunday and Monday: 10:00 to 02:00

Tuesday: 10:00 to 04:00

Wednesday and Thursday: 10:00 to 02:00

Friday and Saturday: 10:00 to 02:00

Sundays preceding Bank Holidays: 10:00 to 03:00

New Year's Eve: 10:00 to 05:00 on New Year's Day

On days designated by South Wales Police as major event days in the City Centre and Bay areas of Cardiff: 10:00 to 04:00

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

The provision of late night refreshment (indoors):

Sunday and Monday: 23:00 to 02:00

Tuesday: 23:00 to 04:00

Wednesday and Thursday: 23:00 to 02:00

Friday and Saturday: 23:00 to 02:00

Sundays preceding Bank Holidays: 23:00 to 03:00

New Year's Eve: 23:00 to 05:00 on New Year's Day

On days designated by South Wales Police as major event days in the City Centre and Bay areas of Cardiff: 23:00 to 04:00

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**

**13 March 2018**

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Days designated by South Wales Police as major event days in the city centre and Bay areas of Cardiff from 10:00 until 04:00  
Sundays preceding a bank holiday Monday from 10:00 until 03:00  
New Year - from 10:00 on New Year's Eve until 05:00 on New Year's Day

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**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.

b) The prevention of crime and disorder

A CCTV system shall be installed to a standard 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, if any) including all entrances and exits. The images shall be kept for a minimum of 31 days and shall be produced to a police employee in a readily playable format 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.

SIA registered door supervisors will be employed at the premises on Tuesdays, Fridays, Saturdays and Sundays preceding bank holiday Mondays from 22:00 until the premises closes.

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 and will record the following:

1. All crimes reported to the venue;
2. Any complaints received of a criminal or licensing nature;
3. Any incidents of disorder;
4. Any visit by a representative of a relevant authority or a member of the emergency services; and
5. Any failures of the CCTV system.

*Continued from previous page...*

c) Public safety

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d) The prevention of public nuisance

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e) The protection of children from harm

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**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

## Barker, Kirstie

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**From:** Morgan, Rhys  
**Sent:** 16 February 2018 15:19  
**To:** Barker, Kirstie  
**Cc:** nicola.jordan@hughjames.com  
**Subject:** RE: Licensing Act 2003: Application for the grant of a Premises Licence - Chicken.com, 13 Castle Street, Cardiff, CF10 1BS

Hi Kirstie,

In regard to the above application to grant premises license, I wish to advise that the Licensing Authority of Cardiff Council will be objecting to the application.

A Cumulative impact Policy has been adopted for the City Centre area of Cardiff. The Licensing Authority has adopted the policy due to high levels of alcohol related crime and disorder, in the interests of public safety and the avoidance of nuisance.

The policy creates a presumption that new applications for Premises Licences will be refused unless the applicant can demonstrate the business will have no negative effect on any of the licensing objectives.

The premises detailed above falls within the boundary of the Cumulative Impact Zone and therefore an objection is submitted in respect to the following Licensing Objectives.

The prevention of crime and disorder.  
The prevention of public nuisance.

There has been insufficient detail in the application on how the promotion of the licensing objectives will be undertaken and little or no details within the operating schedule for how the cumulative impact will be mitigated along with the prevention of crime and disorder and Public Nuisance. Consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Cumulative Impact Policy.

The applicant will need to demonstrate to the Licensing Sub-Committee that there will be no negative cumulative impact on one or more of the licensing objectives or Cumulative Impact if the Premises Licence were to be granted.

Kind regards



**Rhys Morgan**

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir  
Bridgend, Cardiff and the Vale of Glamorgan  
Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg  
Telephone | Ffôn 02920 871123

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**Language Preference**

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 20871651/ [trwyddedu@caerdydd.gov.uk](mailto:trwyddedu@caerdydd.gov.uk) i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029

**Barker, Kirstie**

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**From:** Tony.Bowley@south-wales.pnn.police.uk  
**Sent:** 28 February 2018 08:49  
**To:** nicola.jordan@hughjames.com  
**Cc:** Licensing (Licensing, Regulatory) \ Trwyddedu  
**Subject:** objection letter prem application chicken.com  
**Attachments:** objection letter prem application chicken.com.doc

**\*\*\* 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.**

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Dear both,

Please find attached the police objection to this application.

The signed original is available if you require it.

Regards

Tony

**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.**

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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.**

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Gallai defnyddio neu ddatgelu ♦ neges e-bost hon heb awdurdod fod yn anghyfreithlon. Gallwch weld ein datganiad cyfrinachedd yn: <https://www.south-wales.police.uk/cy/datganiad-cyfrinachedd-e-bost/>

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

23<sup>rd</sup> February 2018

Nicola Jordan,  
Hugh James Sols.  
Hodge House 114-116 St Mary Street,  
Cardiff  
CF10 1DY

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE  
LICENSING ACT 2003.**

**"CHICKEN.com", 13 Castle Street, Cardiff CF10 1BS**

I, Chief Inspector JOE JONES of the South Wales Police for the district of Cardiff, hereby give notice that an objection shall be made to the application for the grant of a premises licence for "CHICKEN.com", 13 Castle Street, Cardiff.

This objection is made under the licensing objectives of;

The prevention of crime and disorder,

The prevention of public nuisance.

The protection of children from harm.

(The premises are in a saturation policy zone, there is a disproportionate amount of alcohol related crime, disorder and public nuisance in the area. The majority of this crime and disorder occurs late at night. Fast food restaurants and takeaways account for a large amount of crime and disorder in the Cardiff City Centre).

Should the committee be minded to grant this application South Wales Police ask that the below conditions be attached to the licence.

1. A cctv system will be installed to a standard agreed with South Wales Police. It shall be maintained and operated at all times the premises are open to the public.

pto.

The system shall cover all areas to which the public have access (excluding toilets) including all public entrances and exits and the pavement directly outside. Images will be kept for a minimum of 31 days. The images shall be produced to an authorised Police employee in a readily playable format immediately upon request when the premises are open and at all other times as soon as is reasonable practical.

There will be sufficient staff training to facilitate the above.

When door staff are employed at the premises a body worn cctv camera will be used by those staff to capture images and audio of any incidents of disorder. Images will be retained and produced to police in the same manner as with the installed cctv system.

2. Two SIA registered door staff will be employed on the premises from 2300 hours to close each day.

A record of door staff employed at the premises shall be kept.

It shall keep a record of the name and SIA number of such staff.

It will detain the date and time each member of staff commenced their duty and the time they finished.

The record will hold details for at least one year and be made available to authorised members of South Wales Police upon request.

3. There will be no use of any external dining area such as the pavement outside.

4. No customers under the age of 16 years shall be permitted on the premises after 2300 hours unless accompanied by a responsible adult.

5. An incident log shall be kept.

This log may be written or held electronically.

It shall hold details of all incidents of crime, disorder, public safety and those concerning children.

The log will hold records of at least one year and must be made available to authorised members of South Wales Police upon request.



Should you have any queries regarding the above objection, please contact Licensing Officer Tony BOWLEY at the Licensing Department, Cardiff Bay Police Station. Telephone 02920 527207.

Yours faithfully,

JOE JONES  
CHIEF INSPECTOR.

COPY TO:-

Clair HARTREY,  
Operations Manager,  
Licensing & Strategic Services  
Cardiff County Council,  
City Hall,  
Cardiff.  
CF10 3ND.

Anthony Bowley  
Police Licensing Officer  
Cardiff Bay Police Station  
**Direct Line** : +44 (0) 2920 633421 (Ext 34208)  
**Fax** : +44 (0) 2920 527256  
**E-Mail** : [Anthony.Bowley2@south-wales.pnn.police.uk](mailto:Anthony.Bowley2@south-wales.pnn.police.uk)

Licensing Section  
Cardiff City Council

Your Ref:  
Our Ref: FHK.FJT.REV99.111

07 March 2018

**By email only – licensing@cardiff.gov.uk**

Dear Sirs

**The Chicken House, 13 Castle Street, Cardiff**  
**Application for a Premises Licence**

We act on behalf of Revolution Bars Group, the operators of Revolution, 9-11 Castle Street, Cardiff who wish to object to the application for a premises licence by The Chicken House immediately adjacent at 13 Castle Street.

Our client is concerned that the grant of a licence for a late night takeaway in this location could undermine the licensing objectives.

The premises is located within Cardiff's Cumulative Impact Policy area. There is a presumption against the grant of new licences for such premises within its boundary, unless an applicant can demonstrate that it will not add to the existing issues in an area. Our client is concerned to note the late hours applied for, together with the inadequate Operating Schedule submitted with the application.

Our client has operated successfully from this site for 10 years and has a premises licence which permits them to open until 3:30am.

They have a carefully tailored dispersal policy which has been developed over the years in conjunction with the Police. On busy nights, they employ up to 21 members of SIA registered security staff to ensure the safe and orderly dispersal of their customers. At the moment there are few if any late night takeaways in the vicinity and so our client's customers have no reason to remain in the area once their premises close. If The Chicken House were allowed to open, its presence would create a focus for anti-social behaviour, with the potential for an increase in noise, crime and

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kuit | steinart | levy LLP



disorder. There are currently no late night takeaways in the vicinity. If granted, The Chicken House would also be close to other venues such as Clwb Ifor Bach, The Gatekeeper, Tiny Rebel and Elevens, as well as two hotels. The Principality Stadium is also close by and we are concerned that these factors have not been taken into account by the applicants.

The hours applied for by The Chicken House closely mirror those permitted at Revolution. It would appear that the application has been applied for in terms aimed specifically at capturing those customers departing from our client's premises at the end of the evening. Our clients are concerned that they will in effect have to police the area as the applicants have made no provision to do so themselves.

Our clients are concerned to note that the applicant has listed only three conditions in its Operating Schedule. By any standard that could be considered insufficiently detailed for a premises wishing to trade until 4am, but when those premises are located within a Cumulative Impact Zone, it falls far short of the detail required to overturn the presumption against grant.

Revolution Bars Group therefore asks that the application be refused.

We would be grateful if you could notify us of any hearing date convened to determine the application.

Yours faithfully



**Kuit Steinart Levy LLP**

**Barker, Kirstie**

---

**From:** Mackie, Norma (Cllr)  
**Sent:** 18 February 2018 11:55  
**To:** Barker, Kirstie  
**Cc:** Merry, Sarah (Cllr); Weaver, Christopher (Cllr); Ahmed, Ali (Cllr)  
**Subject:** Licensing Application Chicken.com  
**Attachments:** Licensing Application Chicken.com.docx

Hi Kirstie,

Pleased find attached our objection as Cathays Councillors in relation to the above application.

Regards

Norma

Dear Kirstie

Re: Licensing Application Chicken.com 13 Castle Street Cardiff CF10 1BS

For the provision of late night refreshments on:

Sunday and Monday: 23:00 to 02:00

Tuesday: 23:00 to 04:00

Wednesday and Thursday: 23:00 to 02:00

Friday and Saturday: 23:00 to 04:00

Major Event Days (designated by South Wales Police): 23:00 to 04:00

Sundays preceding a Bank Holiday: 23:00 to 03:00

New Years Eve: 23:00 to 05:00

Cllr S Merry, Cllr C Weaver, Cllr A Ahmed and I wish to object to the above Licence application based on the following Licensing Objectives:

**Prevention of Crime and Disorder**

The opening of this type of premises in Castle Street, an area covered by the saturation zone, is likely to increase the incidence of drunken behaviour in the area, encouraging people who are leaving clubs to come up to Castle Street.

**Public Safety**

There is already evidence of crime and disorder in the area of Castle Street /Duke Street and St Mary's Street which will not be reduced by the provision of a late night food outlet encouraging more intoxicated people to come to the area.

**Prevention of Public Nuisance**

Opening this type of outlet in Castle Street will further increase the noise, litter and disruption to residents in the area and to visitors staying at the Angel Hotel.

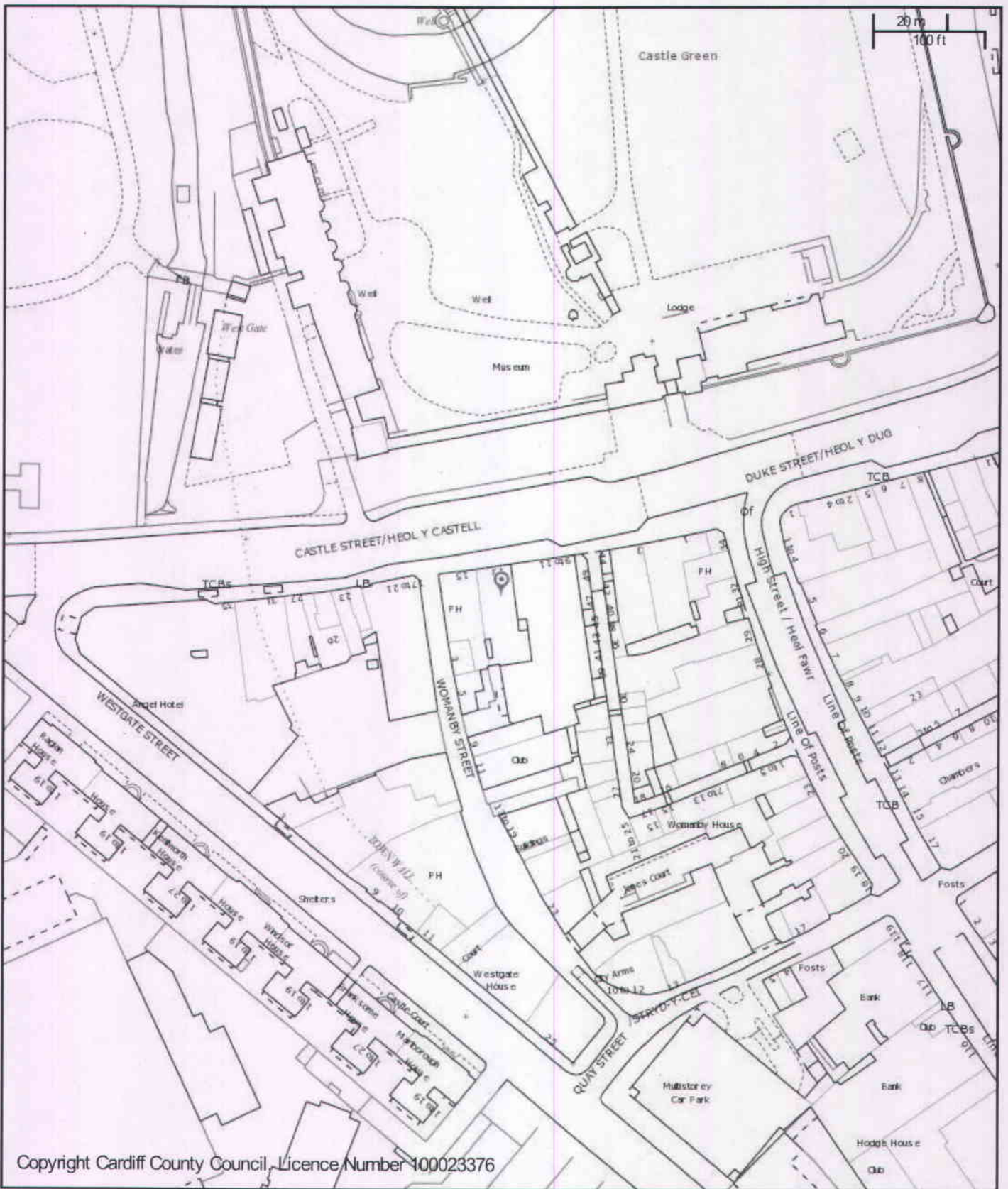
The addition of a fast food restaurant in the city centre is contrary to the Cardiff Council's Cumulative Impact Policy, and therefore should be rejected.

Yours sincerely,

NMackie

Cllr Norma Mackie

Cathays and City Centre



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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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