

**LICENSING SUB-COMMITTEE: 4 October 2019**

**Report of the Head of Regulatory Services**

**Application for Premises Licence - Grant**

**Application No: 041400**

**Name of Premises: Taco Bell, 92 St Mary Street, Cardiff, CF10 1DX**

**Ward: Cathays**

**1. Application**

1.1 An application for the Grant of a Premises Licence has been received from Campana Ltd in respect of Taco Bell, 92 St Mary Street, Cardiff, CF10 1DX.

1.2 The applicant has applied for the following:

(1) In respect of the following licensable activities:

- (i) The provision of late night refreshment (indoors and outdoors)
- (ii) The sale by retail of alcohol for consumption on and off the premises

(2) Description of Premises (as stated by applicant):

“Restaurant/casual dining & takeaway.”

(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: 07:00 to 03:00 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 03:00 hours

b) The sale by retail of alcohol for consumption on and off the premises:

Monday to Sunday: 10:00 to 00:00

1.3 A site plan of the premises can be found attached as *Appendix A*.

1.4 A location map showing the premises can be found attached as *Appendix B*.

**2. Promotion of Licensing Objectives.**

2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report and can be found in *Appendix C*.

### **3. Relevant Representations**

- 3.1 A representation has been received from South Wales Police in respect of this application. A copy of the Police representation can be found in *Appendix D*.
- 3.2 A representation has been received from Cardiff Council's Licensing Enforcement team in respect of this application. A copy of this representation can be found in *Appendix E*.

### **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 e.g. 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.





CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd  
 CAERDYDD CF10 4UW  
 Tel: 029 20872088

County Hall, Atlantic Wharf  
 CARDIFF CF10 4UW  
 Tel: 029 20872087

**Cyngor Caerdydd**

**Cardiff Council**



**Title**

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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.

Consideration of the City of Cardiff Council Licensing policy and pre-consultation with police licensing have been carried out to ensure the promotion of the four licensing objectives with particular regard to the cumulative impact policy. Substantial food & beverages, other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied. The Designated Premises Supervisor & Licence Holder shall be a participating member of the Cardiff Licensing Forum.

b) The prevention of crime and disorder

A camera CCTV system is in place covering all public areas of the premises enabling frontal identification of every person entering in any light condition.

The CCTV system shall continuously record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings will be stored for a minimum of 31 days and can be accessed and downloaded immediately when requested by the police or other authorised officer.

There will always be at least one person present whilst the premises is open to the public who is able to operate and download images from the CCTV.

An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:

- a. All crimes reported to the venue
- b. Any complaints received
- c. Any incidents of disorder
- d. Any faults in the CCTV system
- e. Any visit by a relevant authority or emergency service
- f. All ejections of patrons
- g. All seizures of drugs or offensive weapons
- h. Any refusal of the sale of alcohol

SIA registered door staff will be employed at the Premises from 23:00 daily until close

A minimum of 1 body worn video device will be in operation in the outside area, when SIA registered door staff are on duty, this will be in audio and video format. The images will be kept for a period of 31 days and the images will be produced to a Police employee in a readily playable format, upon request, when the premises is open to the public.

A duty register will be maintained of all persons engaged as door & security staff, to include name and SIA number, time & date duty commenced/finished, with a signed acknowledgment by that person and the company employed by or through whom the services of that person are engaged. The register shall be kept & available for immediate inspection when request by the Police or authorised officer of the Council. The register shall be kept by the DPS for a minimum of 12 months. Additional SIA door staff will be considered, by Risk Assessment, on those days designated as major event days, by South Wales Police, in the City Centre of Cardiff. On these days, SIA registered door staff will be employed at the premises from no later than 21:00 hours until close.

Cutlery, where provided, will not be pre-laid on tables during operation. Regular cutlery collection/table clearing shall occur during all service periods to ensure no redundant utensils are left out

At all times when open to the public, the premises shall operate a radio system which is monitored by South Wales Police

c) Public safety

The premises will be maintained in a safe manner at all times.

All exits will be kept unobstructed, easy to open and clearly signed.

On days considered to be major event days in Cardiff, such as sporting events or music concerts at the Millennium Stadium,

***Continued from previous page...***

all drinks will be dispensed in plastic vessels

No customers carrying any form of alcoholic drink, open, will be admitted to the premises at any time

The premises operators will accept any & all training provided by South Wales Police in regard to Vulnerability Training for staff members

d) The prevention of public nuisance

Sales of alcohol for consumption off the premises will only be supplied with, and ancillary to a take-away meal

All refuse will be disposed of in an appropriate manner. Staff will be instructed to maintain all external areas in a clean and presentable manner at all times.

Notices will be displayed asking patrons to leave the premises quietly and to have respect for local residents.

No glasses or drinking vessels shall be left in public areas at the end of each service session and regular glass/container collection shall occur during all service periods to ensure no redundant drinking vessels are left out

No super strength lagers, ciders or beers over 6% will be stocked or sold from the premises.

All doors & windows will be kept closed from 23:00 hours except for entrances & exits, to allow entry & egress

e) The protection of children from harm

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of ID are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.

The premises will operate a "No ID, No Sale" policy at all times for persons who look under 25.

Staff will be trained in the understanding of this policy and training records maintained for inspection if requested by the police or any other responsible authority.

A record shall be kept detailing all refused sales of alcohol. The record should include the date & time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for available for immediate inspection when request by the Police or authorised officer of the Council.

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

From:

Subject: objection prem application TACO BELL  
Date: 09 September 2019 12:09:02  
Attachments: [objection\\_prem\\_application\\_TACO\\_BELL.doc](#)

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Dear ,

Further to our telephone conversations,

Please find attached the police objection

regarding this application.

I will telephone to discuss.

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

9<sup>th</sup> September 2019

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

**“TACO BELL”, 92 St. MARY STREET, CARDIFF CF10 1DX**

I, Chief Inspector J. REDRUP 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 “TACO BELL”, 92 St. Mary Street, Cardiff.

This objection is made under the licensing objectives of;

The prevention of crime and disorder,  
Public safety.

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 late at night. There are issues of crime, disorder and public nuisance associated with premises offering late night refreshment).

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

p.t.o.



1. The sale/supply of alcohol will be ancillary to the partaking of a table meal.

(Requested to meet the requirements of Cardiff Council Statement of Licensing Policy which is based on the licensing objective of the prevention of crime and disorder).

2. Any outside areas used by customers will be clearly delineated and laid out with tables and chairs. The use of such outside areas will terminate at 2300 hours each day.

(Requested to minimise public nuisance).

3. No children will be permitted on the premises after 2100 hours unless accompanied by a responsible adult.

(Requested to prevent children from harm later at night when the nature of the city centre changes from a retail environment into a drinking environment).

4. In relation of any off sales of alcohol that are ordered for delivery;

a. Any delivery of alcohol will be ancillary to food.

b. No orders for the delivery of alcohol will be taken after midnight daily.

c. All alcohol will be paid for at the time of ordering. Orders will be made either online or by telephone. There will be no payment for alcohol at the point of delivery.

d. Delivery of alcohol will only be made to a verified postal address at which the customer is present.

e. When alcohol is delivered by a delivery person, the Licence holder will specify that all deliveries require the customer's signature. The carrier will obtain the customer's signature and provide the licence holder with a printed or electronic copy. Customers must be at least 18 years of age. If any customer appears to be 25 or younger appropriate photo identification will be required. Without such identification the delivery of alcohol will be refused.

f. A daily register must be kept, by the licence holder for a rolling 12 month period enclosing a copy of the purchase order relating to all alcohol delivery sales, specifying the following:-

The quantity of alcohol purchased.

The description of alcohol purchased.

The price of alcohol purchased.

The name and address of the customer placing the order.

The address where the delivery is made if different to the customers address.

Details of photo identification provided if a Challenge 25 proof of age is requested.

g. All refusals of alcohol delivery which will include the reason for the refusal and address at which the refusal was made, including time and date will be recorded, along with;

The name, address and vehicle details of the person making the delivery.

Time and date of delivery.

h. Terms and conditions to state that if the delivery person is unable to verify, at the point of delivery, that the customer is over 18 then the delivery will not be made.

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

Yours faithfully,

J. REDRUP  
CHIEF INSPECTOR.

COPY TO:-

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

Anthony Bowley  
Police Licensing Officer

**From:** [Morgan, Rhys](#)  
**To:** [Barker, Kirstie](#)  
**Subject:** RE: Licensing Act 2003: Application for the grant of a Premises Licence - Taco Bell, 92 St Mary Street, Cardiff  
**Date:** 19 August 2019 10:40:54  
**Attachments:** [image001.png](#)

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Good Morning Kirstie,

Licensing Act 2003: Application for the grant of a Premises Licence - Taco Bell, 92 St Mary Street, Cardiff

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 some detail in the application and within the operating schedule for how the promotion of the licensing objectives will be undertaken within cumulative impact policy along with the prevention of crime and disorder and Public Nuisance. However the premise currently still falls within the red classification under the statement of licensing policy and Consequently the Licensing Sub-Committee will need consider this application in line with Cardiff Councils Cumulative Impact Policy.

You 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 if the Premises Licence were to be granted.

Kind regards

**Rhys Morgan**  
**Licensing Section / Adran Drwyddedu**  
Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir  
Bridgend, Cardiff and the Vale of Glamorgan



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