

**LICENSING SUB-COMMITTEE: 15 November 2019**

**Report of the Head of Regulatory Services**

**Application for Premises Licence - Grant**

**Application No: 043169**

**Name of Premises: KFC, 112 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 Demipower (2017) Ltd in respect of KFC, 112 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)

(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

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*. A copy of the response received from the applicant is attached as *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.

**Dave Holland**  
**Regulatory Services**

**31 October 2019**

ALL DIMENSIONS TO BE CHECKED ON SITE. DO NOT SCALE FROM THIS DRAWING EXCEPT FOR THE PURPOSES OF LOCAL AUTHORITY PLANNING		
DESIGN SIGNOFF		
Name		
Title		
Description		
Date		
-	--	----
A	15/03/19	Layout alterations.
B	22/03/19	Alteration to Fusion Screens.
C	24/04/19	Alteration of fly killer to basement.
D	03/05/19	Addition of structural walls.
E	19/07/19	Major layout changes.
F	19/07/19	Removal of 1 no. rack.
G	30/07/19	Alterations to burger station.
H	07/08/19	Lobby created to bin store.
I	27/08/19	Low wall behind kiosk removed. Stools added.
J	05/09/19	GA amended following PSM.
rev	date	description
AW/ARCHITECTURAL DESIGN Willows 1, Mill Farm Courtyard, Bechtamton, Milton Keynes, Bedfordshire, MK19 6DS T: 01525 240800 E: admin@aw-architectural.co.uk W: www.aw-architectural.co.uk		
		
NEW BUILD		
store address		
ST MARY STREET CARDIFF		
drawing title		
PROPOSED GA		
drawn by	checked	date
AW	NJ	March 2019
store no.	scale	
N/A	1:50 @ A1	
drawing no.	revision	
CDD18/G100	J	

MIDDLE HOUSE MONITOR KEY					
	burger station pack screen		order ready		cctv monitor
	pack screen		beverage		off monitor
	chicken pack screen		drive thru expedite		
	under counter expedite screen - orange panel to counter top with screen under				
	cctv monitor				

RACKING SCHEDULE	
LOCATION	PROPOSED LINEAR
Chicken Chiller	4 PLASACOS
Weg Chiller	1.83
Freezers	5.6
Dry Storage	10.82

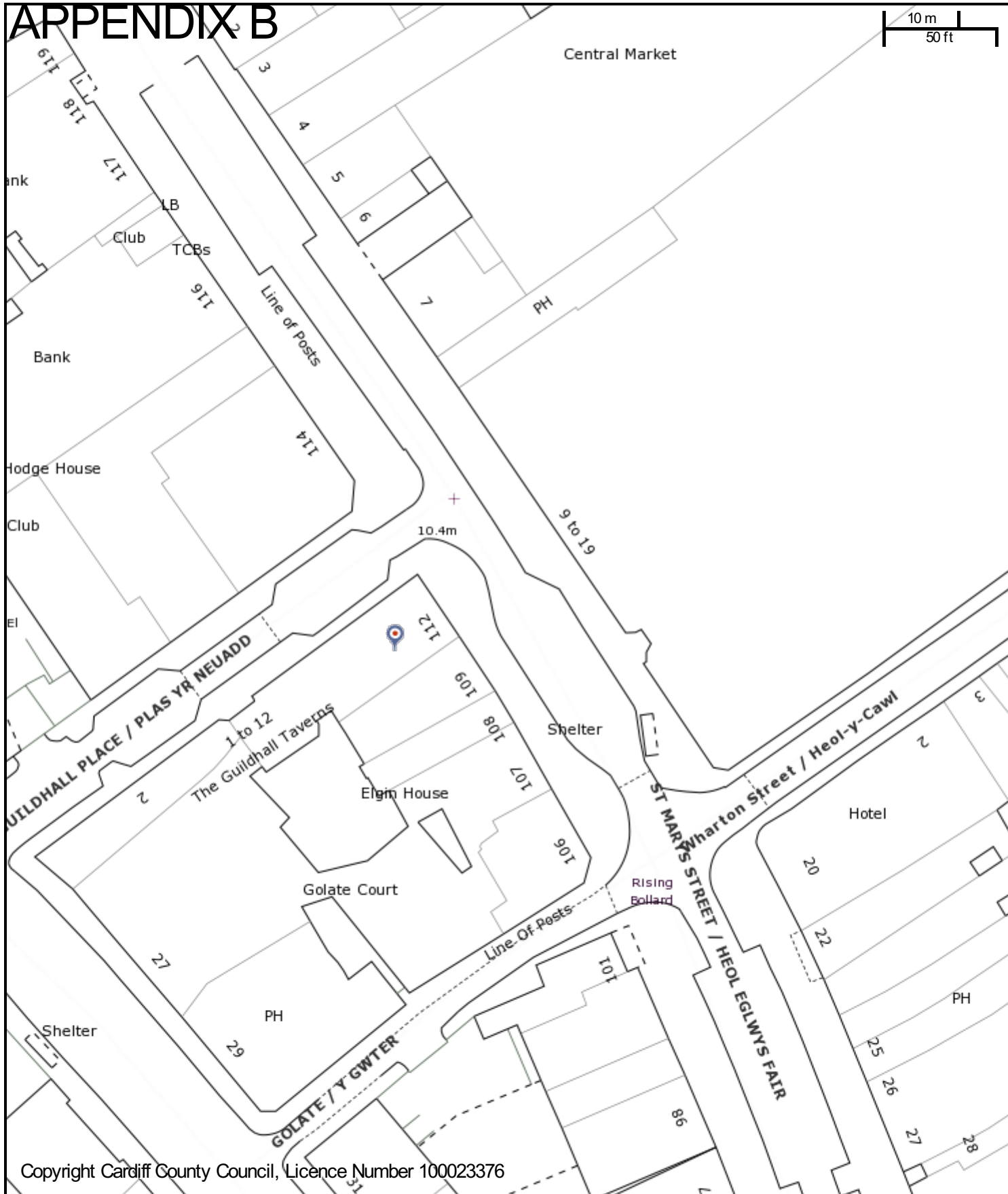
FURNITURE SCHEDULE	
Sitting no. of seats	Proposed no. of seats 28
Sitting no. of tables	Proposed no. of tables 9
Sitting no. of sets	Proposed no. of sets 7

EQUIPMENT SCHEDULE		
1. VEG CHILLER.	14c. 14" FRYER (PICO).	78a. PIZZLE MACHINE.
2. KREAM BALL MACHINE.	14d. 14" DOUBLE FRYER (PICO).	78b. PUMP AND LIPPING MACHINE.
3a. TILL.	14e. 14" TRIPLE FRYER (PICO).	78c. TABLE TOP CARPACANI.
3b. SELF SERVICE KIOSK.	14f. 18" FRYER.	78d. FOOD QUALITY MANAGEMENT PANEL.
4. POST MIX 4 HEAD DISPENSE.	15. COUNTER.	79a. FOOD QUALITY MANAGEMENT PANEL.
5. COFFEE MACHINE.	16. HC900. FLASKS IN PLACE OF DOOR.	79b. POSITION OF 2nd HOT WATER SUPPLY.
6a. COFFEE MACHINE SUNLINE.	17. BIN TOASTER.	79c. DIKE HSHU HOT HOLD TO B.S. - 3x2 HIGH.
6b. HC55 BASE.	18. WHB.	80. DIKE HSHU HOT HOLD TO HCW - 2x2 HIGH.
7. BUN CHUTE.	19. BURGER STATION.	81. WATER MAIN.
7a. 2 LITER TRANSFER BIN	20. SINGLE BREADING TABLE.	82. COLD STORAGE.
7b. BUCKET CHUTE	20a. BACK TO BACK DOUBLE BREADING TABLE.	83a. SINGLE UNDER COUNTER PEPSI FRIDGE.
8. CHIP DUMP / PASS THRU.	20b. SLIMLINE BREADING TABLE.	83b. DOUBLE UNDER COUNTER PEPSI FRIDGE.
9. DIVERSITY UNIT.	21. NEXT GEN BREADING TABLE.	83c. UPRIGHT PEPSI FRIDGE.
10a. MICROWAVE TABLE.	22. S/S TANK/BENCH.	84. COMBINED GREASE TRAP MOP SINK.
11. CHIP FREEZER.	22a. MOBILE CHICKEN PACKING TABLE.	85. BRUSH RACK.
11a. LARGE CHIP FREEZER.	23. HC903.	86. BIFA BIN.
12. 4 HEAD HENRY PENNY.	24. KENNY PENNY.	87. FUSION TIMER.
13. 8 HEAD HENRY PENNY.	25. LABEL PRINTER.	88. FUSION TIMER.
14. 14" FRYER (EVOLUTION ELITE).	26. HOT DRAWERS.	89. LEARNING ZONE.
14a. 14" DOUBLE FRYER (EVOLUTION ELITE).	27. HEADSET BASE LOCATION.	90. STAR GRILL TABLE.
14b. 14" TRIPLE FRYER (EVOLUTION ELITE).	28. BOTTLE STORAGE.	91. FUSION TIMER.



FOR COMMENT

# APPENDIX B



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**

Scale: 1:708

Date: 31/10/2019 at 11:04 AM

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**Ordnance Survey 100023376 (2014).**

# APPENDIX C (i)

*Continued from previous page...*

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

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.

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.

- comply with food safety regulations
- provide disabled facilities
- create safe work environment for all employees

b) The prevention of crime and disorder

- provide adequate lighting and put permanent lighting around the exterior of the premises
- use secure locks on front and back doors
- install intruders alarm
- log information in a crime and disorder incident book
- keep all money in a safe in a locked manager's office at night
- install CCTV system at the premises that will be to an appropriate standard;

# APPENDIX C (ii)

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

the CCTV equipment will be maintained in good working order and will continually record when licensable activity takes place and for a period of two hours afterwards. The correct time and date will be generated onto both the recording and the real time image screen. Images from the CCTV may be retained for a period of up to 35 days and may be reviewed by the Licensing Authority.

### c) Public safety

- provide exit signage, escape routes and emergency lighting
- train staff in provision of first aid
- install fire alarms and smoke detectors
- provide fire fighting equipment

### d) The prevention of public nuisance

- keep the music to a reasonable level
- keep the noise coming from customers and equipment to minimum, especially in the evening when local residents are at home
- arrange for all deliveries to be made during normal working hours
- clear litter regularly
- control noxious odours from cooking

### e) The protection of children from harm

There is no danger of children harming on the premises as we do not serve alcohol, have gaming machines nor do we provide adult entertainment in any form. All cooking equipment and hot surfaces are beyond customers' reach.

## **Section 19 of 21**

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

# APPENDIX D (i)

Cc:  
Subject: Police Reps KFC St Mary Street Cardiff  
Date: 18 October 2019 15:47:21  
Attachments:

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**\*\*\* 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 fygythiadau, meddyliwch cyn agor atodiadau gan anfonwyr nad ydych yn eu hadnabod. \*\*\***

Afternoon Laura

Please find attached police representations, the signed original is available if you require.

Kindly acknowledge receipt of the Police representations and please reply by email to Cardiff Licensing authority and myself if you are in agreement of the representations.

Please do not hesitate to contact me if I can be of any further assistance.

Many Thanks  
Jon



 /SWPolice  @SWPolice  @SWPolice  /SWPTV

Laura Wilkinson,  
Demipower,  
Jubilee House,  
7-9 The Oaks,  
Ruislip,  
HA4 7LF.



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

16 October 2019.

Dear Sir / Madam,

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

**KENTUCKY FRIED CHICKEN  
112 ST MARY STREET CARDIFF CF10 1DX**

I, Chief Inspector R. MILES 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 the above premises.

This objection is made under the licensing objective of;

The prevention of crime and disorder.

The police will object under the Cardiff Council's Cumulative Impact Policy.

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

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.

# APPENDIX D (iii)

## POLICE REPRESENTATION

1. A CCTV system shall be installed to an agreed standard as approved by South Wales Police it shall be maintained and operated at all times when the premises are open to the public. The system will cover all areas of the premises where the public have access (excluding toilets) including all entrances and exits any outside area will also be covered. The images will be kept for a minimum period of 31 days. The images will be produced to a police employee, in a readily playable format, immediately upon request when the premises are open to the public and at all other times as soon as reasonably practicable. There will be sufficient trained staff to facilitate the above, all trained staff will be in possession of the current system passwords. Signs will be prominently displayed advising customers that CCTV is in operation at the premises.
2. On Major Event Days a minimum of two SIA (Security Industry Authority) registered door supervisors will be employed at the premises from either 4 p.m. 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 on Friday, Saturday, any Sunday before a Bank Holiday, and New Year's Eve, from 21:00 hours until close, when open to the public beyond 00:00 hrs.
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 images. The recordings will be kept for a minimum of 31 days and will 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.
5. The Designated Premises 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 duty commenced/finished with a signed acknowledgment 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 readily inspected by a police employee or authorised officer of the council. The register shall be kept for a period of three years.

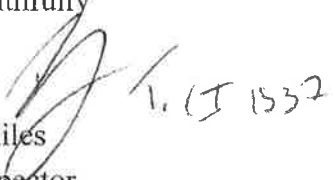
# APPENDIX D (iv)

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 crimes reported to the venue
  - b) Any complaints received
  - c) Any incidents of disorder
  - d) Any refusal of the sale of alcohol
  - e) Any ejections
  - f) Any visit by a representative of a responsible authority or a member of the emergency services
  - g) Any failures of the CCTV system
7. Signs will be prominently displayed at exits, requesting that patrons leave the premise and surrounding area in a quiet orderly fashion.
8. Persons under 16 will not be served after 20:00 hours unless accompanied by a responsible adult.
9. At all time when the premises are open to the public the premises shall operate a radio system which is monitored South Wales Police.

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

Should you have any queries regarding the above objection, please contact Licensing Officer 759 Jon Marchant at the Cardiff Bay Police Station 02920 527207 / 07584771056.

Yours Faithfully

  
Robert Miles  
Chief Inspector

# APPENDIX E

**Barker, Kirstie**

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**From:**  
**Sent:** 22 October 2019 11:38  
**To:**  
**Cc:**  
**Subject:** RE: Police Reps KFC St Mary Street Cardiff

Dear Jon,

Thank you for your email.

Our operations team have commented on the police representations as follows:

Representation 1 – Please can the representation be amended so that police viewing is immediately upon request and within 24 hours we would provide a copy in a readily playable format (this is for GDPR reasons);

Representation 3 – Please can the condition be removed. The licence would only allow opening to 00:30, so it seems disproportionate to impose such a condition for the additional 30 minutes' trading. Is it possible to omit the condition and should the police consider the condition reasonably necessary after having monitored the position for a few months, the condition could then be imposed;

Representation 4 – Please can the condition be removed. We are concerned about the GDPR aspect of this mandate. The CCTV coverage of the restaurant should be comprehensive enough to record the area;

Representation 8 – We are a family restaurant, so cannot agree to this provision from 8pm;

Representation 9 – We assume that the radio system is provided by South Wales Police, but please can you confirm.

Please can you confirm whether the above comments can be taken into account and the representations amended as above.

I look forward to hearing from you.

Kind regards,

Laura