

Crawley Borough Council

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Report to Licensing Sub Committee

4 January 2011

Application to Vary the Premises Licence for

'KFC'

96 High Street, Crawley

RH10 1BZ

ANGELA TANNER

Head of Planning and Environmental Services

1. Details of Application

Reference Documents and Guidance

- 1.1 On the 04th November 2010, the premises licence holder for KFC, 96 High Street, Crawley, submitted an application to the Council for the variation of an existing licence for the above named premises in accordance with the provisions of the Licensing Act 2003 ('the Act').
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Appendix A Application Form

- 1.2 The application is for a change to the 'opening hours' of the premises and in relation to the 'provision of late night refreshments' as follows:

Appendix A Application Form Operating Schedule Section L & O

Current hours

Late Night Refreshments;-	Mon – Thurs & Sun	23.00 to 23.45hrs
	Fri - Sat	23.00 to 00.30hrs
Opening hours;-	Mon – Thurs & Sun	11.00 to 23.45hrs
	Fri – Sat	11.00 to 00.30hrs

The application seeks to amend the hours to:

Late Night Refreshments	Mon – Weds & Sun	23.00 to 01.00hrs
	Thurs – Sat	23.00 to 03.00hrs
Opening hours;-	Mon – Weds & Sun	11.00 to 01.00hrs

Thurs – Sat 11.00 to 03.00hrs

1.3 A copy of the existing premises licence and plans are attached for consideration. *Appendix B Existing premises licence*

1.4 The applicant hopes to promote the licensing objectives with the measures outlined in the application form at section P *Appendix A Application Form. Operating Schedule Section P*

2. Consultation

2.1 The application was advertised in accordance with legislation and as a result of the consultation process the following responses were submitted to the Council:-

2.1.1 Responsible Authorities:

- (1) Sussex Police – the police have stated there are no police objections to the application. An agreement was reached with the applicant which resulted in additional conditions being included on the application to vary. That agreement can be found at Appendix C.

Appendix C: Email outlining agreement between Sussex Police and the applicant

The effect of that agreement is that the application to vary is now inclusive of the following conditions:

- *An internal CCTV system shall be installed, fully operated in accordance with Police recommendations images shall be retained for at least 28 days and, except for mechanical breakdown beyond the control of the proprietor and will be made available upon request to the Police at the earliest opportunity.*
- *One SIA registered door staff shall be employed on Friday and Saturday evenings from 23:00hrs, and for 15 minutes past the closing time of the premises. Door Supervisors shall wear suitably marked reflective jackets in order that they can be readily identifiable to customers, staff and the Police.*
- *At closing time on each day, a check will be made by staff of the outside area to the front of the premises for litter and discarded foodstuffs. Any debris will be removed by, and disposed of appropriately, by the staff.*
- *On any day the premise opens after 01:00hrs, no new customers will be admitted from 15 minutes before the premise is due to close.*

- (2) Planning submitted a response- ; “No objection”. As this response did not refer to the likely effect of the grant of the application on the promotion of the licensing objectives it is not a relevant representation.

- (3) No representations were received from the following:-
Environmental Health
Trading Standards
Fire & Rescue
Child Protection

2.1.2 **Interested parties:**

*Appendix D
Copy of letter
representation*

A relevant representation was submitted by an interested party living in the vicinity of the premises. The letter makes reference to the possible effect that granting of the proposed variation would have on the following licensing objectives:-

- (i) Prevention of crime & disorder
- (ii) Public Nuisance

3 Reason for the Hearing

- 3.1 An application to vary a premises licence must be made to the relevant licensing authority and be accompanied by the premises licence, an operating schedule, a plan of the premises to which the application relates in the prescribed form. *Licensing Act 2003 Section 34*
- 3.2 Where the Licensing Authority receives an application to vary a premises licence and no relevant representations are made, they must grant the licence subject only to such conditions as are consistent with the operating schedule accompanying the application and any mandatory conditions. *Licensing Act 2003 Section 35*
- 3.3 Where the Licensing Authority receives an application to vary a premises licence and relevant representations are made the licensing authority must hold a hearing to consider them, unless the authority, the applicant and each person who has made a representation agree that a hearing is unnecessary and, having regard to the representations, take such of the steps (if any) as it considers necessary for the promotion of the licensing objectives. *Licensing Act 2003 Section 35*
- 3.4 The steps so mentioned are:-
(a) to modify the conditions of the licence
(b) to reject the whole or part of the application. *Licensing Act 2003 Section 35*

4 Statutory considerations and Guidance issued by the Secretary of State

- 4.1 Section 4 of the 2003 Act provides that in carrying out its functions, a licensing authority must have regard to guidance issued by the Secretary of State under section 182 ('Guidance'). The most recent Guidance is dated October 2010. The requirement is therefore binding on all licensing authorities to that extent.

- 4.2 However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and as long as licensing authorities have properly understood the Guidance they may depart from it if they have reason to do so as long as they are able to provide full reasons.
- 4.3 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions. It may then only impose conditions that are necessary to promote one or more of the four licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute. *S182 Guidance Para 10.11*
- 4.4 It is perfectly possible that in certain cases, because the test is one of necessity, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed to promote the licensing objectives. *S182 Guidance Para 10.12*
- 4.5 The Act requires that licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned. This rules out standardised conditions which ignore these individual aspects. It is important that conditions are proportionate and properly recognise significant differences between venues. *S182 Guidance Para 10.13*
- 4.6 Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for the licensing objectives. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties. *S182 Guidance Para 10.15*
- 4.7 Concentrations of young drinkers can result in queues at fast food outlets and for public transport, which may in turn lead to conflict, disorder and anti-social behaviour. In some circumstances, flexible licensing hours may reduce this impact by allowing a more gradual dispersal of customers from premises. *S182 Guidance Para 10.19*
- 4.8 However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested. *S182 Guidance Para 10.20*
- 4.9 Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be necessary for the promotion of the licensing objectives in any individual case. *Section 182 Statutory Guidance 1.15*

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| 4.10 | All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act. | <i>Section 182
Statutory
Guidance
1.28</i> |
| 4.11 | Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area | <i>Section 182
Statutory
Guidance
1.29</i> |
| 4.12 | The essential purpose of the licence in this context is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives | <i>Statutory
Guidance
S182
2.4</i> |
| 4.13 | Conditions are best targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television cameras both inside and immediately outside the premises can actively deter disorder, nuisance and anti-social behaviour and crime generally. | <i>Section 182
Statutory
Guidance
2.6</i> |
| 4.14 | In preparing an operating schedule, the Secretary of State expects applicants to have had regard to the statement of licensing policy for their area. They should also be aware of the expectations of the licensing authority and the responsible authorities on the steps that are necessary for the promotion of the licensing objectives. | <i>Section 182
Statutory
Guidance
8.41</i> |
| 4.15 | The steps to be taken should be both realistic and within the control of the applicant and management of the premises. If a licence is granted with conditions attached requiring the implementation of such steps, the conditions will be enforceable in law and it will be a criminal offence to fail to comply with them (under section 136 of the 2003 Act). As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises | <i>Section 182
Statutory
Guidance
8.44</i> |
| 4.16 | <p>Applications to vary the time during which other licensable activities take place should be considered on a case by case basis with reference to the likely impact on the licensing objectives. In arriving at a decision, licensing authorities may wish to consider the following factors:</p> <ul style="list-style-type: none"> • the nature of the licensable activity; • the extent of additional hours sought and whether it will involve later opening or opening between 23.00 and 07.00; • proximity of the premises to residential areas; • any licence conditions already in place to mitigate the impact of the activity; any additional conditions volunteered by the applicant; • arrangements for dispersal, i.e. when people leave the premises is there potential for noise and disturbance near the venue?
Is the only means of dispersal a single route through residential areas? • whether the proposed extension applies only on the weekend or also during week days; • whether there will be new admittances during that period; • track record of the establishment whether positive or negative, e.g. complaints related to the licensing objectives, any enforcement action or conversely any evidence of good practice in carrying on the licensable | <i>Section 182
Statutory
Guidance
8.68</i> |

activity, e.g. under temporary event notices;

- whether the premises is already open during the extended period for other licensable activities;
- proximity and density of public houses, nightclubs, etc. if customers from these premises are likely to be attracted to the proposed licensable activity in large numbers. For example, people visiting a takeaway after leaving a public house.

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| 4.17 | These factors are not an exhaustive list and licensing authorities and officers should bring their own experience and knowledge of licensing to bear when considering applications. | <i>Section 182
Statutory
Guidance
8.69</i> |
| 4.18 | In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to: <ul style="list-style-type: none">• the steps that are necessary to promote the licensing objectives;• the representations (including supporting information) presented by all the parties;• the Guidance;• its own statement of licensing policy. | |
| 4.18.1 | The conditions that are necessary for the promotion of the licensing objectives should emerge initially from a prospective licensee's or certificate holder's risk assessment which applicants and clubs should carry out before making their application for a premises licence. | <i>Section 182
Statutory
Guidance
10.7</i> |
| 4.19 | Conditions which relate to the four licensing objectives could be used where necessary and appropriate to the particular circumstances of an individually licensed premises. It is important that they should not be applied universally and treated as standard conditions irrespective of circumstances. | <i>Section 182
Statutory
Guidance
10.5</i> |
| 4.20 | The Act requires that licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned. This rules out standardised conditions which ignore these individual aspects. It is important that conditions are proportionate and properly recognise significant differences between venues | <i>Section 182
Statutory
Guidance
10.13</i> |
| 4.21 | Licensing authorities should therefore ensure that any conditions they impose are only those which are necessary for the promotion of the licensing objectives, which means that they must not go further than what is needed for that purpose. | <i>Section 182
Statutory
Guidance
10.14</i> |
| 4.22 | Members are reminded, however, that if conditions which do not precisely mirror the operating schedule are to be imposed, the Members must satisfy themselves that appropriate evidence exists to justify the imposition of these conditions. | |
| 4.23 | Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken. | |

5 Policy Considerations

- 5.1 Members must give due consideration to the merits of each individual case. Attention is drawn to the following sections of the 'Members' Information Pack';
- Council's procedure for Hearings under the Licensing Act 2003 (Hearings) regulations 2005 [extract from the Council's Constitution], *Part A*
 - LACORS' Guidance: The role of elected members in relation to licensing committee hearings under the Licensing Act 2003, *Part B*
 - CBC Licensing Policy for Liquor, Late Night Refreshment and Regulated Entertainment Licences 2008 – 2011, and *Part C*
 - Home Office Guidance issued under s.182 of the Act (October 2010). *Part D*
- 5.2 The aim of Crawley Borough Council's Licensing Policy 2008 - 2011 ('the Policy') is to promote the licensing objectives set out in the Act whilst securing the safety and amenity of residential communities and facilitating a sustainable entertainment and cultural industry. *CBC Alcohol Licensing Policy 1.2*
- 5.2.1 Licensing is about control of licensed premises, qualifying clubs and temporary events, within the terms of the Act. The terms and conditions attached to various permissions will be focused on matters which are within the reasonable control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. *CBC Alcohol Licensing Policy 2.4*
- 5.2.2 The Licensing Authority will primarily focus on the direct impact the activities taking place at licensed premises will have on members of the public living, working and engaging in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti social behaviour by individuals once they are beyond the reasonable control of the licence holder. *CBC Alcohol Licensing Policy 2.5*
- 5.2.3 The Policy is also intended to ensure that the provision of additional opportunities for licensable activities is matched by additional measures enabling the police and responsible authorities to act promptly to maintain public order and safety. *CBC Alcohol Licensing Policy 2.7*
- 5.2.4 The key controls in respect of preventing crime and disorder arise from good operational planning and good management of activities at the premises *CBC Alcohol Licensing Policy 2.10*
- 5.2.5 The Policy states that conditions will be used if they can control issues that directly impact on the behaviour of those under the licensee's direction, when on his premises or in the immediate vicinity of the premises as they seek entry or leave. The Conditions laid down in Annex D of the Statutory Guidance will be used as a pool of conditions. *CBC Alcohol Licensing Policy 2.14*

- 5.2.6 There is no statutory definition of Public Nuisance. The Licensing Authority will therefore, need to make judgements about what constitutes public nuisance and define the necessary controls. To decide this, Members will focus on whether impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity are disproportionate and unreasonable. *CBC Alcohol Licensing Policy 2.33*
- 5.3 Applicants are expected to conduct a thorough risk assessment with regards to the licensing objectives when preparing their applications. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:
- the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele
- 5.4 In preparing 'Operating Schedules', the Licensing Authority expects that applicants should have regard to statements of licensing policy published by this authority for the Crawley area. *CBC Alcohol Licensing Policy*
- 5.4.1 It is also expected that applicants will seek the views of key responsible authorities before formally submitting applications and having completed drafts of their own operating schedules (after considering the effect on the four licensing objectives). For example, on matters relating to crime and disorder, the police and local authority safety officers and local community groups might be consulted. *CBC Alcohol Licensing Policy*
- 5.5 The Licensing Authority general principle will be to support later opening so that customers leave for natural reasons slowly over a longer period. This will prevent any artificial concentration. Specific issues will be dealt with by review of premises licence following representations based on evidence. *CBC Alcohol Licensing Policy 2.95*

6 Staffing, Financial and Legal Implications

- 6.1 There are no extra staffing or financial implications to the Council, save for those laid out in Part 10 of the Information Pack in respect of possible appeals
- 6.2 The Council is required to consider the impact any decision may have on an individual's Human Rights
- 6.3 The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998).

7 Recommendations

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| 7.1 | Having regard to the relevant representations, to the extent that it relates to at least one or more of the four licensing objectives, Members may take such of the following steps mentioned (if any) as it considers necessary for the promotion of the licensing objectives;- | <i>Licensing Act
2003
s35(3)</i> |
| 7.2 | To modify the conditions of the licence. | <i>Licensing Act
2003
s35(4)(a)</i> |
| 7.3 | To reject the whole or part of the application. | <i>Licensing Act
2003
s35(4)(b)</i> |

8 Background Papers

All associated paper work regarding this application
The information pack
Statutory Guidance October 2010
Crawley Borough Council Licensing Policy 2008 - 2011

Contact Officer:- Mike Lyons
Direct Line:- 01293 438698

Application to vary a premises licence under the Licensing Act 2003

RECEIVED
4 NOV 2010
ENVIRONMENTAL
HEALTH OFFICE

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

THE KENTUCKY FRIED CHICKEN (GB) LIMITED
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	05/00187/LAPRE
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Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description	
KFC 96 HIGH STREET	
Post town	CRAWLEY
Post code	RH10 1BZ

Telephone number at premises (if any)	01293 529734
Non-domestic rateable value of premises	£ 20,500

Part 2 – Applicant details

Daytime contact telephone number	01483 717000
E-mail address (optional)	
Current postal address if different from premises address	KFC 32 GOLDSWORTH ROAD
Post Town	WOKING
Postcode	GU21 6JT

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day Month Year

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Please describe briefly the nature of the proposed variation (Please see guidance note 1)

ALLOW THE PREMISES TO REMAIN OPEN UNTIL
01.00 HRS ON SUNDAY TO WEDNESDAY NIGHTS
AND UNTIL 03.00 HRS ON THURSDAY, FRIDAY AND
SATURDAY NIGHTS.

CURRENT LICENCE RESTRICTS HOURS TO 23.45 HRS
ON MONDAY - THURSDAY NIGHTS, 00.30 HRS ON
FRIDAY & SATURDAY NIGHTS AND 23.45 HRS. ON
SUNDAY NIGHTS

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed				State any seasonal variations for performing plays (please read guidance note 4)	
Thur					
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

1

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing	
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed				
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23.00	01.00 TUES.			
Tue	23.00	01.00 WED.	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23.00	01.00 THURS.			
Thur	23.00	03.00 FRI.	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23.00	03.00 SAT.			
Sat	23.00	03.00 SUN.			
Sun	23.00	01.00 MON.			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p>
--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	01.00	
		TUES.	
Tue	11.00	01.00	
		WED.	
Wed	11.00	01.00	
		THUR.	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur	11.00	03.00	
		FRI.	
Fri	11.00	03.00	
		SAT.	
Sat	11.00	03.00	
		SUN.	
Sun	11.00	01.00	
		MON.	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

RESTRICTIONS ON HOURS OF OPENING CONTAINED IN ORIGINAL PREMISES LICENCE

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick yes

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

--

P

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

(a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

KFC (GB) Ltd:

- Are unlicensed and do not intend to apply to add alcohol to the menu.
- Stores maintain a store diary and all instances of public disorder in the immediate vicinity of the store are recorded in the diary.
- Comply with Local Authority fire regulations.
- Have quarterley Fire Detection, and annual CORGI and PAT testing certificates.
- Have implemented an ongoing plan of works for DDA compliance.

(b) The prevention of crime and disorder

KFC (GB) Ltd:

- Policy that all stores are fitted with CCTV equipment and that stores should keep recordings for a period of 28 days. In the event of equipment failure, KFC replace/repair the CCTV equipment as soon as practicably possible.
- Display notes regarding CCTV equipment in their units.
- Stores are fitted with alarms and have under counter panic buttons and these are linked to a 24 hour monitoring service – Kings Security, UK Monitoring Ltd.

(c) Public safety

KFC (GB) Ltd:

- Have a no glass policy in their stores. No drinks or meals are supplied with glass containers.
- Policy is that all shift runners must have attended and passed a first aid course.
- Maintain a first aid kit in each unit.

(d) The prevention of public nuisance

KFC (GB) Ltd:

- Provide waste bins inside and where permitted, outside their units. These waste bins are emptied and cleaned on a daily basis.
- Comply with the DEFRA voluntary code of practice on reducing litter caused by 'food on the go' - specifically conducting daily litter picks is the immediate priority of the unit.

(e) The protection of children from harm

KFC (GB) Ltd:

- Do not provide gaming machines on their premises.
- Comply with current Employment Law regarding the Employment of under 18s.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	M. Keatley
Date	2 November
Capacity	licence Administrator

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	


Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

MRS. M. KEATLEY
38 Baileys Close
Blackwater

Post town	Camberley	Post code	GU17 0AP
Telephone number (if any)	01252 657209		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
M.Keatley3@ntlworld.com			

**Part A
Licensing Act 2003
Premises Licence**

B

<p align="center">Crawley Borough Council</p> <p>Licensing Section, Town Hall, The Boulevard, Crawley, West Sussex. RH10 1UZ 01293 438279</p>	
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Premises licence number

05/00187/LAPRE

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
<p>KFC 96 The High Street Crawley West Sussex</p>	
Post town CRAWLEY	Post code RH10 1BZ
Telephone number 01293 529734	

Where the licence is time limited the dates
NOT APPLICABLE

Licensable activities authorised by the licence
LATE NIGHT REFRESHMENT

The times the licence authorises the carrying out of licensable activities
<p><u>Late Night Refreshment</u></p> <p>Monday – Thursday 23:00 to 23:45 Friday 23.00 to 00.30 Saturday 23.00 to 00.30 Sunday 23:00 to 23:45</p>

The opening hours of the premises
<p>Monday – Thursday 11:00 to 23:45 Friday 11.00 to 00.30 Saturday 11.00 to 00.30 Sunday 11:00 to 23:45</p>

Where the licence authorises supplies of alcohol whether these are on the and/or off supplies
Not Applicable

Part 2
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
Kentucky Fried Chicken (GB) Ltd
32 Goldsworth Road
Woking
Surrey
GU21 6JT
01483 717000

Registered number of holder, for example company number, charity number (where applicable)
963407

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol
Not Applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol
Not Applicable

NOTE

This licence is issued pursuant to the legislation/regulations specified in it only and does not constitute a licence/approval/consent for any other purpose whatsoever, including other legislation, etc., administered by Crawley Borough Council.

The recipient of this licence is responsible for ensuring that all necessary licences / consents / approvals / planning permissions, etc., are obtained and the grant of this licence does not constitute a representation that any necessary licences/consents/approvals/planning permissions, etc., will be granted, because each application must be considered separately.

GRANTED BY
CRAWLEY BOROUGH COUNCIL
10 JUL 2006
10 JUN 2006
LICENSING SECTION
LICENSING SECTION

Annex 1 – Mandatory Conditions (As specified in Section 19 of the Act)

- (1) If this premises licence authorises the supply/sale of alcohol, the following two conditions apply:
 - i. No supply of alcohol may be made under the premises licence at any time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated supervisor does not hold a personal licence or his personal licence is suspended.
 - ii. Every supply/sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
- (2) If this Premise Licence authorises the exhibition of film(s), the admission of children under the age of 18 years is restricted in accordance with the age restrictions of the British Board of Film Classification (BBFC) or authority designated under Section 4 of the Video Recordings Act 1984.
- (3) If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity (as defined by the Private Security Industry Act 2001) then such individuals must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) A store diary shall be in place to record any instances of public disorder.
- (2) CCTV system to be in operation with recording facilities.
- (3) Have quarterly Fire Detection, and annual CORGI and PAT testing certificates
- (4) All recordings from the CCTV system shall be kept for a period of 28 days.
- (5) Signs shall be displayed regarding CCTV equipment.
- (6) Security alarm and panic button to be in operation linked to a 24 hour monitoring service.
- (7) No glass containers to be supplied with drinks or meals.
- (8) Shift runners must attend and pass a first-aid course.
- (9) First-aid kit to be on the premise at all times.
- (10) No smoking in restaurants
- (11) Waste receptacles to be provided internally and externally if necessary, cleaned and emptied on a daily basis.
- (12) No gaming machines shall be on the premises.
- (13) Comply with DEFRA voluntary code of practice on reducing litter caused by 'food on the go' – specifically conducting daily litter picks is the immediate priority of the unit.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable



Lyons, Michael

From: Williams, Russell [Russell.Williams@Yum.com]
Sent: 20 December 2010 16:00
To: Lyons, Michael
Cc: chris.boyle@sussex.pnn.police.uk
Subject: FW: KFC, High Street, Crawley

Dear Mr Lyons

I agree to the below being set as conditions as agreed with Sussex Police on the premises licence for KFC, High Street, Crawley

An internal CCTV system shall be installed, fully operated in accordance with Police recommendations images shall be retained for at least 28 days and, except for mechanical breakdown beyond the control of the proprietor and will be made available upon request to the Police at the earliest opportunity.

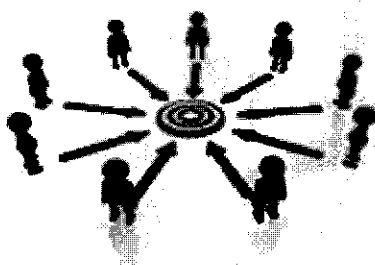
One SIA registered door staff shall be employed on Friday and Saturday evenings from 23:00hrs, and for 15 minutes past the closing time of the premises. Door Supervisors shall wear suitably marked reflective jackets in order that they can be readily identifiable to customers, staff and the Police.

At closing time on each day, a check will be made by staff of the outside area to the front of the premises for litter and discarded foodstuffs. Any debris will be removed by, and disposed of appropriately, by the staff.

On any day the premise opens after 01:00hrs, no new customers will be admitted from 15 minutes before the premise is due to close .

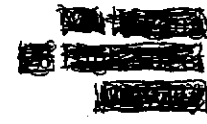
Russell Williams
Area Coach South West London
Call: +44 (0)7765 890633
Send: russell.williams@yum.com

Support WFP by donating at <http://www.JustGiving.com/HikeForHunger>



"This communication is confidential and may be legally privileged. If you are not the intended recipient, (i) please do not read or disclose to others, (ii) please notify the sender by reply mail, and (iii) please delete this communication from your system. Failure to follow this process may be unlawful. Thank you for your cooperation."

ENVIRONMENTAL AND
HOUSING DIRECTORATE



Crawley County Council Licensing Department

Dear Sir,

I recently wrote to you to lodge my objections to the proposed planning permission being granted to Kentucky Fried Chicken, and have now found out that they are reapplying, and so I would once again like to voice my objections on the matter.

My main reason for lodging this objection is the increase in both noise and potential littering which will undoubtedly occur with the increase in customers. This vicinity of Crawley is already very well serviced with restaurants, take-aways and bars, some of which already have extended opening hours.

and any extension to the current opening hours will have a detrimental effect on my quality of life as the increase of noise late at night will disturb mine and the other residents' evenings and sleep.

The location of Kentucky Fried Chicken would lend itself to a large proportion of its late night customers coming from Bar Med, a late night club. Bar Med currently has opening hours until 1am, I am already awakened nightly by the departing clientele from Bar Med, extending KFC's opening hours until 3am will encourage customers to stay in the vicinity for a further two hours, which in my opinion is an unwelcome intrusion to my family and I.

If Kentucky Fried Chicken's application is successful I would be very concerned that this would set a precedent, and that the other take-aways, restaurants and bars would all follow suit and endeavour to extend their opening hours likewise. This would lead to large groups of people congregating in this area of Crawley late at night with no real purpose. There may also be an element of potential increased vandalism in this area.

I look forward to receiving your letter acknowledging my objection and addressing the points that are outlined within.

Yours Faithfully

