

Committee: Statutory Licensing Sub-Committee

Date of meeting: **22nd January 2019**

Report Subject: **Licensing Act 2003 – Review of
Premises Licence – Kung Fu, 18
Church Street, Ebbw Vale**

Report Submitted by: **Miss A. Hughes**

Report Written by: **Miss H. Jones**

1. Purpose of the Report

1.1 To inform the Statutory Licensing Sub-Committee of an application for the review of a premises licence, in accordance with the Licensing Act 2003. The application has been submitted by Home Office Immigration Enforcement, in respect of King Fu Chinese Takeaway, 18 Church Street, Ebbw Vale.

2. Scope and Background

2.1 The purpose of this report is to determine an application for the review of a premises licence submitted by Home Office Immigration Enforcement, Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon in respect of Kung Fu Chinese Takeaway, 18 Church Street, Ebbw Vale in accordance with the Licensing Act 2003. A copy of the application is attached as Appendix 1.

2.2 The current premises licence, held by Kung Fu 18 Ltd. of Church Street, Ebbw Vale, permits late night refreshment on Monday to Sunday for one hour from 11.00 pm until 12.00 midnight. The opening hours of the premises are 5.00 pm to 12.00 midnight Monday to Sunday.

The licence is subject to the following conditions:-

- CCTV will be in operation at all times. CCTV recordings will be maintained and kept for a period of 28 days and made available to the Police and any other relevant authority on request.
- Clearly legible notices shall be displayed at all exits from the premise requesting public, and staff to respect the needs of local residents and to leave the premise and area quietly.
- Waste receptacles to be provided

2.3 In accordance with the Licensing Act 2003, the applicant has served copies of the application on the following Responsible Authorities, in addition to the licence holder:-

Gwent Police, South Wales Fire and Rescue Service, Blaenau Gwent County

Borough Council Trading Standards, Licensing Enforcement, Planning, Environmental Health, Social Services departments, the Aneurin Bevan Health Board

A notice of the application was displayed at the premises for 28 days to enable 'other persons', i.e. local residents and businesses, to make representations. No representations were received from 'other persons'.

2.4 Gwent Police and BGCBC Environmental Health confirmed they would not be making representations in respect of the application. No representations were received from South Wales Fire and Rescue Service, Blaenau Gwent County Borough Council Trading Standards, Licensing, Planning, and Social Services departments or the Aneurin Bevan Health Board.

2.5 In considering this application, the sub-committee must take account of the provisions in the Licensing Act 2003 in particular, the licensing objectives which are:-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

2.6 The guidance issued by the Home Office under section 182 of the Act and the Council's licensing policy must be taken into account when considering this application.

3 Options for Recommendation

3.1 The options available to the sub-committee are:

1. to modify the conditions of the licence, or
2. to remove a licensable activity from the scope of the licence; or
3. to suspend the licence for a period not exceeding three months, or
4. to revoke the licence; or
5. take no action.

Background Documents /Electronic Links

- Appendix 1 – copy of application for review of licence