

NEATH PORT TALBOT COUNCIL

Licensing and Gambling Acts Sub Committee

25th July 2022

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: Briton Ferry East

Application for the Grant of a Premises Licence

Purpose of the Report

1. To consider representations received in respect of the following application made under the Licensing Act 2003.

Premises Name	Kyes Kitchen
Premises Address	224 Neath Road, Briton Ferry, Neath, SA11 2AX
Applicant Name's	Keinwyn Vickress
Applicant Address	4 Jersey Terrace, Briton Ferry, Neath SA11 2RD
DPS Name	Keinwyn Vickress

Executive Summary

2. This is an application for the grant of a premises licence under the Licensing Act 2003 by Keinwyn Vickress. The premises licence will authorise sale of alcohol both on and off the premises and late night refreshment.
3. Representations were received in respect of the application from South Wales Police requesting that additional conditions be attached to the licence.
4. The applicant has agreed to the imposition of the additional conditions and consequently all parties agree that a hearing is unnecessary; final determination of the application needs to be made by the Licensing and Gambling Acts Sub Committee.

Background

5. The Licensing Act 2003 requires that any person wishing to provide licensable activities obtains a premises licence from the Licensing Section.
6. An application for the grant of a premises licence must be advertised in the prescribed manner and allows "Responsible Authorities" or "Other Persons" to submit representations in respect of the application.
7. Where all parties have reached an agreement and amendments have been made to the original application, the Licensing Authority can dispense with the need for a formal hearing; a meeting of the Sub-Committee is still required to consider the amendments.

Licence Application

8. The applicant has included the following information in the application outlining the requested hours of operation and details on how the applicant proposes to promote the 4 licensing objectives.

Opening Hours

9. Sunday – Thursday 07.00 – 23.00
10. Friday - Saturday 07.00 - 01.00

11. Non Standard Timings
12. New Year's Eve 07.00 - 01.00

Supply of Alcohol (On and Off Sales)

13. Sunday – Thursday 09.00 – 23.00
14. Friday - Saturday 09.00 - 01.00
15. Non Standard Timings
16. New Year's Eve 09.00 - 01.00

Late Night Refreshment

17. Friday and Saturday 23.00 - 01.00

Licensing Objectives

18. The following information has been provided by the applicant.

General

19. These are the intended steps I will take to promote the four licensing objectives in respect to the application for Kye's kitchen, 224 Neath Road, Briton Ferry, Neath, SAU 2AX.

Prevention of Crime and Disorder

20. CCTV cameras will be visible to customers.
21. A visible sign stating CCTV cameras are on the premises to act as a deterrent.
22. Empty bottles and glasses will be removed from public spaces swiftly.
23. When hanging coats customers will be encouraged to remove valuables and keep it on their persons.
24. Crime will be reported to the police promptly.
25. Staff training will be provided so they recognise cut off points for drunken customers.

26. Toilets will be monitored for signs of drug use.
27. Doors will be locked and the building secured on closing.
28. Suspicious packages left unattended will be reported to the police

Public safety

29. The restaurant will have adequate lighting.
30. Bathroom facilities with hand rails will be available for disabled persons.
31. Emergency exits will be kept clear, with clear signage and emergency lighting.
32. Fire safety equipment will be maintained and available to use. A fire evacuation plan will be visible to customers.
33. The staff will be trained in fire safety.
34. Prams and pushchairs will be kept clear of escape routes and exits.
35. Taxi phone numbers will be available to customers.
36. Female customers will be informed about the code word "Angela" to get help from staff if they feel unsafe with their date.
37. The restaurant will be FSA registered and maintain food safety regulations.
38. The restaurant will have a rigorous cleaning regime and will follow government guidelines in relation to Covid 19.
39. Staff will be trained in health and safety and health and safety equipment will be available e.g. A yellow slip warning sign will be placed when spillages or cleaning the floor occurs.
40. Spillages and broken glass will be removed promptly.
41. A first aid kit will be available to customers and an accident book in situ.
42. Staff will receive training in first aid.
43. Public liability insurance is in situ.

44. Risk assessments will be conducted and copies kept on the premises.
45. Policies will be created and implemented.

The prevention of public nuisance

46. Only background music will be played at the restaurant.
47. The restaurant has double glazing to doors and windows to minimize noise.
48. A designated outside smoking area will be placed away from neighbours.
49. Rubbish will be cleared away promptly and checked nightly, outside space will be maintained.
50. Bins will be stored at the back of the building and be cleaned and disinfected weekly.
51. Refuse will be collected weekly as per a contract with NPT.
52. Packaging will be recycled.
53. The restaurant has an extraction system with low noise and grease filters to minimise noise and odour.
54. Drains will be kept free of debris and cleaned regularly to prevent blockages and odours.
55. The premises will be monitored for pest activity and if any pest control contractors will be sought.
56. Lighting will be turned off at the end of the day. Customers and staff will be encouraged to leave the restaurant with minimal noise and be respectful to neighbours.

The protection of children from harm

57. The restaurant will operate a challenge 25 policy and this will be displayed.
58. Staff will be trained in challenging for and checking photographic ID's.

59. Children will not be allowed in the restaurant unless accompanied by an adult.
60. A children's risk assessment and policy will be implemented whereby children will not be allowed in the restaurant after 9pm.
61. Care will be taken that background music will not contain explicit lyrics

Relevant Representations

62. Nick Bailey - South Wales Police
63. The above representation is reproduced at Appendix 1

Officer Report

64. The application is to authorise the sale of alcohol and late night refreshment.
65. Representations have been received from South Wales Police who requested additional conditions be attached to the licence.
66. The applicant has agreed to all the conditions requested.

Legal Impacts

67. There is a right of appeal against the decision to the Magistrates' Court

Risk Management

68. Not Applicable

Consultation

69. Consultation has been undertaken in accordance with the Licensing Act 2003.

Recommendation

70. The members determine the application after considering all relevant representations.

Reasons for Proposed Decision

71. To ensure the licensing objectives as set out in the Licensing Act 2003 are promoted.

Implementation of Decision

72. The decision is for immediate implementation

Appendices

73. Appendix 1 - South Wales Police Representations

List of Background Papers

74. Application for the grant of a premises licence
75. Neath Port Talbot Licensing Policy
76. <https://www.npt.gov.uk/media/17641/appendix-1-draft-licensing-act-policy-2021-english.docx?v=20220627093306>
77. Secretary of State's Guidance
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Officer Contact

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