



RHONDDA CYNON TAF COUNCIL LICENSING ACT 2003

Minutes of the virtual meeting of the Licensing Act 2003 held on Tuesday, 4 May 2021 at 4.30 pm.

County Borough Councillors - Licensing Act 2003 Members in attendance:-

Councillor A Fox (Chair)

Councillor D Williams	Councillor S Bradwick
Councillor S Powderhill	Councillor T Williams
Councillor W Lewis	Councillor S Morgans
Councillor P Howe	Councillor L Hooper
Councillor L Jones	

Officers in attendance:-

Ms L Davies, Director, Public Health, Protection and Community Services
Mr P Nicholls, Service Director, Legal Services
Ms R Hope, Temporary Head of Public Protection and Regulatory Services
Ms K Trilloe, Temporary Health Protection and Licensing Manager
Mr M Owen, Assistant Licensing Manager
Mr N Evans, Licensing Enforcement Officer

16 Chair Welcome

The Chair took the opportunity to welcome the Temporary Health Protection and Licensing Manager to the meeting.

17 Declaration of Interest

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

18 Human Rights Act 1997 and Crime and Disorder Act

It was **RESOLVED** to note that when Members determine the licensing and registration matters before them, they have a duty not to act in a manner that is incompatible with the convention on Human Rights and the Crime and Disorder Act.

19 Minutes

It was **RESOLVED** to approve the minutes of the 2nd February 2021 as an accurate reflection of the meeting.

20 Review of the Licensing Act 2003 & Gambling Act 2005

The Director, Public Health, Protection and Community Services provided the

Committee with the report on relevant issues with regard to the Licensing Act 2003 and the Gambling Act 2005, together with ancillary matters arising from the responsibilities charged to the Committee.

It was reported that the number of Temporary Events Notices (TEN's) during the period were low, with only 10 applications submitted. This could be attributed to the Coronavirus Regulations that restrict licenced activities. However, with the agreement for licensed premises to resume trade in outside areas only, it was envisaged there would be an increase in such applications during the next period; in particular for clubs, who have different conditions of licence compared to pubs and restaurants. The Director also noted that the number of transfers and changes of DPS was considerable, which again, was likely due to the uncertain nature of the pub/club trade as a result of the pandemic.

The Director reported that since the last Committee report, there had been one contested application for Variation of a Premises Licence. It was also reported that there had been two reviews, requested by South Wales Police, during the period. The first review was for the Red Lion, Treforest, whereby the Sub-Committee determined to revoke the Licence; and the second was for the White Lion Hotel, Aberdare, whereby the Sub-Committee determined to revoke the Licence. Members were informed that the applicant for the White Lion Hotel had since appealed against the decision of the Licensing Act Committee to revoke the premises licence and the Hearing would take place at 10am on 12th May, 2021 at Merthyr Tydfil Law Courts.

The Director referred Members to section 4.3 of the report, where the premises inspections and infringements were outlined. Members learned that the current performance level remained at 90.5% as there had been minimal inspections carried out during the period, due to the enforced closure by Government of pubs, clubs & restaurants and officers focussing on Covid-19 inspections.

The Director went on to describe the situation for the Trade during the period, explaining that all licensed pubs, clubs and restaurants had ceased trading due to the restrictions imposed by Welsh Government to combat the coronavirus pandemic. Despite the closures, Members were informed that officers had continued to conduct Covid compliance visits, along with the RCT Covid Enforcement Team and South Wales Police, known as the joint enforcement team (JET).

The Director informed the Committee of the latest lifting of restrictions and the queries received from the trade during the period in relation to clubs re-opening outdoors. Members learned that the mandatory conditions imposed on club premises certificates differed from pubs and restaurants which hindered the possibility of many clubs opening outdoors during the coming weeks.

In relation to the re-opening outdoors of pubs and restaurants, the Director advised the Committee that issues had arisen regarding the erection of outdoor gazebo style areas. Members were referred to Section 4.4 of the report, which displayed a visual aid of what is appropriate and explained that a gazebo requires 51% open sides.

In terms of the recovery of annual fees, Members were reminded that the Licensing department had initially taken the decision to not chase immediate payment of the fees during the past year due to the economic hardship placed on premises, but had to begin chasing payments due to Legislation

requirements. It was noted that the total income received as at 31st March 2021 was £127,240, which was attributed to the hard work of the team.

Members noted that there were no significant changes in terms of the Gambling Act 2005. Members were advised that the local RCT statement of principles was due for review by January 2022 and that the process would begin during the next reporting period.

One Member requested that Local Members be notified of the applications submitted within their ward, to which officers agreed.

Members took the opportunity to thank the Licensing Team for their continuous hard work and it was **RESOLVED:-**

- a) To note the contents of the report in respect of the **Licensing Act 2003** and;
- b) To note the contents of the report in respect of the **Gambling Act 2005**.

21 To consider passing the under-mentioned Resolution:

It was **RESOLVED** that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act 1972 (as amended) for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 13 of Part 4 of Schedule 12A of the Act.

22 Licences and Registrations issued under the provision of Delegated Powers for the period: 18.01.21 - 18.04.21

The Director, Public Health, Protection and Community Services provided the Committee with details of licences and registrations issued during the period 18th January 2021 to 18th April 2021.

Following discussions, it was **RESOLVED** to note the content of the report.

This meeting closed at 4.50 pm

**CLLR A FOX
CHAIR.**