



RHONDDA CYNON TAF COUNCIL LICENSING ACT 2003

Minutes of the virtual meeting of the Licensing Act 2003 held on Tuesday, 12 July 2022 at 4.30 pm.

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

Councillor A Fox (Chair)

Councillor A O Rogers Councillor G Holmes
Councillor S Powderhill Councillor K Johnson
Councillor L Ellis

Officers in attendance:-

Ms R Hope, Head of Service for Public Protection and Regulatory Services
Mr P Nicholls, Service Director, Legal Services
Mr M Owen, Assistant Licensing Manager

1 Declaration of Interest

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

2 Apologies

Apologies of absence were received from County Borough Councillors D. Williams and S. Bradwick.

3 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.

4 Minutes

It was **RESOLVED** to approve the minutes of the 1st February 2022 as an accurate reflection of the meeting.

5 Review of the Licensing Act 2003 & Gambling Act 2005

The Head of Service for Public Protection and Regulatory 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 since the removal of the Coronavirus restrictions the number of TEN's has steadily increased and more than doubled since the last reporting period. This increase is as a result of community events and sporting events. This was also attributed to the Jubilee events and upcoming PRIDE events.

Furthermore, an analysis of the TEN's applications indicate 37 new personal licenses that have been allocated, which will show a positive step for the industry for staff in terms of pubs and hospitality. There have been no contested applications during this period but there have been 5 reviews. Members were referred to the table on page 13 of the report pack. The Collier Arms in Penywaun and the outcome was that they had some outdated conditions to be moved and specific conditions added to their license. Chippy Plus also had their licence removed but the applicant is considering selling the premises/or considering surrendering his licence. The other review is the old post office in Porth, which is known as 'square'. The License holders have appealed with a view for this to be held on the 1st August. 'Food For You' also had their license revoked but the team have been informed that they have appeal this decision but that the appeal has not been processed yet. The other license revoke happened for Mountain Ash Stores and they have also appealed to the Courts.

Furthermore, it was reported that since the last report, one appeal was mediated between the Premises and the Responsible Authorities, removing the need for a Court hearing. The two appeals is the 'Chippy Plus' and 'Squares' and the review date for that is the 1st August.

The Head of Service for Public Protection and Regulatory Services referred Members the premises inspections and infringements were outlined. In total there has been 97 premises inspected throughout the Borough, a number of which have required follow up visits. These visits have primarily targeted premises that are previously non-compliant, or related to complaints. Very few inspections were conducted during the pandemic and it was anticipated that the inspections show premises may not now be fully compliant with conditions of their licence. This has proven to be correct with many premises being determined broadly non-compliant, reasons range from minor indiscretions to major concerns such as CCTV not working and absent DP's. This is shown in the slight decrease since last reported in the current performance level for inspected premises which is now at **89.7%**. Officers are working continuously with these premises to ensure they become compliant.

It was reported that in relation to the number of complaints received, the alcohol industry has continued to feel the impact of the Covid pandemic, with premises not receiving the same footfall as pre-pandemic. Some have remained closed. Moving forward it is hopeful that some form of normality will resume to allow the trade to be sustainable. This is highlighted by a licensee placing his pub for sale (Rhondda Hotel) as it is not a viable business because of Covid. A new person has made enquiries about transferring the licence. Advice and guidance has been provided. This is also the same for the Security Industry Authority (SIA) where it is estimated there are 40,000 less SIA registered individuals in the UK than pre pandemic, which in turn impacts on the premises that require such staffing.

Ongoing problematic complaints have continued since the previous report. These have been tricky to investigate thoroughly as officers have had to

continue to work within the confines of Covid concerns. Noise complaints etc have been unable to be monitored properly due to people feeling nervous about having officers in their homes. This is wholly understandable, but provides barriers to officers when trying to assist the public to accurately assess the issues.

The 'Ask Angela' campaign (as raised in previous reports) is working and has been utilised in Pontypridd town centre – this has been used and people have been taken care of by our licensed premises. As mentioned in previous reports, this is a very positive campaign to assist any person who feels threatened while out in the pub/club scene. Management of premises are now aware of this and train their staff to be aware of this. Any time this is utilised is a success and reassures the member of the public that staff within premises are there to assist. Whilst businesses are there to succeed and make profit it shows that public safety is considered. This is down to good work from officers within various departments and agencies promoting such topics.

As mentioned within the last report the Treforest pubwatch has been extended to include the Rhydyfelin and Hawthorn areas. This has proved successful of late as this was a failing pubwatch group. By extending to these areas it seems to have injected a bit of life back in, which is great news as the Pubwatch scheme is a great way of allowing licence holders and DPS opportunity to raise concerns to the licensing department and the police about local and national issues, and to also interact with each other.

Members were also reminded that training has been provided to committee members from James Button who is recognised as a leading expert in the field of licensing. Hopefully the training gave an insight into the requirements and expectations of both members and licensing officials.

The Licensing Authority sit on the event Safety Advisory Group ESAG, this group of members discuss and meet with potential event organisers to ascertain what Council functions they require to ensure any event is run safely and legally. This is a multi-discipline group with members from the Local Authority including Licensing, Environmental Health, Parks, Events and Highways, and external agencies such as South Wales Police, South Wales Fire Service, Ambulance Service amongst others. During the past two years many events have been cancelled or postponed, meaning this year especially with the Jubilee weekend – the ESAG have been particularly busy!! In the run up to the Jubilee weekend in June, the group met fortnightly, and realistically spoke on an almost daily basis to ensure the events organised throughout RCT were run safely. This is a time-consuming exercise but an essential one to allow RCT to hold events of all scales successfully and more importantly safely.

Members were reminded that Treorchy High Street was awarded the champion high street of Great Britain in January 2020. The Lion Pub located on the street is a hub of this community and on 5th July a Royal visit is arranged to mark this achievement. This has been delayed since 2020 due to Covid. HRH Prince Charles will be attending the Lion where he will also meet with other businesses at the pub. The Lion pub has been very proactive over the past few years and continues to do so. They have held an outdoor green grocer in their front beer garden which was highly successful, this has led to the opening of Green Valley – zero waste shop and greengrocers. The premises has also positioned a red phone

box in the garden and turned it into a mini library with shelves full of books for people's use and displays art work from local school children. This shows that licenced premises can be very positive in the local community when managed responsibly.

Other events within the Borough include Tyson Fury coming to Rhondda Fach Sports Centre on 15th July and 3 separate events held in Pontypridd Park (9th July), Gelligaled Park (16th July) and Aberdare Park (23rd July) to celebrate key workers and present 'Freedom of the Borough' to some. The events will provide fun activities for children and include choirs and brass bands.

Within the Rhondda there is also the Treorchy Music Festival on 30th July in which licensed premises taking part. There is a Treorchy Food & Drink Festival on 27th August, and Pride events taking place on 16th July at Flamingo Bar.

The Ivor Hael pub in Llwynypia is running a scheme – cost of ingredients meal deal. Within the next month to 6 weeks, they will be selling food at cost price. Persons buying meals must get a voucher from a food bank, they can then exchange with the pub for cost price meals. The premises has been working with Cllr Wendy Lewis and others to sort out the logistics. This is another positive action from a licensed premises looking to assist the community.

Members were informed of the Mid Rhondda pub watch and Porth pub watch have re-started following the pandemic. Upper Rhondda pub watch will be starting soon. This again shows encouraging signs for the willingness to move forward and work together in partnerships.

In terms of Complaints, queries and guidance, they have continued during this period and include:

- Cwmparc Legion – problems with an absent DPS which led to the pub having to close for a short time, this has now been resolved and new DPS is in place.

- Pentre Service Station selling alcohol outside of the conditioned hours, positive action has been taken by the management, as well as alcohol being taken of sales. No further action is now deemed necessary

- pre-opening advice meeting at pub in Abercwmboi. The premises had been closed for several years and is being refurbished, ready to reopen in the next few weeks. Premises known as Cap Coch Inn.

- An officer visited a store in Aberaman (Blaengwawr Stores) following reports that the DPS had died. The DPS was also PLH and had died 3 weeks before prior so without prompt intervention the premises licence would have lapsed (28 day limit for transfer after death).

- Joint meeting with an Environmental Health Officer at club in Taffs Well (Taffs Well Ex-Servicemens) to discuss noise and ASB issues at an 18th birthday party. Club have agreed not to hold any more 18th birthday parties.

- Visit made to a premises in Cwmbach (Cwmbach Legion) following reports that the premises was trading whilst suspended for non-payment of annual fees. Two years annual fees were promptly paid allowing the premises to reopen.

- Pre application advice given to new venture in Mountain Ash (Mountain Ash Town Hall)

- Joint enforcement visit with Police & Home Office Immigration officers to a store in Mountain Ash following underage sales at the premises. Evidence

gained during this visit prompted a premises review.

- The Ship Inn in Llantwit Fadre has been subject to complaints over a prolonged period of time. This has been a time-consuming exercise. These complaints are now being assessed by the Environmental Pollution team.
- There are ongoing concerns with door staff at a premises within Pontypridd. This issue is being discussed with police colleagues.
- Noise complaints from Lanelay Hall in Talbot Green.
- Underage drinking in the Bush, Clydach Vale
- Treorchy RFC, several issues that has required a meeting between the premises, police and licensing.
- Spar, Pontyclun, major concerns regarding the running of the business and potential absent DPS.

Members were given the good news that as part of a partnership approach to Covid Enforcement Officers Maria Meek and Bethan Walters have been awarded with a Special Recognition Award from the Chief Constable and Police Crime Commissioner for South Wales Police. This is well deserved. The officers worked tirelessly during the pandemic in partnership with the police to give advice and to enforce legislation. This was not always welcomed by some premises, but it was conducted to ensure the public remained safe.

As something to note by Members, the licensing team regularly receive complaints from members of the public via councillors, which is good and expected. However, given there are new councillors on the committee, the licensing department wish to advise that it is in the best interest of the constituent to contact the department directly and provide specific details of the complaint and how it affects them personally and to provide contact details. Officers need to follow up complaints, without the full information and the avenue to contact the individual it is difficult to make full enquiries. It is recommended the public email Licensing.section@rctcbc.gov.uk

In terms of spiking, it was reported that there have been no issues with RCTCBC. Awareness is being raised throughout the industry and within South Wales Police and the Licensing department. The senior licensing officer attended a two-hour course in relation to Anti Spiking Awareness, the course was provided by SOS or 'Stamp Out Spiking'. The invitation was provided from the Pontypridd BID as part of a pubwatch initiative in Pontypridd – this highlights the partnership work that goes on behind the scenes within the licensing arena.

In terms of recovery, Members were informed that the team are chasing up the payments.

Under the Gambling Act, Members were referred to page 20 of the report pack. In terms of recovery of annual fees, Members were advised that an officer is to attend a webinar at the end of July which discusses The Future of Gambling in the UK: Reforming Legislation to Prevent the Rise of a New Generation of Problem Gamblers. Any new additions to legislation and concerns will be highlighted and fed back to the team.

The Chair thanked the Officer for the update and took the opportunity to advise that there had been a technical error with the graphic on the pack and that the full pack will be sent out tomorrow.

Another Member also queried whether he could continue to sit on meetings for the Cwm Fadre Welfare Hall and was advised that there was no conflict with this.

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

- 1 To note the contents of the report in respect of the **Licensing Act 2003** and;
- 2 To note the contents of the report in respect of the **Gambling Act 2005**.

6 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.

7 Licences and Registrations issued under the provision of Delegated Powers for the period:

The Head of Service for Public Protection and Regulatory Services provided the Committee with details of licences and registrations issued during the period 17th January to the 26th June.

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

This meeting closed at 5.00 pm

**CLLR A FOX
CHAIR.**