



RHONDDA CYNON TAF COUNCIL

Minutes of the Hybrid meeting of the Licensing Act 2003 held on Monday, 6 February 2023
at 4.30 pm.

This meeting was live streamed, details of which can be accessed [here](#)

County Borough Councillors – The following Councillors were present in the Council Chamber:-

Councillor A Fox (Chair)

Councillor G Stacey Councillor L Ellis
Councillor G Holmes Councillor K Johnson

The following Councillors were present online:-

Councillor S Powderhill Councillor A O Rogers
Councillor J Turner

Officers in attendance

Ms R Hope, Head of Service for Public Protection and Regulatory Services
Mr P Nicholls, Service Director, Legal Services
Ms K Trilloe, Health Protection And Licensing Manager

Apologies for absence

Councillor S Bradwick Councillor T Williams

15 DECLARATION OF INTEREST

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

16 HUMAN RIGHTS ACT 1998 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.

17 MINUTES

It was **RESOLVED** to approve the minutes of the 14th November 2022 as an accurate reflection of the meeting.

18 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 for the period 17th October 2022 to 15th January 2023, together with ancillary matters arising from the responsibilities charged to the Committee.

An analysis of the TEN's applications indicate 68 for existing premises licences, 22 for permitted community events and 39 from Private Members Clubs and the month of November brought a flurry of applications to extend hours in licensed premises and Clubs for the Football World Cup. Furthermore, this led into the festive period which saw TENS increase in number to cover activities such as Christmas markets, carol concerts, and the sale of alcohol in non-licensed premises, along with the extension of hours for the retail sector and other licensed premises to trade over the holidays.

24 new personal licenses that have been allocated.

The Head of Service for Public Protection and Regulatory Services reported that since the last Committee report, there had been one contested application for a Variation of Premises Licence which had been Granted but following amendments to the original variation application.

Furthermore, no reviews have been determined during this period, however, there are two appeals from Applicants at Food For You, Pontypridd, whereby the Appeal was dismissed by the Judge and therefore the decision of the Licensing Act Committee to revoke the premises licence was upheld, and at Mountain Ash Stores, T/A Central Food, Mountain Ash, whereby the Judge reduced the Licensing Act Committee's decision to revoke the premises licence, to a 3-month suspension which took effect at midnight on 30/11/22 and runs until midnight on 27/02/23. Moreover, an Appeal had been lodged by the Old Post Office (Squares), Porth which is currently pending.

Members were referred to section 4.3 of the report, where the premises inspections and infringements were outlined. In total there has been 47 premises inspected throughout the Borough, some of whom have again required follow up visits due to concerns on adherence to their licence.

Members learned that the proactive work being conducted has shown a slight decrease in the current performance level for inspected premises which is now at 90.38% compared to 90.66% during the previous reporting period.

The Head of Service for Public Protection and Regulatory Services reported that Officers are working continuously with these premises to ensure they become compliant and that they visited Mountain Ash Stores on 2 separate occasions to conduct test purchases for alcohol and ensure that they were complying with their suspension. Furthermore, on both

occasions there was no alcohol on display and when asked, the member of staff refused any sale. They were complying with their 3-month suspension.

It was reported that two Licensing Officers attended the National Training Conference in Stratford Upon Avon in November 2022, along with the Chair of Licensing Committee Councillor Fox, where we were very fortunate to be awarded a free place for one Officer as conference is an important date in the Licensing annual calendar and places are limited. Furthermore, the Officer will now make a presentation to the other members of the Wales Institute of Licensing group on 8th February, to share the experience and all three who attended agreed it was a full conference with plenty of informative sessions.

The Head of Service for Public Protection and Regulatory Services advised that Members may have noticed an article in the press relating to a premises in Porth, whereby the premises was subject to enforcement action by South Wales Police resulting in a cannabis factory being discovered. While this has been a concern to the Licensing Authority it should be noted that the premises has not traded for several months, and the Premises Licence has now been surrendered.

Members learned that the Tumble area of Pontypridd Town Centre is currently looking a little different with just 4 of the 6 licensed premises trading and that the old Players premises on the Broadway has not re-opened yet, despite being Granted a new Premises Licence. Also, the Soul Suite has not re-opened since March 2020 and remains empty, the Premises Licence is still valid.

Moreover, a small convenience store was found to be non-compliant as no DPS was employed at the premises, a visit was conducted by Licensing Officers and all alcohol sales were ceased. New owners of the premises applied for a Transfer and Vary DPS application within 3 days, rendering the premises once again compliant.

Furthermore, a late-night premises in Aberdare town centre has opened for the first time since the pandemic and this premises has now closed again for January due to an expectation of a quiet January.

It was also reported that we have a celebrity taking over a premises in Blaencwm, Martin Roberts from Homes under the Hammer TV programme has bought the pub and the licence is now transferred into his company's name.

Members were advised that a Vape shop in Aberdare has seen some enforcement action over the past few months, particularly coming to the attention of Trading Standards Officers. Although the shop involved was not a licensed premises, it was attracting youths and school children to the area causing concern to the licensed premises in the area. Furthermore, Trading Standards were successful in obtaining a Closure

Notice from the Courts and this premises has now been secured and is unable to re-open for a 3 month period.

The Head of Service for Public Protection and Regulatory Services highlighted that the Pubwatch remains strong within RCT, regular meetings continue to take place across the Borough, and Support and guidance are offered by Licensing Officers at these meetings and premises are encouraged to attend.

Additionally, the Safety Advisory group which is a multi-agency platform held a meeting in early January to discuss the events coming up for the year, many event organisers have been in contact with the group to ensure events in our Borough run safely and legally.

It was reported that Licensing Officers received eleven separate noise complaints about a single licensed premises in Aberaman during November 2022 which resulted in a joint monitoring exercise with Environmental Health Officers on 26th November. Also, Music noise was audible that evening in a nearby residential property and Officers visited the premises that same evening to offer advice and a meeting was held a few days afterwards with the Premises Licence Holder and DPS. Furthermore, the management of the premises took the decision to cease all DJ events and youth discos and since that time no further complaints have been received.

Members were pleased to hear that two good news stories came from the Treforest Pubwatch group in January, whereby one licensed premises took an elderly lady in when she had been involved in an accident with a car in the street, they offered her tea and warmth while she waited for an ambulance to arrive. Another licensed premises in the area noticed a male on the street in the cold, took him in to their premises and gave him something warm to eat and a warm drink. The licence holder believes the male lives in the area but was concerned for him that day in the cold weather.

In terms of the recovery of annual fees, Members were advised that the payment of annual fees remains at an expected level for this time of the year, however, Licence holders typically delay payment until after Christmas period.

Moreover, 7 premises have surrendered their licence during this period, all of which are located in the Rhondda area.

19 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.

20 LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS FOR THE PERIOD: 17.10.22 - 15.01.23

The Head of Service for Public Protection and Regulatory Services provided the Committee with details of licences and registrations issued during the period 17th October 2022 to the 15th January 2023.

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

This meeting closed at 4.40 pm

**Councillor A Fox
Chair.**