



*CYNGOR BWRDEISTREF SIROL*  
**RHONDDA CYNON TAF**  
COUNTY BOROUGH COUNCI

**LICENSING COMMITTEE**

**SITTING IN ITS ROLE UNDER  
THE LICENSING ACT 2003**

Marc Jones - Democratic Services Officer (07385 401845)

A Virtual meeting of the **Licensing Committee (sitting in its role under the Licensing Act 2003)** will be held on **TUESDAY, 18TH APRIL, 2023** at **4.30 PM**.

Non Committee Members and Members of the public may request the facility to address the Committee at their meetings on the business listed although facilitation of this request is at the discretion of the Chair. It is kindly asked that such notification is made to the Executive and Regulatory Business Unit by Friday, 14 April 2023 on the contact details listed above, including stipulating whether the address will be in Welsh or English.

**ITEMS FOR CONSIDERATION**

**1. DECLARATION OF INTEREST**

To receive disclosures of personal interest from Members in accordance with the Code of Conduct.

**Note:**

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest; and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they **must** notify the Chairman when they leave.

## **2. HUMAN RIGHTS ACT 1998 AND CRIME AND DISORDER ACT**

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.

## **3. MINUTES**

To approve as an accurate record, the minutes of the Licensing Committee (Sitting in its role under the Licensing Act 2003) held on the 6<sup>th</sup> February 2023.

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## **REPORT OF THE DIRECTOR, PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES**

## **4. REVIEW OF THE LICENSING ACT 2003 & GAMBLING ACT 2005**

17 - 42

## **5. TO CONSIDER PASSING THE UNDER-MENTIONED RESOLUTION:**

“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”.

## **EXEMPT REPORTS OF THE DIRECTOR, PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES**

## **6. LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS FOR THE PERIOD: 16.01.23 - 13.03.23**

- (i) Personal Licences
- (ii) Premises Licences

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## **7. URGENT BUSINESS**

To consider any items which the Chairman, by reason of special circumstances, is of the opinion should be considered at the meeting as a matter of urgency.

## **Service Director of Democratic Services & Communication**

### **Circulation:-**

### **Members of the Licensing Committee**

The Chair and Vice-Chair of the Licensing Committee

(County Borough Councillor A Fox and County Borough Councillor G Stacey respectively)

County Borough Councillors: Councillor S Bradwick, Councillor L Ellis, Councillor G Holmes, Councillor K Johnson, Councillor S Powderhill, Councillor M Powell, Councillor A O Rogers, Councillor J Turner and Councillor T Williams

Louise Davies, Director, Public Health, Protection and Community Services  
Neil Evans, Licensing Enforcement Officer  
Christian Hanagan, Service Director of Democratic Services & Communication  
Rhian Hope, Head of Service for Public Protection and Regulatory Services  
Paul Nicholls, Service Director, Legal Services  
Martyn Owen, Assistant Licensing Manager

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## CYNGOR RHONDDA CYNON TAF

Cofnodion cyfarfod hybrid Deddf Trwyddedu 2003 a gynhaliwyd ddydd Llun, 6 Chwefror 2023 am 4.30p.m.

Cafodd y cyfarfod yma'i ffrydio'n fyw, ac mae'r manylion i'w gweld yma

### Roedd Cyngorwyr y fwrdeistref sirol canlynol yn bresennol yn Siambr y Cyngor:

Y Cyngorydd A Fox (Cadeirydd)

Y Cyngorydd G Stacey    Y Cyngorydd L Ellis  
Y Cyngorydd G Holmes    Y Cyngorydd K Johnson

### Roedd y Cyngorwyr canlynol yn bresennol ar-lein:

Y Cyngorydd S. Powderhill    Y Cyngorydd A O Rogers  
Y Cyngorydd J Turner

### Swyddogion oedd yn bresennol

Ms R Hope, Pennaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio  
Mr P Nicholls, Cyfarwyddwr Gwasanaeth – Gwasanaethau Cyfreithiol  
Ms K Trilloe, Rheolwr Diogelu Iechyd a Thrwyddedu

### Ymddiheuriadau am absenoldeb

Y Cyngorydd S Bradwick    Y Cyngorydd T Williams

## 15    **DATGAN BUDDIANT**

Yn unol â Chod Ymddygiad y Cyngor, ni wnaethpwyd unrhyw ddatganiadau mewn perthynas â'r Agenda.

## 16    **DEDDF HAWLIAU DYNOL 1998 A'R DDEDDF TROSEDD AC ANHREFN**

**PENDERFYNWYD** nodi pan fydd Aelodau'n trafod y materion trwyddedu a chofrestru sydd ger eu bron, mae dyletswydd arnyn nhw i beidio â gweithredu mewn modd sy'n anghydnaws â'r confensiwn ar Hawliau Dynol a'r Ddeddf Trosedd ac Anhrefn.

## 17    **COFNODION**

**PENDERFYNWYD** cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 14 Tachwedd 2022 yn rhai cywir.

**18 ADOLYGIAD O DDEDDF TRWYDDEDU 2003 AC O DDEDDF GAMBLO 2005**

Cyflwynodd Pennaeth Gwasanaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio yr adroddiad i'r Pwyllgor. Roedd yr adroddiad yn trafod materion perthnasol o ran Deddf Trwyddedu 2003 a Deddf Gamblo 2005 ar gyfer y cyfnod rhwng 14 Hydref 2022 ac 15 Ionawr 2023, yn ogystal â materion atodol eraill sy'n deillio o gyfrifoldebau'r Pwyllgor.

Wrth ddadansoddi ceisiadau am Hysbysiad Digwyddiad Dros Dro, roedd 68 oddi wrth safleoedd trwyddedig a oedd yn bodoli eisoes, 22 ar gyfer achlysuron cymunedol â chaniatâd a 9 oddi wrth oddi wrth glybiau aelodau preifat, a daeth llu o geisiadau i law ym mis Tachwedd i ymestyn oriau agor mewn safleoedd trwyddedig a chlybiau ar gyfer Cwpan Pêldroed y Byd. Parhaodd hyn tan gyfnod y Nadolig lle'r oedd cynnydd yn nifer yr Hysbysiadau Digwyddiad Dros Dro ar gyfer gweithgareddau megis marchnadoedd y Nadolig, cyngherddau carolau a gwerthu alcohol mewn safleoedd heb drwydded, ynghyd ag ymestyn oriau ar gyfer y sector manwerthu a safleoedd trwyddedig eraill i fasnachu dros yr ŵyl. Mae 24 o drwyddedau personol newydd wedi'u dyrannu.

Rhoddodd Pennaeth Gwasanaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddiol wybod bod un cais wedi'i wrthwynebu ers adroddiad diwethaf y Pwyllgor, a hynny ar gyfer amrywio trwydded safle. Cafodd ei gymeradwyo, ond yn dilyn diwygiadau i'r cais amrywio gwreiddiol.

Ymhellach i hyn, does dim adolygiadau wedi bod yn ystod y cyfnod yma. Serch hynny, mae dau apêl gan ymgeiswyr yn Food For You, Pontypridd, lle gwrthodwyd yr apêl gan y Barnwr ac felly roedd penderfyniad y Pwyllgor yma i ddirymu trwydded y safle dal yn berthnasol. Yn Mountain Ash Stores, T/A Central Food, Aberpennar, cafodd penderfyniad y Pwyllgor yma i ddirymu trwydded y safle ei gwtogi gan y Barnwr, a benderfynodd atal y drwydded dros dro am 3 mis. Daeth hyn i rym am hanner nos ar 30/11/22 tan hanner nos ar 27/02/23. Yn ogystal â hyn, roedd yr Hen Swyddfa Bost ('Squares'), Porth wedi cyflwyno apêl, sydd yn yr arfaeth ar hyn o bryd.

Cafodd yr Aelodau eu cyfeirio at adran 4.3 yr adroddiad, lle caiff arolygiadau o safleoedd a thor rheolau eu hamlinellu. Arolygwyd cyfanswm o 47 o safleoedd ledled y fwrdeistref sirol. Roedd angen ymweliadau dilynol ar rai ohonyn nhw oherwydd pryderon ynghylch cydymffurfio â manylion eu trwyddedau.

Clywodd yr Aelodau fod y gwaith rhagweithiol sy'n cael ei gynnal wedi arwain at ychydig o ostyngiad yn y lefel cyflawniad presennol ar gyfer safleoedd a arolygwyd. Mae bellach yn 90.38% o'i chymharu â 90.66% yn ystod y cyfnod adrodd blaenorol.

Rhoddodd Pennaeth Gwasanaeth Diogelu'r Cyhoedd a Gwasanaethau

Rheoleiddio wybod bod Swyddogion yn cydweithio'n barhaus â'r safleoedd yma i sicrhau eu bod yn cydymffurfio. Rhoddodd wybod hefyd eu bod nhw wedi ymweld â Mountain Ash Stores ar ddau achlysur gwahanol i brynu alcohol er mwyn gwirio bod y safle'n cydymffurfio â'i orchymyn atal dros dro. At hynny, ar y ddau achlysur doedd dim alcohol yn cael ei arddangos, a phan ofynnwyd i aelod o staff am alcohol, gwrthododd ei werthu i'r Swyddogion. Roedd y safle'n cydymffurfio â'u gorchymyn atal dros dro o 3 mis.

Cafodd yr Aelodau wybod bod dau Swyddog Trwyddedu wedi mynychu'r gynhadledd hyfforddiant genedlaethol yn Stratford-upon-Avon ym mis Tachwedd 2022, ynghyd â Chadeirydd y Pwyllgor Trwyddedu, y Cynghorydd Fox. Mae lleoedd yn brin ar y cwrs, sef un o achlysuron blynyddol pwysig maes trwyddedu, ac roedd y Cyngor yn ddigon ffodus i gael lle am ddim i un Swyddog. At hynny, bydd y Swyddog yn rhoi cyflwyniad i aelodau eraill grŵp Sefydliad Trwyddedu Cymru ar 8 Chwefror i rannu ei brofiad o'r achlysur. Cytunodd y tri a fynychodd ei bod yn gynhadledd gynhwysfawr ac roedd digonedd o sesiynau llawn gwybodaeth.

Rhoddodd Pennaeth Gwasanaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio wybod i'r Aelodau fod erthygl wedi ymddangos yn y wasg yn ymwneud ag eiddo yn y Porth a oedd yn destun camau gorfodi gan Heddlu De Cymru a arweiniodd at ddod o hyd i ffatri ganabis. Er bod hyn wedi bod yn bryder i'r Awdurdod Trwyddedu, dylid nodi nad yw'r eiddo wedi masnachu ers sawl mis, a bod trwydded y safle bellach wedi'i hildio.

Clywodd yr Aelodau fod ardal y Tymbl yng Nghanol Tref Pontypridd yn edrych ychydig yn wahanol ar hyn o bryd gyda dim ond pedwar o'r chwe safle trwyddedig yn masnachu. Dydy'r hen safle 'Players' ar Broadway ddim wedi ail-agor eto, er gwaethaf iddo gael trwydded newydd. Hefyd, dydy 'Soul Suite' ddim wedi ail-agor ers mis Mawrth 2020 ac mae'n parhau i fod yn wag. Mae trwydded y safle yn dal i fod yn ddilys.

Hefyd, daeth i sylw y Cyngor bod siop gyfleustra fechan ddim yn cydymffurfio achos doedd dim goruchwyliwr dynodedig yno. Ymwelodd Swyddogion Trwyddedu â'r siop a daeth yr holl werthu alcohol i ben. Cafwyd cais trosglwyddo ac amrywio goruchwyliwr dynodedig y safle gan y perchnogion newydd cyn pen 3 diwrnod i'r ymweliad, gan olygu bod y safle yn cydymffurfio unwaith yn rhagor.

At hynny, mae safle hwyr y nos yng nghanol tref Aberdâr wedi agor am y tro cyntaf ers y pandemig. Mae bellach ar gau eto ar gyfer mis Ionawr gan eu bod nhw'n disgwyl iddi fod yn dawel o ran busnes.

Cafodd yr Aelodau wybod bod Martin Roberts o raglen deledu 'Homes Under The Hammer' wedi prynu'r dafarn ym Mlaen-cwm ac mae'r drwydded bellach yn cael ei throsglwyddo i enw ei gwmni.

Hefyd, cafodd yr Aelodau wybod bod rhywfaint o gamau gorfodi wedi cael

eu dwyn yn erbyn siop 'vape' yn Aberdâr dros y misoedd diwethaf, gan ddod i sylw Swyddogion Safonau Masnach yn benodol. Er nad oedd y siop dan sylw yn safle trwyddedig, roedd yn denu pobl ifainc a phlant o'r ysgol, gan achosi pryder i'r safleoedd trwyddedig yn yr ardal. Llwyddodd Safonau Masnach i gael Hysbysiad Cau gan y Llys ac mae'r safle bellach ar gau. Does dim hawl iddo ail-agor am 3 mis.

Nododd Pennaeth Gwasanaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio bod cynllun Pubwatch yn parhau i fod yn llwyddiant yn y fwrdeistref sirol, gyda chyfarfodydd rheolaidd yn parhau i gael eu cynnal ledled Rhondda Cynon Taf. Mae Swyddogion Trwyddedu yn cynnig cymorth ac arweiniad yn y cyfarfodydd a chaiff safleoedd eu hannog i fynychu.

Yn ogystal â hyn, cynhaliodd y grŵp Cyngori ar Ddiogelwch, sy'n blatfform aml-asiantaeth, gyfarfod yn gynnar ym mis Ionawr i drafod yr achlysuron sydd i ddod am y flwyddyn. Mae llawer o drefnwyr wedi cysylltu â'r grŵp i sicrhau bod eu hachlysuron yn ein bwrdeistref sirol yn cael eu cynnal mewn modd ddiogel a chyfreithlon.

Cafodd yr Aelodau wybod bod 11 o gwynion ar wahân am sŵn mewn un safle trwyddedig yn Aberaman wedi dod i law Swyddogion Trwyddedu yn ystod mis Tachwedd 2022. O ganlyniad i hyn, cynhaliwyd ymarfer monitro ar y cyd â Swyddogion Iechyd yr Amgylchedd ar 26 Tachwedd. Hefyd, roedd sŵn cerddoriaeth i'w chlywed y noson honno mewn eiddo preswyl cyfagos. Ymwelodd Swyddogion â'r safle ar yr un noson i roi cyngor. Cynhaliwyd cyfarfod ychydig ddyddiau wedyn gyda deiliad trwydded a goruchwyliwr dynodedig y safle. Penderfynodd rheolwyr y safle roi'r gorau i bob achlysur a oedd yn cynnwys DJ, yn ogystal â disgos i bobl ifainc. Ers hynny does dim cwynion pellach wedi dod i law.

Roedd yr Aelodau'n falch o glywed oddi wrth grŵp Pubwatch Trefforest lle, ym mis Ionawr, roedd un safle trwyddedig wedi croesawu menyw oedrannus ar ôl iddi fod mewn damwain â char yn y stryd. Cafodd hi ddishgled a rhywle cynnes i aros wrth i'r ambiwlans gyrraedd. Sylwodd safle trwyddedig arall yn yr ardal ar ddyn ar y stryd yn y tywydd oer. Aethon nhw ag ef i mewn, gan roi bwyd a diod poeth iddo. Mae deilydd y drwydded o'r farn bod y dyn yn byw yn yr ardal, ond roedd yn bryderus amdano y diwrnod hwnnw am fod y tywydd yn oer.

O ran adennill ffioedd blynyddol, cafodd yr Aelodau wybod bod talu ffioedd blynyddol yn parhau i fod ar y lefel ddisgwylidig ar gyfer adeg yma'r flwyddyn. Serch hynny, mae deiliaid trwyddedau fel arfer yn gohirio talu tan ar ôl cyfnod y Nadolig. At hynny, mae saith safle wedi ildio eu trwyddedau yn ystod y cyfnod yma – pob un ohonyn nhw yn ardal Cwm Rhondda.

## **19 TRAFOD CADARNHAU'R CYNNIG ISOD YN BENDERFYNIAD:**

**PENDERFYNWYD** bod y cyfarfod hwn yn cadw aelodau o'r wasg ac



aelodau o'r cyhoedd allan o ystafell y cyfarfod, dan Adran 100A(4) o Ddeddf Llywodraeth Leol 1972 (fel y'i diwygiwyd), yn ystod trafod yr eitem nesaf, ar y sail y byddai'n debygol o olygu datgelu gwybodaeth eithriedig yn ôl diffiniad paragraff 13 o Ran 4 o Atodlen 12A o'r Ddeddf.

**20 TRWYDDEDAU A CHOFRESTRIADAU A RODDWDYD O DAN DDARPARIAETH PWERAU DIRPRWYEDIG YN YSTOD Y CYFNOD: 17.10.22 – 15.01.23**

Cyflwynodd Pennaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio fanylion trwyddedau a chofrestriadau a gyhoeddwyd yn ystod y cyfnod rhwng 17 Hydref 2022 a 26 Ionawr 2023 i'r Aelodau.

Yn dilyn trafodaeth, **PENDERFYNWYD** nodi cynnwys yr adroddiad.

**Daeth y cyfarfod i ben am 4.40pm**

**Y Cynghorydd A Fox  
Cadeirydd.**

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## **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 14<sup>th</sup> 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 17<sup>th</sup> October 2022 to 15<sup>th</sup> 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 8<sup>th</sup> 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 17<sup>th</sup> October 2022 to the 15<sup>th</sup> 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.**

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### MUNICIPAL YEAR 2022 - 2023: REPORT NO.

#### LICENSING COMMITTEE

18<sup>th</sup> April 2023

#### REPORT OF:

Director Public Health, Protection and  
Community Services

<u>Part I</u>	<u>Item No. 4</u>
<b>Review of the Licensing Act 2003 &amp; Gambling Act 2005</b>	

#### 1. PURPOSE OF THE REPORT

The purpose of the report is to update Members on relevant issues, with regard to

- the Licensing Act 2003
- the Gambling Act 2005

#### 2. RECOMMENDATION

Members are requested to: -

- (i) note the contents of the report in respect of the **Licensing Act 2003** which has been provided for information.
- (ii) note the contents of the report in respect of the **Gambling Act 2005**, which has been provided for information.

#### 3. BACKGROUND

Members will be aware that a quarterly meeting is convened to review and discuss the implementation and progress of the Licensing Act 2003, together with any ancillary matters arising from responsibilities with which this particular Committee is charged.

Such ancillary matters include the Gambling Act 2005. (There may also be ancillary matters arising from the impact of the Smoke-Free Premises Regulations, which have the potential to affect all licensed premises).

#### 4. **LICENSING ACT 2003**

##### 4.1 **Application Process**

Applications received since the last update (**16<sup>th</sup> January 2023 to 31<sup>st</sup> March 2023**) are as follows:-

<b><i>Application Type</i></b>	<b><i>Number received</i></b>
Personal Licence	17
Premises Licence	6
Transfer (Premises Licence)	11
Vary (Premises Licence)	5
Club Premises Certificate	0
Vary (Club Premises Certificate)	0
Temporary Event Notice (TEN)	54
Application to Review	0
Interim Authority Notice	0
Change of DPS	25
Minor Variation	5
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	0
Performance of Hypnotism	0
<b>Total Number Applications</b>	<b>123</b>

Members will notice the number of TEN's submitted this period has reduced slightly following the Christmas and New Year period.

There appears to be a trend for TEN's to be submitted for the sale of alcohol at rugby games played in local clubs and also artisan or farmers markets selling alcohol as an off sale.

There are also a few TEN's submitted from the late-night alcohol premises as a result of the springtime change of hours, to allow them to open for the same number of hours as usual.

An analysis of the TEN's applications indicates, 21 for existing premises licences, 15 for permitted community events and 18 from Private Members Clubs.

A summary of TEN's is reproduced for Members information as **Appendix 1A**.

**In accordance with the advice received in respect of data protection matters, the summaries of Personal Licences and Premises Licences issued under delegated authority are now reproduced for information as a Part II restricted item.**

## 4.2 Contested Applications

No contested applications have been determined since the last report:-

### Reviews

No reviews have been determined during this period

### Appeals

The following Appeal is pending:-

<b>Name of Applicant requesting Appeal</b>	<b>Reason</b>	<b>Name of Premises</b>	<b>Date of Hearing</b>	<b>Outcome</b>
Gold Bar Two Ltd Unit 7C Llwyncelyn Industrial Estate Porth CF39 9FP	Appealing against the decision of the Licensing Act Committee to modify the conditions of the premises licence following a review	Old Post Office (Squares) Porth Street Porth CF39 9RT	7 <sup>th</sup> June 2023 Merthyr Magistrates Court	<b>Pending</b>

## 4.3 Premises Inspection & Infringements

The relevant Performance indicator for the Licensing Team is "*the premises licences found to be broadly compliant following inspection by Licensing Officers*". Officers will consider confidence in management, compliance with licence conditions and business competency when determining the risk rating of the premises when considering whether they are broadly compliant.

Officers are continuing to inspect premises and are putting much time into this. In total there has been 46 premises inspected throughout the Borough, some of whom have again required follow up visits due to concerns on adherence to their licence.

The proactive work being conducted has shown an increase in the current performance level for inspected premises which is now at 89.94% compared to 90.38% during the previous reporting period.

Officers are working continuously with these premises to ensure they become compliant.

#### 4.4 Complaints, Advice, Guidance & Information

- Members may recall an issue outlined in a previous report, of a club in the Aberaman area causing a noise nuisance to residents which was alleviated by both Licensing and Environmental Health Officers after a monitoring exercise. Unfortunately, further complaints have been received, however, advice has been given to the club and since then there have been no further complaint.
- 2 licensed premises (1 in Cwmbach and 1 in Ynysybwl) have had a Section 19 Closure Notice issued following a breach of their CCTV condition. These Notices have been initially complied with and will stay in place until full compliance is achieved. Officer will reinspect to ensure compliance.
- A pub in Aberdare rang South Wales Police reporting assistance for 'ASK ANGELA'. They had witnessed a male attempt to kiss a female customer making her feel uncomfortable, South Wales Police attended and asked the man to leave, which he did. The female customer did not want to make a complaint. The Licensing Team are bringing this to the attention of members to show the Ask Angela scheme is being utilised across the Borough and is successful in making vulnerable people feel safer while in our licensed premises.
- A private members club in the Trallwn area of Pontypridd has previously had issues with noise and anti-social behaviour complaints emanating primarily from its smoking area. Licensing Officers have visited the premises to offer advice and guidance along with South Wales Police Licensing Officers and as such the premises have agreed to submit a Minor Variation application to include CCTV on the premises and smoking area.
- Complaints have been received through Pontypridd Pubwatch members that a licensed premises within Pontypridd town centre is staying open later than permitted. A joint visit was conducted by Local Authority and South Wales Police Officers where it was discovered that there was non-compliance with licence conditions. Further investigations are ongoing and will be updated in the next report.
- Advice has been given by Environmental Health Officers and Licensing Officers for events at a private members club in Pontyclun. They are currently considering options regarding changing to a Premises Licence to ensure compliance with the Licensing Act 2003 when offering these events.
- A joint visit from South Wales Police and Local Authority Licensing Officers was conducted following an assault in a licensed premises in Pontypridd which resulted in two Police Officers being assaulted outside the premises. Full advice and guidance have been offered to the Premises Licence Holder and DPS, with an action plan to be put in place to improve the conditions on the current Premises Licence. The premises were employing two SIA door staff on the night in question, the Premises Licence Holder has assured the Authorities they will not be returning to the premises in an employed capacity.

- Ongoing investigations into a late-night licensed premises in the Porth area - this premises has been the subject of a high number of noise complaints over the last 3 years and joint working from Environmental Health Officers, Licensing Officers, and South Wales Police. The appeal hearing is due to be heard on 7<sup>th</sup> June 2023.

### Pre application meetings

- A pre application meeting has been held in the Council Offices for a Premises Licence in the Post Office Pontypridd Town Centre, advice and guidance was given to the potential applicant in relation to Off Sales and the specific issues within the town centre such as the PSPO, the location of agencies and the day and night-time economies. The potential applicant has a number of licensed premises and was able to show the Authorities he had given due concern to the Licensing Objectives. An application has not been submitted to date.
- A pre application meeting has been held in relation to the Granting of a Premises Licence in Pontypridd town centre for an Italian pizzeria. The potential applicant offered some assurances to the Authorities and would be happy to work with them in the future. He indicated that the times applied for would be mainly for daytime and early evening with an alcohol permission for on sales only to protect the PSPO. An application is pending for this.

### Good News Story

- The Wyndham Hotel in the Rhondda has been awarded Highly Commended for The Best Pub and Social Club 2023 in the Best of Welsh Business Awards. They are very proud of this achievement especially as they have only been open under new management for 18 months.

### 4.5 Recovery of Annual Fees

<b>Total Income Received. 28/02/2023</b>	<b>Outstanding Invoices. 28/02/2023</b>
£127,270	£3,545

The payment of annual fees remains at an expected level for this time of the year. As mentioned in the previous report, licence holders typically delay payment until after Christmas period. Officers have been monitoring this and chasing payment which can be seen by the increase in payments received in January/February 2023. The authority has a very robust process to ensure payment is received and will take action such as suspension where necessary. Several premises have had their licence suspended during this period, which has triggered a reaction and payment from the premises resulting in the suspension being lifted. Officers have noted that there is an increase in time spent chasing fees for premise licence holders that have left the business, but not surrendered the licence and informed the team accordingly.

## 5. **GAMBLING ACT 2005**

### 5.1 Trade profile – Premises Licences

<b>Permission Type</b>	<b>Number at Transition (1/9/07)</b>	<b>Number at 31/03/23</b>
Bingo Premises Licences	4	<b>2</b>
Betting Premises	46	<b>20</b>
Adult Gaming Centre	10	<b>6</b>
Licensed Family Entertainment Centre	1	<b>3</b>
Lotteries/ Registered Societies	N/A	<b>189</b>

### 5.2 Trade profile – Gaming Permits

Complimentary to Premises Licences are a wide range of Gambling Permits that allow lower-level gaming in primarily alcohol licensed premises. A summary of existing permissions is as follows:-

<b>Premises Type</b>	<b>Number of Permits</b>	
	Licensed Gaming Notification (2 Machines)	Licensed Premises Machine Permit (>2 Machines)
Public Houses (Premises License with Retail Alcohol 'On Sales')	189	<b>9</b>

<b>Premises Type</b>	<b>Number of Permits</b>	
	Club machine Permit (3 Machines)	Club Gaming Permit
Qualifying Member Clubs (Club Premises Certificate)	57	<b>7</b>

### 5.3 Recovery of Annual Fees

Because of the static nature of the trade, there is little change to the position, where 100% recovery of annual fees is the standard, primarily due to the robust provisions contained within the legislation which allow for withdrawal of the licence/permit for non-payment of appropriate fees.

**Louise Davies**

**Director for Public Health, Protection and Community Services**

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Received: from 16<sup>th</sup> January 2023 to 31<sup>st</sup> March 2023

Appendix 1A

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
447895  Standard TENS	Pantri 1 Aberdare Market Market Street Aberdare CF44 7EB	Mr Edward Webber	2 February 2023  To  4 February 2023	02/02/23 - 04/02/23 Market stall
447902  Late TENS	Hot Gossip 115 Bute Street Treorchy CF42 6AU	Miss Sara Bailey	3 February 2022  To  3 February 2022	03/02/23 - Live and recorded music - theatre production
447910  Late TENS	No. 20 20 Canon Street Aberdare CF44 7AP	Mr Richard Collier	28 January 2023  To  28 January 2023	28/01/23 Disco

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
447921 Standard TENS	Pontypridd Ex-Servicemens Club Woodland Terrace Maesycoed Pontypridd CF37 1DZ	Miss Sharon Davies	4 February 2022 To 4 February 2022	04/02/23 Rugby
447929 Late TENS	Tawelfryn Community Centre Heol-Y-Coed Nantgarw Cardiff CF15 7UE	Miss Kelly Griffiths	28 January 2023 To 28 January 2023	28/01/23 Tribute - Elvis
447950 Standard TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	8 February 2023 To 8 February 2023	08/02/23 Rugby match



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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
447996  Standard TENS	Penygraig RFC Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	12 February 2023  To  13 February 2023	
448021  Standard TENS	Hops and Scotch Bar 2 Coedwern Hir Rhigos Hirwaun SA11 5NF	Mr Christopher Naylor	11 February 2023  To  11 February 2023	11/02/23 Wedding Reception and pay bar
448022  Standard TENS	Pontypridd Ex-Servicemens Club Woodland Terrace Maesycoed Pontypridd CF37 1DZ	Miss Sharon Davies	11 February 2023  To  11 February 2023	

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448027  Standard TENS	Taffs Well Village Hall Cardiff Road Taffs Well Cardiff CF15 7PL	Miss Gemma Bridge	18 February 2023  To  18 February 2023	18/02/23 - Quiz night
448054  Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Michael Thomas	11 March 2023  To  11 March 2023	11/03/23 Artiste
448075  Late TENS	Rhondda Heritage Visitor Centre Coedcae Road Trehafod Pontypridd CF37 2NP	Ms Bianca Samuel	11 February 2023  To  11 February 2023	11/02/23 Artisan market

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448100 Late TENS	Cwmparc Community Association Park Hall 205 Park Road Cwmparc Treorchy CF42 6LD	Miss Kelsey Louise Jones	11 February 2023 To 16 February 2023	11/02/23 - 16/02/23 Theatre performance
448142 Standard TENS	Wattstown Memorial Park Bailey Street Wattstown Porth	Mr Lyndon Jones	4 March 2023 To 4 March 2023	04/03/23 Invitation for club sponsors
448147 Late TENS	Hawthorn Community Centre Fairfield Lane Rhydyfelin Pontypridd CF37 5LN	Mr Martin Barron	18 February 2023 To 18 February 2023	18/02/23 Private event

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448180  Standard TENS	Parc and Dare Theatre Dyfodwg Street Treorchy CF42 6NL	Ms Helen Jones	25 February 2023  To  25 February 2023	St David's day market 25/02/23
448182  Standard TENS	Mid Rhondda Workmens Club 32-33 Court Street Clydach Tonypany CF40 2RQ	Mr Gavin Smart	25 February 2023  To  26 February 2023	Engagement party in club on 25/02/23
448192  Standard TENS	Pontypridd Ex-Servicemens Club Woodland Terrace Maesycoed Pontypridd CF37 1DZ	Miss Sharon Davies	25 February 2023  To  25 February 2023	25/02/23 Rugby match

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448214 Late TENS	Parc and Dare Theatre Dyfodwg Street Treorchy CF42 6NL	Ms Bianca Samuel	25 February 2023 To 25 February 2023	25/02/23 - Artisan Market
448215 Late TENS	The Royal Mint Visitor Experience Llantrisant Business Park Llantrisant Pontyclun CF72 8YT	Ms Bianca Samuel	25 February 2023 To 25 February 2023	25/02/23 Artisan Market
448216 Late TENS	Pantri 1 Aberdare Market Market Street Aberdare CF44 7EB	Mr Edward Webber	23 February 2023 To 25 February 2023	23/03/23 - 25/03/23 Market

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448243 Late TENS	Tonteg Community Centre Main Road Tonteg Pontypridd CF38 1ND	Mr John David	4 March 2023 To 4 March 2023	04/03/23 Market
448314 Standard TENS	Welcome to Our Woods Treherbert Treorchy CF42 5HU	Ms Rachel Pedley	30 June 2023 To 1 July 2023	
448319 Late TENS	The Lion Treorchy Bute Street Treorchy CF42 6AH	Mr Adrian Ian Emmett	4 March 2023 To 4 March 2023	Saturday, 04/03/23

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448323  Standard TENS	Pedalabikeaway Dare Valley Gravity Park, Dare Valley Country Park Cwmdare Aberdare CF44 7RG	Mr Mathew Evans	16 March 2023  To  22 March 2023	16 - 22/2023 seasonal opening event
448348  Standard TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	15 March 2023  To  15 March 2023	15/03/23 Rugby match
448350  Late TENS	Beddau RFC Castellau Road Beddau Pontypridd CF38 2AA	Mr Stephen Ballinger	10 March 2023  To  10 March 2023	10/03/23 Rugby match

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448356 Standard TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypany CF40 1JR	Mr Stephen Riddick	17 March 2023 To 17 March 2023	17/03/23 Rugby match
448373 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypany CF40 2UD	Mr Arthur Lewis	22 April 2023 To 22 April 2023	22/04/23 Artiste
448378 Standard TENS	Tonyrefail Community School Gilfach Road Tonyrefail Porth CF39 8HG	Miss Hannah Rees	3 June 2023 To 3 June 2023	



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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448405 Standard TENS	Yr Ieuan Ap Iago High Street Aberdare CF44 7AA	Mr Jack Davies	7 April 2023 To 7 April 2023	Extension prior to Bank Holiday
448476 Late TENS	Blaenrhondda Park Brook Street Blaenrhondda Treorchy CF42 5SF	Mr David Harris	25 March 2023 To 25 March 2023	25/03/23 Rhondda Radio on the Tennis court
448489 Late TENS	Club Ice Unit 2 4-9 Broadway Pontypridd CF37 1BA	Mr Mark Parry	26 March 2023 To 26 March 2023	26/03/23 Glocks going forward BST

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448490 Standard TENS	Club Ice Unit 2 4-9 Broadway Pontypridd CF37 1BA	Mr Mark Parry	10 April 2023 To 10 April 2023	10/04/23 Bank Holiday event
448501 Late TENS	Treorchy RFC Regent Street Treorchy CF42 6PN	Mrs Denise Dury	25 March 2023 To 25 March 2023	25/03/23 Home game
448502 Standard TENS	Tonteg Community Centre Main Road Tonteg Pontypridd CF38 1ND	Mr John David	1 April 2023 To 1 April 2023	01/04/23 Market

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448503 Standard TENS	The Skinny Dog Broadway Pontypridd CF37 1BA	Mrs Kay Morgan	1 May 2023 To 1 May 2023	01/05/23 BH change of time
448504 Standard TENS	The Skinny Dog Broadway Pontypridd CF37 1BA	Mrs Kay Morgan	10 April 2023 To 10 April 2023	10/04/23 chnage of time of bank holiday
448533 Standard TENS	Beddau RFC Castellau Road Beddau Pontypridd CF38 2AA	Mr Stephen Ballinger	1 April 2023 To 1 April 2023	01/04/23 Rugby match

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448561  Standard TENS	Cymmer Workmens Club and Institute Office Street Cymmer Porth CF39 9AH	Mr Gary Gooding	8 April 2023  To  9 April 2023	8 and 9 April 2023
448573  Standard TENS	Bryнна Community Centre Church Street Bryнна Pontyclun CF72 9QP	Mrs Rosina Morgan	8 May 2023  To  8 May 2023	TEN 8th May 2023 for King's Coronation
448577  Late TENS	Wattstown Memorial Park Bailey Street Wattstown Porth	Mr Lyndon Jones	1 April 2023  To  1 April 2023	

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448578 Standard TENS	Wattstown Memorial Park Bailey Street Wattstown Porth	Mr Lyndon Jones	8 April 2023 To 8 April 2023	TEN for 08-04-23
448579 Standard TENS	Wattstown Memorial Park Bailey Street Wattstown Porth	Mr Lyndon Jones	15 April 2023 To 15 April 2023	Club TEN for 15/04/23
448580 Standard TENS	Wattstown Memorial Park Bailey Street Wattstown Porth	Mr Lyndon Jones	22 April 2023 To 22 April 2023	Club TEN for 22-04-23

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448608 Late TENS	Club Ice Unit 2 4-9 Broadway Pontypridd CF37 1BA	Mr Mark Parry	7 April 2023 To 7 April 2023	07/04/23 Bank Holiday extension - Good Friday
448609 Standard TENS	Club Ice Unit 2 4-9 Broadway Pontypridd CF37 1BA	Mr Mark Parry	1 May 2023 To 1 May 2023	01/05/23 Early May BH
448610 Standard TENS	Club Ice Unit 2 4-9 Broadway Pontypridd CF37 1BA	Mr Mark Parry	8 May 2023 To 8 May 2023	08/05/23 Kings coronation

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448611 Standard TENS	Club Ice Unit 2 4-9 Broadway Pontypridd CF37 1BA	Mr Mark Parry	29 May 2023  To  29 May 2023	29/05/23 Spring bank holiday event
448619 Late TENS	Platform 11 11 High Street Pontypridd CF37 1QJ	Mr Alex Mead	6 April 2023  To  7 April 2023	05 07/04/23 Extending hours
448634 Late TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	8 April 2023  To  8 April 2023	08/04/23 Rugby match

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448635 Standard TENS	Cwmparc Community Cafe Parc Hall 205 Park Road Cwmparc Treorchy CF42 6LD	Mrs Joanne Jones	14 April 2023 To 14 April 2023	14/04/23 Wedding party with band
448670 Late TENS	Judges & Jurys 7 Market Street Aberdare CF44 7DY	Mr Alessandro Polledri	10 April 2023 To 10 April 2023	10/04/23 Disco



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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448679 Standard TENS	Hawthorn Community Centre Fairfield Lane Rhydyfelin Pontypridd CF37 5LN	Ms Sheridan Morgan	4 May 2023 To 4 May 2023	04/05/23 - Tea Party Coronation

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