



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 hybrid meeting of the **Licensing Committee (sitting in its role under the Licensing Act 2003)** will be held on **TUESDAY, 6TH JUNE, 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, 2 June 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 18th April 2023.

5 - 16

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

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

17 - 40

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: 01.04.23 - 21.05.23

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

41 - 54

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 rhithwir y Pwyllgor Deddf Trwyddedu 2003 a gynhaliwyd ddydd Mawrth, 18 Ebrill 2023 am 4.30pm.

Cafodd y cyfarfod yma'i ffrydio'n fyw, ac mae'r manylion i'w gweld [yma](#)

Cynghorwyr y Fwrdeistref Sirol – Roedd y Cynghorwyr canlynol yn bresennol yn Siambr y Cyngor:-

Y Cynghorydd A Fox (Cadeirydd)

Y Cynghorydd G Stacey Y Cynghorydd S Bradwick
Y Cynghorydd L Ellis Y Cynghorydd G Holmes
Y Cynghorydd K Johnson Y Cynghorydd 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
Mr O Williams, Uwch Gyfreithiwr, Materion Ymglyfreitha

Ymddiheuriadau am absenoldeb

Y Cynghorydd S Powderhill Y Cynghorydd M Powell
Y Cynghorydd A O Rogers Y Cynghorydd T Williams

21 **DATGAN BUDDIANT**

Yn unol â Chod Ymddygiad y Cyngor, doedd dim datganiadau o fuddiant ynglŷn â'r agenda.

22 **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.

23 **COFNODION**

PENDERFYNWYD cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 6 Chwefror 2023 yn rhai cywir.

ADOLYGIAD O DDEDDF TRWYDDEDU 2003 AC O DDEDDF GAMBLO 2005

Cyflwynodd y Pennaeth 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 16 Ionawr 2023 a 31 Mawrth 2023, yn ogystal â materion atodol eraill sy'n deillio o gyfrifoldebau'r Pwyllgor.

Mae dadansoddiad o'r ceisiadau am Hysbysiadau Achlysuron Dros Dro yn nodi bod 21 wedi'u rhoi i safleoedd sydd â thrwydded eisoes, 15 wedi'u rhoi ar gyfer achlysuron yn y gymuned a 18 wedi'u rhoi i glybiau preifat. Mae nifer y ceisiadau am hysbysiadau ddaeth i law yn ystod y cyfnod ychydig yn is nag yr oeddwn nhw dros y Nadolig a'r Flwyddyn Newydd. Ymhellach, mae'n ymddangos bod tuedd i'r rhain gael eu cyflwyno ar gyfer gwerthu alcohol mewn gemau rygbi a chwaraeir mewn clybiau lleol a hefyd marchnadoedd crefftwyr neu ffermwyr sy'n gwerthu alcohol i'w yfed oddi ar y safle. Yn ogystal â hynny, cafodd rhai Hysbysiadau eu cyflwyno gan safleoedd sy'n gwerthu alcohol yn hwyr y nos pan aeth y clociau ymlaen yn y gwanwyn, er mwyn caniatáu i'r safleoedd yma fod agor am yr un nifer o oriau ag arfer.

Dywedodd Pennaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio fod dim penderfyniadau wedi'u herio ers cyflwyno'r adroddiad diwethaf i'r pwyllgor, a bod dim adolygiadau i'w trafod yn ystod y cyfnod yma. Serch hynny, mae'r Hen Swyddfa Bost (Squares) wedi cyflwyno apêl sy'n mynd rhagddo 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 46 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 89.94% o'i chymharu â 90.38% yn ystod y cyfnod adrodd blaenorol. Mae'r swyddogion yn dal ati i gydweithio â'r safleoedd hyn er mwyn sicrhau cydymffurfiaeth.

Dywedodd y Pennaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio y byddai Aelodau'n cofio mater a amlinellwyd mewn adroddiad blaenorol, sef clwb yn ardal Aberaman yn achosi niwsans sŵn i drigolion. Cafodd y broblem ei lliniaru gan Swyddogion Trwyddedu ac lechyd yr Amgylchedd ar ôl ymarfer monitro. Yn anffodus, mae cwynion pellach wedi dod i law, fodd bynnag, mae cyngor wedi'i roi i'r clwb ac ers hynny ni chafwyd unrhyw gŵyn pellach.

Clywodd yr Aelodau fod 2 eiddo trwyddedig (1 yng Nghwm-bach ac 1 yn

Ynys-y-bwl) wedi cael Hysbysiad Cau Adran 19 yn dilyn torri amodau o ran Teledu Cylch Cyfyng. Mae'r safleoedd wedi cydymffurfio â'r Hysbysiadau hyn hyd yma a byddant yn aros yn eu lle hyd nes y cyflawnir cydymffurfiaeth lawn. Wedyn bydd Swyddog yn cynnal ymweliad arall i sicrhau cydymffurfiaeth.

Dywedwyd bod tafarn yn Aberdâr wedi ffonio Heddlu De Cymru yn gofyn am gymorth ynghylch ymgyrch 'GOFYNNWCH AM ANGELA'. Roedd staff wedi gweld dyn yn ceisio cusanu menyw gan wneud iddi deimlo'n anghyfforddus. Mynychodd Heddlu De Cymru a gofyn i'r dyn adael, ac fe wnaeth e hynny. Doedd y cwsmer benywaidd ddim eisiau gwneud cwyn. Mae'r Garfan Drwyddedu

yn dwyn hyn i sylw Aelodau i ddangos bod cynllun Gofynnwch am Angela yn cael ei ddefnyddio ar draws y Fwrdeistref a'i fod yn llwyddo i wneud i bobl agored i niwed deimlo'n fwy diogel tra'u bod yn ymweld â'n safleoedd trwyddedig.

Yn ogystal â hynny, mae clwb aelodau preifat yn ardal Trallwng ym Mhontypridd wedi cael problemau blaenorol gyda chwynion am sŵn ac ymddygiad gwrthgymdeithasol - yn deillio'n bennaf o'i ardal ysmegu. Mae'r Swyddogion Trwyddedu wedi ymweld â'r safle i gynnig cyngor ac arweiniad, ar y cyd â Heddlu De Cymru. Mae Swyddogion Trwyddedu a'r eiddo wedi cytuno i gyflwyno cais Mân Amrywiad i gynnwys TCC yn yr eiddo a'r man ysmegu.

Mae cwynion wedi dod i law drwy aelodau Gwarchod Tafarndai (Pubwatch) Pontypridd bod safle trwyddedig yng nghanol tref Pontypridd yn aros ar agor yn hwyrach na'r hyn a ganiateir. Hefyd, cynhaliwyd ymweliad ar y cyd gan Swyddogion Awdurdod Lleol a Heddlu De Cymru lle nodwyd bod y safle ddim yn cydymffurfio ag amodau'r drwydded ac mae ymchwiliadau pellach yn parhau. Bydd diweddariad am hyn yn yr adroddiad nesaf.

Hysbyswyd yr Aelodau bod Swyddogion Iechyd yr Amgylchedd a Swyddogion Trwyddedu wedi rhoi cyngor ar achlysuron mewn clwb aelodau preifat ym Mhont-y-clun, ac maen nhw wrthi'n ystyried opsiynau o ran newid i Drwydded Safle i sicrhau cydymffurfiaeth â Deddf Trwyddedu 2003 wrth gynnal yr achlysuron dan sylw.

Atgoffwyd yr aelodau bod Heddlu De Cymru a Swyddogion Trwyddedu'r Awdurdod Lleol wedi cynnal ymweliad ar y cyd yn dilyn ymosodiad mewn eiddo trwyddedig ym Mhontypridd a arweiniodd at ymosodiad ar ddau Heddwys y tu allan i'r eiddo. Ymhellach, mae cyngor ac arweiniad llawn wedi'u cynnig i Ddeiliad y Drwydded Safle a'r Goruchwyliwr Penodedig, gyda chynllun gweithredu i'w roi ar waith i wella amodau'r Drwydded Safle gyfredol. Fodd bynnag, roedd y safle'n cyflogi dau aelod o staff drws Awdurdod y Diwydiant Diogelwch ar y noson dan sylw. Mae Deiliad y Drwydded Safle wedi rhoi sicrwydd i'r Awdurdodau na fyddant yn dychwelyd i'r eiddo mewn swydd gyflogedig.

Dywedodd y Pennaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio fod ymchwiliadau parhaus i eiddo sydd â thrwydded hwyr yn ardal y Porth sydd wedi bod yn destun nifer uchel o gwynion sŵn dros y 3 blynedd diwethaf, a bod Swyddogion Iechyd yr Amgylchedd, Swyddogion Trwyddedu a Heddlu De Cymru yn cydweithio ar y mater. Dywedodd hefyd bod disgwyl i'r apêl gael ei gynnal ar 7 Mehefin 2023.

Rhodddwyd gwybod i'r aelodau am gyfarfod cyn ymgeisio sydd wedi'i gynnal yn Swyddfeydd y Cyngor i drafod Trwydded Safle ar gyfer Swyddfa'r Post yng Nghanol Tref Pontypridd. Rhodddwyd cyngor ac arweiniad i'r darpar ymgeisydd mewn perthynas â gwerthu alcohol i'w yfed oddi ar y safle a'r problemau penodol o fewn canol y dref, megis y PSPO, lleoliad asiantaethau a'r economïau yn y dydd a'r nos. Yn ogystal, mae gan yr ymgeisydd posibl nifer o eiddo trwyddedig ac roedd yn gallu dangos i'r Awdurdodau ei fod wedi rhoi ystyriaeth ddyledus i'r Amcanion Trwyddedu, fodd bynnag, nid oes cais wedi'i gyflwyno hyd yma.

Ymhellach, mae cyfarfod cyn ymgeisio wedi'i gynnal mewn perthynas â Chaniatáu Trwydded Safle yng nghanol tref Pontypridd ar gyfer pizzeria Eidalaidd ac fe gynigiodd yr ymgeisydd posibl rywfaint o sicrwydd i'r Awdurdodau ei fod yn awyddus i gydweithio yn y dyfodol. Hefyd, nododd y byddai'r amseroedd y gwnaed cais amdanynt yn bennaf yn ystod y dydd ac yn gynnar gyda'r nos gyda chaniatâd alcohol ar gyfer yfed ar y safle yn unig er mwyn diogelu'r PSPO. Mae'r cais wrthi'n cael ei adolygu.

Roedd yr Aelodau'n falch o glywed newyddion da am Westy'r Wyndham yn y Rhondda sydd wedi derbyn Canmoliaeth Uchel am Y Dafarn a Chlwb Cymdeithasol Gorau 2023 yng Ngwobrau Busnes Cymru. Mae'r dafarn falch iawn o'r cyflawniad hwn yn enwedig gan mai dim ond ers 18 mis y mae'r safle wedi bod ar agor o dan reolaeth newydd.

O ran adennill ffioedd blynyddol, cafodd yr Aelodau wybod bod talu ffioedd blynyddol yn parhau i fod ar y lefel ddisgwyliedig ar gyfer adeg yma'r flwyddyn. Serch hynny, mae deiliaid trwyddedau fel arfer yn gohirio talu tan ar ôl cyfnod y Nadolig.

Yn ogystal â hynny, mae swyddogion wedi bod yn monitro hyn ac yn mynd ar drywydd taliadau a gollwyd, yn dilyn y cynnydd mewn taliadau ym mis Ionawr/Chwefror 2023. Mae gan yr awdurdod broses gadarn iawn i sicrhau y derbynnir taliadau a bydd yn cymryd camau megis ataliad lle bo angen. Mae trwydded sawl safle wedi cael ei gohirio yn ystod y cyfnod hwn, sydd wedi sbarduno ymateb, gyda safleoedd yn gwneud taliad er mwyn cael gwared ar y gohiriad. Mae swyddogion wedi nodi bod cynnydd yn yr amser a dreulir yn mynd ar drywydd ffioedd ar gyfer deiliaid trwydded eiddo sydd wedi gadael y busnes, ond heb ildio'r drwydded a hysbysu'r garfan yn unol â hynny.

Cyfeiriwyd yr Aelodau at adran 5.1 o'r adroddiad ac fe gawson nhw ddiweddariad o ran Deddf Gamblo 2005.

25 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 agendwm 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.

26 TRWYDDEDAU A CHOFRESTRIADAU A RODDWDYD O DAN DDARPARIAETH PWERAU DIRPRWYEDIG YN YSTOD Y CYFNOD: 16.01.23 - 13.03.23

Cyflwynodd Pennaeth Diogelu'r Cyhoedd a Gwasanaethau Rheoleiddio fanylion trwyddedau a chofrestriadau a gyhoeddwyd yn ystod y cyfnod rhwng 16 Ionawr 2023 a 13 Mawrth 2023 i'r Aelodau.

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

Daeth y cyfarfod i ben am 4.41pm

**Y Cynghorydd A Fox
Cadeirydd.**

Mae'r ddogfen hon ar gael yn Saesneg hefyd / This document is also available in English.

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RHONDDA CYNON TAF COUNCIL

Minutes of the virtual meeting of the Licensing Act 2003 held on Tuesday, 18 April 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 S Bradwick
Councillor L Ellis Councillor G Holmes
Councillor K Johnson 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
Mr O Williams, Senior Solicitor, Litigation

Apologies for absence

Councillor S Powderhill Councillor M Powell
Councillor A O Rogers Councillor T Williams

21 DECLARATION OF INTEREST

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

22 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.

23 MINUTES

It was **RESOLVED** to approve the minutes of the 6th February 2023 as an accurate reflection of the meeting.

24 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 16th January 2023 to 31st March 2023, together with ancillary matters arising from the responsibilities charged to the Committee.

An analysis of the TEN's applications indicates, 21 for existing premises licenses, 15 for permitted community events and 18 from Private Members Clubs the number of TEN's submitted for this period has reduced slightly following the Christmas and New Year period. Furthermore, 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. In addition, 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.

The Head of Service for Public Protection and Regulatory Services reported that since the last Committee report, there had been no contested applications and no reviews to report during this period, however, 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 46 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 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, and officers are working continuously with these premises to ensure they become compliant.

The Head of Service for Public Protection and Regulatory Services reported that 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.

Members learned that 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, and these Notices have been initially complied with and will stay in place until full compliance is achieved, which an Officer will reinspect to ensure compliance.

It was reported that a pub in Aberdare rang South Wales Police reporting assistance for 'ASK ANGELA', which 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, although the female customer did not want to make a complaint. Furthermore, 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.

In addition, 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, whereby the 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. Also, 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 and further investigations are ongoing and will be updated in the next report.

Members were informed that advice has been given by Environmental Health Officers and Licensing Officers for events at a private members club in Pontyclun and they are currently considering options regarding changing to a Premises Licence to ensure compliance with the Licensing Act 2003 when offering these events.

Members were reminded that 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. Furthermore, 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. However, 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.

The Head of Service for Public Protection and Regulatory Services reported that ongoing investigations into a late-night licensed premises in the Porth area whereby 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. Also, that the appeal hearing is due to be heard on 7th June 2023.

Members were advised of a pre application meeting that 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. In addition, 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, however, an application has not been submitted to date.

Moreover, a pre application meeting has been held in relation to the Granting of a Premises Licence in Pontypridd town centre for an Italian pizzeria and the potential applicant offered some assurances to the Authorities and would be happy to work with them in the future. Als, 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 although an application is pending for this.

Members were pleased to hear that a good news story came from the Wyndham Hotel in the Rhondda which has been awarded Highly Commended for The Best Pub and Social Club 2023 in the Best of Welsh Business Awards, which they are very proud of this achievement especially as they have only been open under new management for 18 months.

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.

In addition, officers have been monitoring this and chasing payment that can be seen by the increase in payments received in January/February 202, which the authority has a very robust process to ensure payment is received and will take action such as suspension where necessary. Furthermore, 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, and 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.

Members were referred to section 5.1 of the report and provided them with an update in terms of the Gambling Act 2005.

25 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.

26 LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS FOR THE PERIOD: 16.01.23 - 13.03.23

The Head of Service for Public Protection and Regulatory Services provided the Committee with details of licences and registrations issued during the period 16th January 2023 to 13th March 2023.

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

This meeting closed at 4.41 pm

**Councillor A Fox
Chair.**

Mae'r ddogfen hon ar gael yn Saesneg hefyd / This document is also available in English.

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023 - 2024: REPORT NO.

LICENSING COMMITTEE
6th June 2023

**REPORT OF:
DIRECTOR OF PUBLIC
HEALTH PROTECTION &
COMMUNITY SERVICES**

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

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 (**1st April 2023 to 21st May 2023**) are as follows:-

<i>Application Type</i>	<i>Number received</i>
Personal Licence	16
Premises Licence	6
Transfer (Premises Licence)	8
Vary (Premises Licence)	3
Club Premises Certificate	0
Vary (Club Premises Certificate)	0
Temporary Event Notice (TEN)	48
Application to Review	0
Interim Authority Notice	0
Change of DPS	15
Minor Variation	1
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	0
Performance of Hypnotism	0
Total Number Applications	97

The number of TEN's submitted this period remains steady with a total of 48 received.

We once again see a trend for TEN's to be submitted for the sale of alcohol at rugby games played in local clubs selling alcohol as an off sale.

There have been several events in the community and on licensed premises to mark the King's Coronation. As the Summer months now approach, we are starting to receive TEN's for outdoor festivals such as the Big Welsh Bite.

An analysis of the TEN's applications indicates, 25 for existing premises licences, 18 for permitted community events and 5 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:-

Name of Applicant requesting Appeal	Reason	Name of Premises	Date of Hearing	Outcome
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 th June 2023 Merthyr Magistrates Court	Pending

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.

The current performance level for inspected premises which is now at 90.15% compared to 89.94% during the previous reporting period.

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

4.4 Complaints, Advice, Guidance & Information

Unfortunately, 2 premises have / or are due to close in the Cynon area:-

- The Mount Pleasant Hotel in Mountain Ash is due to close in June, and the premises is currently up for sale.
- The Cardiff Arms in Hirwaun has closed and is up for sale.

On a positive note, it looks like the Glancynon in Hirwaun will be reopening again later this Summer after being closed for several years.

A private members club in Cwmparc has surrendered their licence.

A pre application meeting was held with the new owners of the premises previously known as the Lighthouse and more recently, Troopers. The new owner indicated that he planned to operate as a wine bar, it is positive to see new businesses opening up.

A premises in Aberdare town centre has received a pre application meeting for an Off Licence, this meeting was a few months ago and since then it is believed the ownership has changed hands. As such, Licensing Officers have offered a further pre application meeting to the new owner. It appears the premises is currently operating primarily as a vape shop.

The Licensing Team along with their colleagues from other Responsible Authorities have attended several pre application meetings recently, for Off Licences, Late Night Refreshment establishments and On Licences, these meetings have been received well overall.

The CAP (Community Alcohol Partnership) Scheme is about to relaunch in Cynon. The scheme is aimed at educating youths about the dangers of alcohol but also preventing the sale of alcohol to underage. The coordinator, Mel Blayney has been in touch to discuss the involvement of Licensing Officers and licensed premises in the Cynon area.

The Rickards, in Treforest is another premises currently for sale, however this is still trading and is the venue for the Treforest and Rhydyfelin Pubwatch group.

A premises in Pontypridd town centre has been served with a Section 19 Closure Notice, due to a lack of CCTV and non-compliance with the conditions. This same premises was found to be trading over two hours after the licence authorises. South Wales Police and the Licensing Authority are in discussion in relation to this premises.

Good News Story:

The King (then Prince) came to Treorchy in June last year to commemorate the town becoming the Champion High Street of Great Britain.

Adrian Emmett, owner of The Lion in Treorchy played a pivotal role in bringing the community together and led the campaign to becoming the Champion High Street. In recognition of his efforts and his ongoing leadership role within the community he was invited to The Kings first Garden Party on Wednesday 3rd May.

Pubwatch:

As members are aware, there are several Pubwatch meetings attended throughout the Borough and Licensing Officers from both Local Authority and South Wales Police attend as invited guests. Most Pubwatch groups are well attended and run with assistance from the Business Crime Reduction Partnership (BCRP) and various BID groups.

Mike Jacklin has been a director of the BCRP for many years, and part of his role was to Co-Ordinate the Pubwatch meetings, Mr Jacklin retired in March this year. A new Pubwatch Co-Ordinator has been appointed and a meeting has been arranged with various parties to discuss new ways of working for the future.

The RCTCBC CCTV team have been attending meeting across the County Borough to offer advice and guidance in relation to Radionet and CCTV issues.

4.5 Recovery of Annual Fees

Total Income Received. 21/05/2023	Outstanding Invoices. 21/05/2023
£2,905	£1,975

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.

5. GAMBLING ACT 2005

5.1 Trade profile – Premises Licences

Permission Type	Number at Transition (1/9/07)	Number at 21/05/23
Bingo Premises Licences	4	2
Betting Premises	46	20
Adult Gaming Centre	10	6
Licensed Family Entertainment Centre	1	3
Lotteries/ Registered Societies	N/A	180

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:-

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

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

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
PUBLIC HEALTH & PROTECTION – LICENSING**

Temporary Event Applications
Received: from 1st April 2023 to 21st May 2023

APPENDIX 1A

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448762 Standard TENS	Ystradfechan Recreation Ground Station Road Treorchy CF42 6HL	Ms Sarah Sutton	23 June 2023 To 24 June 2023	23 - 24/06/23 Rhondda Arts Festival
448791 Standard TENS	The Hut Mount Pleasant Park Gwaunmiskin Road Beddau Pontypridd CF38 2AA	Mr Stephen Ballinger	29 April 2023 To 29 April 2023	29/04/23 Rugby Match
448792 Standard TENS	The Hut Mount Pleasant Park Gwaunmiskin Road Beddau Pontypridd CF38 2AA	Mr Jeffrey Peck	13 May 2023 To 13 May 2023	13/05/23 Rugby match

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448793 Standard TENS	The Hut Mount Pleasant Park Gwaunmiskin Road Beddau Pontypridd CF38 2AA	Mr Jeffrey Peck	20 May 2023 To 20 May 2023	20/05/23 Rugby matcg
448794 Late TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypany CF40 1JR	Mr Keith Davies	22 April 2023 To 22 April 2023	22/04/23 Rugby match
448796 Standard TENS	Taffs Well Village Hall Cardiff Road Taffs Well Cardiff CF15 7PL	Mr Michael Phillips	6 May 2023 To 6 May 2023	06/05/23 Fundraising event

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448799 Standard TENS	Aberdare Park Hirwaun Road Trecynon Aberdare CF44 8BN	Mrs Tracey Kerslake- Davies	6 May 2023 To 6 May 2023	06/05/23 Kings Coronation - Aberdare Park Festival
448804 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Arthur Lewis	13 May 2023 To 13 May 2023	13/05/23 Artiste
448805 Standard TENS	Abercynon Rugby Football Club The Clubhouse Y Parc, Abercynon Mountain Ash CF45 4RU	Mr Richard Barnes	8 July 2023 To 8 July 823	08/07/23 Summer Festival

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448825 Late TENS	Llandraw Farm Gelliwion Road Maesycoed Pontypridd CF37 1EY	Mr Owain Matthews	22 April 2023 To 23 April 2023	40th birthday party in field on farm 22/23 April 2023
448831 Standard TENS	The Ivor Arms 1 Cowbridge Road Brynsadler Pontyclun CF72 9BT	Mrs Ceri Masters	7 May 2023 To 7 May 2023	Coronation event on 07/05/23 within pub and car park
448832 Standard TENS	The Ivor Arms 1 Cowbridge Road Brynsadler Pontyclun CF72 9BT	Mrs Ceri Masters	30 April 2023 To 30 April 2023	pub and car park for 30/04/23

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448836 Standard TENS	Judges 7 Market Street Aberdare CF44 7DY	Mr Alessandro Polledri	1 May 2023 To 1 May 2023	01/05/23 Disco
448841 Standard TENS	The Central Hotel Ralph Street Pontypridd CF37 4PN	Mr Jeffrey Speck	5 May 2023 To 9 May 2023	05 - 09/05/23 musical activities in beer garden area
448843 Standard TENS	Pentwyn Recreation Ground Rheola Street Penrhiwceiber Mountain Ash	Mr Mathew Hargraves	5 August 2023 To 6 August 2023	5 - 6/08/23 Junior football festival

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448862 Standard TENS	The Skinny Dog Broadway Pontypridd CF37 1BA	Mrs Kay Morgan	29 May 2023 To 29 May 2023	29/05/23 Change of time Bank Holiday
448863 Standard TENS	The Skinny Dog Broadway Pontypridd CF37 1BA	Mrs Kay Morgan	8 May 2023 To 8 May 2023	08/05/23 Extension to hours
448864 Late TENS	Boars Head Tyla Garw Pontyclun CF72 9EZ	Mr Wayne Owen	29 April 2023 To 29 April 2023	29/04/23 Wedding with outdoor music

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448874 Standard TENS	Judges 7 Market Street Aberdare CF44 7DY	Mr Alessandro Polledri	8 May 2023 To 8 May 2023	08/05/23 Disco
448875 Late TENS	Cwmparc Community Association Park Hall 205 Park Road Cwmparc Treorchy CF42 6LD	Mrs Joanne Jones	26 April 2023 To 26 April 2023	
448891 Standard TENS	Playing Fields/Cricket Pavillion Cowbridge Road Brynsadler Pontyclun, CF72 9BS	Mr Julius Roszkowski	10 June 2023 To 10 June 2023	20/04/23 Pinic in park and fete

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448898 Standard TENS	The Royal Mint Visitor Experience Llantrisant Business Park Llantrisant Pontyclun CF72 8YT	Mr Harry Weeks	7 May 2023 To 7 May 2023	07/05/23 Event King's Coronation
448906 Late TENS	Llantwit Fardre RFC Central Park Church Village Pontypridd CF38 1RJ	Mr Adam Iles	30 April 2023 To 30 April 2023	30/04/23 Touring team fixtures
448944 Late TENS	Cwm Farm Shop Unit 14 Parc Busnes Treorci Abergorki Industrial Estate Treorchy CF42 6DL	Miss Grug Jones	7 May 2023 To 8 May 2023	07 - 08/05/23 Bands

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448945 Standard TENS	Cwm Farm Shop Unit 14 Parc Busnes Treorci Abergorki Industrial Estate Treorchy CF42 6DL	Miss Grug Jones	17 June 2023 To 17 June 2023	17/06/23 3 bands and Rhondda Radio
448961 Standard TENS	Aberdare Market Car Park Market Street Aberdare	Mr Nigel Webb	8 July 2023 To 8 July 2023	08/07/23 Amplified sound equipment with local solo artiste and local
448963 Standard TENS	The Rheola Hotel Aber-Rhondda Road Porth CF39 0LF	Mrs Jemma Hodge	1 July 2023 To 1 July 2023	01/07/23 DJ with music

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
448966 Standard TENS	The Rheola Hotel Aber-Rhondda Road Porth CF39 0LF	Mrs Jemma Hodge	26 August 2023 To 26 August 2023	26/08/23 DJ with music
448970 Late TENS	Brown Trout Llantrisant Road Llantwit Fardre Pontypridd CF38 2ER	Mr David Phillips	6 May 2023 To 6 May 2023	06/05/23 Band Kings Coronation
448992 Late TENS	Hawthorn Community Centre Fairfield Lane Rhydyfelin Pontypridd CF37 5LN	Mr Carl Thomas	11 May 2023 To 11 May 2023	11/05/23 Afternoon Tea - Coronation event

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
449007 Standard TENS	St John's Church Hall Graig Street Graig Pontypridd CF37 1NF	Mrs Barbara Minton	7 July 2023 To 7 July 2023	07/07/23 Fashion show in aid of Barnados Cymru
449008 Late TENS	Beddau RFC Castellau Road Beddau Pontypridd CF38 2AA	Mr Jeffrey Peck	10 May 2023 To 10 May 2023	10/05/23 Rugby match
449020 Standard TENS	Judges 7 Market Street Aberdare CF44 7DY	Mr Alessandro Polledri	29 May 2023 To 29 May 2023	29/05/23 Dicso

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
449021 Standard TENS	Coed Cae Farm Llanharan Pontyclun CF72 9NH	Mr Jeremy Liley	28 May 2023 To 28 May 2023	28/05/23 charity afternoon - Air Ambulance
449025 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Arthur Lewis	24 June 2023 To 24 June 2023	24/06/23 Artiste
449029 Late TENS	Llantwit Fardre RFC The Parade Church Village Pontypridd CF38 1BU	Mr David Barratt	14 May 2023 To 14 May 2023	14/05/23 Rugby match

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
449033 Standard TENS	Llantwit Fardre RFC The Parade Church Village Pontypridd CF38 1BU	Mr Adam Iles	8 July 2023 To 8 July 2023	08/07/23 Touch Rugby Tournament and fun day
449040 Standard TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Keith Davies	20 May 2023 To 20 May 2023	20/05/23 Rugby match
449048 Standard TENS	Cwmparc Community Association Park Hall 205 Park Road Cwmparc, CF42 6LD	Miss Kelsey Louise Jones	28 May 2023 To 28 May 2023	28/05/23 Community band event

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
449071 Standard TENS	Ensinger Ltd Wilfried Way Tonyrefail Porth CF39 8JQ	Mr Adam George	1 July 2023 To 1 July 2023	01/07/23 35 Years trading celebration in marquee
449081 Standard TENS	Llantrisant & Pontyclun Golf Club Ely Valley Road Talbot Green Pontyclun CF72 8AP	Mr Christopher Furlong	1 July 2023 To 2 July 2023	01/07/23 Summer ball
449088 Late TENS	Penygraig RFC Tylacelyn Road Penygraig Tonypandy, CF40 1JR	Mr Keith Davies	23 May 2023 To 23 May 2023	23/05/23 Rugby match

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449091 Standard TENS	Tonteg Community Centre Main Road Tonteg Pontypridd CF38 1ND	Mr John David	3 June 2023 To 3 June 2023	03/06/23 Market
449111 Standard TENS	Rocialle Unit D Cwm Cynon Business Centre Penrhiwceiber Mountain Ash CF45 4ER	Sian Tohill	16 June 2023 To 16 June 2023	16/06/23 Staff award celebration
449122 Standard TENS	The Windsor Arms 44-45 Church Road Ton Pentre Pentre, CF41 7EG	Mr Samuel Ellis Maisey	24 June 2023 To 24 June 2023	24/06/23 Artiste

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
449131 Standard TENS	Ynysangharad War Memorial Park Bridge Street Pontypridd CF37 4PF	Mr Lloyd Batstone	5 August 2023 To 6 August 2023	05 - 06/08/23 Food, drink music festival Big welsh bite stall
449132 Standard TENS	Ynysangharad War Memorial Park Bridge Street Pontypridd CF37 4PF	Mr Steffan James	5 August 2023 To 6 August 2023	05 - 06/08/23 Big vWelsh Bite
449138 Late TENS	The Llanover Arms 20 Bridge Street Pontypridd, CF37 4PF	Mr John Colenso Jones	28 May 2023 To 28 May 2023	28/05/23 Live music

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
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