



RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNCIL

Minutes of the virtual meeting of the Licensing Act 2003 held on Tuesday, 5 September 2023 at 4.30 pm.

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

County Borough Councillors :-

Councillor A Fox (Chair)

Councillor G Stacey Councillor S Bradwick
Councillor L Ellis Councillor G Holmes
Councillor J Turner Councillor T Williams

Officers in attendance :-

Ms R Hope, Head of Service for Public Protection and Regulatory Services
Mr M Owen, Assistant Licensing Manager
Ms K Trilloe, Health Protection and Licensing Manager
Mr O Williams, Senior Solicitor - Litigation
Ms L Warton, Licensing Officer
Mr C Booker, Licensing Enforcement Officer

9 APOLOGIES FOR ABSENCE

An apology for absence was received from County Borough Councillors K. Johnson, S. Powderhill, M. Powell and A. Rogers.

10 DECLARATION OF INTEREST

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

11 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.

12 MINUTES

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

13 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 22nd May 2023 to 20th August 2023, together with ancillary matters arising from the responsibilities charged to the Committee.

An analysis of the TEN's applications indicates, 49 for existing premises licenses, 93 for permitted community events and 9 from Private Members Clubs. Member were reminded that TENs were starting to arrive for The Big Welsh Bite and this has continued with more for community events such as the Annual Motorcycle Race in Aberdare, the upcoming Love Treorchy Rhondda Arts Festival along with the smaller community summer fetes and sporting events. Furthermore, two premises have utilised the TENs process to allow them to hold licensable activities while they await the outcome of their Premises License applications. In addition, this process not only helps them in allowing them to trade but also gives the Responsible Authorities an insight into how their premises would operate in the event of their applications being granted.

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. It was reported that the current performance level for inspected premises which is at 90.15%.

Members were pleased to hear that a Treorchy pub has been offering work experience to pupils from Ysgol Hen Felin, which has been well received within the community, and duties included cleaning up, helping with deliveries, serving customers, and maintaining the plants.

Furthermore, allegations of underage sales have been received for two premises within the Rhondda area. Details forwarded to Trading Standards and South Wales Police.

The Head of Service for Public Protection and Regulatory Services reported that due to ongoing noise complaints from residents, further monitoring has been conducted at Squares in partnership with the Environmental Health Team. In Addition, officers noted there remains an issue with noise originating from customers of Squares and details of the continuing issues will be provided within the ongoing appeal process.

Members were advised that a premises in the Talbot Green area has been the cause of several complaints in relation to music noise and

Licensing Officers have been working closely with Environmental Health Officers in an attempt to alleviate the issues. Also, the Environmental Health Pollution Team are now looking into this further.

It was reported that officers have received further complaints relating to a premises in the Llantwit Fardre area, specifically relating to the noise of patrons using the beer garden and that officers are liaising with Environmental Health Officers and monitoring exercises have been conducted.

Members learnt that a premises in Pontypridd town centre has been issued with a Premises Licence, however due to planning issues, is unable to open fully at present. Licensing and Planning have been giving advice to the business owner.

Additionally, the new leaseholders at the Muni in Pontypridd have been in contact with officers for some advice in relation to a Premises Licence and I'm sure we all agree that it will be lovely to see the premises open and trading again. Also, they will request a pre application meeting in a couple of months' time to gain advice from the Responsible Authorities.

The Head of Service for Public Protection and Regulatory Services expressed concerns regarding Complaints that have been received regarding anti-social behaviour and patron noise from a premises in Cilfynydd and Licensing Officers are working with other Authorities to investigate this complaint. Furthermore, The premises has received a letter from the licensing Authority.

Members were advised of a late-night premises in Pontypridd town centre has recently been subject to a number of Police incidents, the management of this premises met with Officers and SWP licensing Officers to discuss those issues and to confirm future mitigating measures to be put in place.

It was reported that an Officer has received recent complaints in relation to a licensed premises in the Beddau area whereby the complaint was in relation to noise from patrons and music, along with refuse being left outside by staff. In addition, Licensing Officers spoke to the owner of the business about the noise complaint, and this has not been an issue since, and the Environmental Health Officer in the Pollution team are now looking at the refuse issue outside.

In addition, a premises in Pontypridd town centre was issued with a Section 19 Closure Notice in April 2023, this has now been lifted due to compliance with their CCTV conditions.

Furthermore, a late-night premises has been the subject of several noise complaints over the last 8 weeks, Officers have worked with the premises to alleviate this issue and the local residents have been satisfied with this. Moreover, the noise was primarily music noise late into the night and

early mornings, and the emptying of bottle bins in the early hours. Also, the premises has altered their working practices to ensure this noise ceased.

Members learned that a pre application meeting has been held at Ty-Elai for a café business on Aberaman Industrial Estate and responsible Authority Officers gave advice and guidance to the business owner and expect an application to be submitted in the coming weeks.

It was reported that a premises in Treforest has received a letter from the licensing team due to allegations of noise from the beer garden, the premises contacted Officers to explain that the premises is closed at the times alleged but they had fallen out with neighbours recently. No further complaint has been made.

Furthermore, Members may be aware 'The Lion' pub in Treorchy won the Best Community Pub in Great Britain last year and the good news is that the pub has again been shortlisted this year, highlighting the continued good work being done.

The Head of Service for Public Protection and Regulatory Services give a mention to the Aberdare Music Festival took place on Saturday 19th August. Several premises participated, including The Conway Inn, The Bush Inn, Jacs, No.20 Bar, The National Tap, The Prince of Wales, Aberdare Rugby Club, The Bute Arms, Judges & Jury's, The White Lion and The Market Tavern, and it appears the event was successful; no complaints have been received within the Licensing Authority.

Additionally, the Treorchy Food and Drink Festival took place on Saturday 26th August whereby a Temporary Event Notice was provided for the supply of alcohol within the car park area of Treorchy Library.

Members learned that the Licensing Authority identified that a well-established premises in the Llantrisant area had fallen foul of licensing legislation, which appeared to be unintentional. Also, the company who was Premises Licence Holder went into liquidation last year, therefore the licence lapsed immediately, however the premises had continued trading. In addition, Officers ensured the sales of alcohol ceased immediately, which caused major disruption to the business due to pre-booked weddings, and TENs were utilised where possible to assist whilst the premises applied for a new licence.

In terms of the recovery of annual fees, Members were advised that the authority has a very robust process to ensure payment is received and will take action such as suspension where necessary, and also, 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. In addition, 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.

The Head of Service for Public Protection and Regulatory Services referred Members to section 5.1 of the report and provided them with an update in terms of the Gambling Act 2005.

Furthermore, Members were provided a summary of existing permissions in relation to Trade profile Gambling.

14 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.

15 LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS FOR THE PERIOD: 22.05.23 - 20.08.23

The Head of Service for Public Protection and Regulatory Services provided the Committee with details of licences and registrations issued during the period 22nd May 2023 to 20th August 2023.

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

This meeting closed at 4.41 pm

**Councillor A Fox
Chair.**