



## **RHONDDA CYNON TAF COUNCIL LICENSING ACT 2003**

Minutes of the meeting of the Licensing Act 2003 meeting held on Monday, 12 October 2020 at 4.30 pm at the Virtual.

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

Councillor A Fox (Chair)

Councillor D Williams	Councillor S Bradwick
Councillor T Williams	Councillor W Lewis
Councillor S Morgans	Councillor P Howe
Councillor L Hooper	Councillor L Jones

### **Officers in attendance:-**

Mr C Hanagan, Service Director of Democratic Services & Communication  
Ms L Davies, Service Director – Public Protection Services  
Mr P Nicholls, Service Director, Legal Services  
Mr M Owen, Assistant Licensing Manager

#### **1 Announcement of the Chair**

The Chair welcomed County Borough Councillors L. Jones and L. Hooper to their first meeting of the Licensing Committee following changes to the membership at the Council AGM.

On behalf of the Committee, the Chair thanked the Licensing team for their continuous hard work during the difficult time, commenting that officers had gone above and beyond.

#### **2 Apologies for Absence**

Apologies for absence were received from County Borough Councillors E. Webster, T. Williams and S. Powderhill.

#### **3 Declaration of Interest**

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

#### **4 Human Rights Act 1997 and Crime and Disorder Act**

It was **RESOLVED** to note that when Members determine the licensing and registration matters before them, they have a duty not to act in a manner that is incompatible with the convention on Human Rights and the Crime and Disorder Act.

## 5 Minutes

It was **RESOLVED** to approve the minutes of the 25<sup>th</sup> February 2020 as an accurate reflection of the meeting.

## 6 Review of the Licensing Act 2003 & Gambling Act 2005

The Service Director, Public Protection provided the Committee with the report on relevant issues with regard to the Licensing Act 2003 and the Gambling Act 2005, together with ancillary matters arising from the responsibilities charged to the Committee.

It was reported that there had been a decrease in number of Temporary Events Notices (TEN's), which could be attributed to the Covid-19 pandemic, resulting in the closure of licensed premises and the inability of the community to partake in the events that would usually occur during those months. Following the lifting of restrictions, a number of TEN's were received to allow premises to trade outdoors during the challenging time.

The Service Director reported that since the last Committee report, there were two pending contested applications, one of which was an Application for Variation of a Premises Licence; and the other was for a Variation of Designated Premises Supervisor.

The Service Director referred Members to section 4.3 of the report where the premises inspections and infringements were outlined. Members learned that 90.5% of premises inspected were broadly compliant, which was the same as the previous period due to a lack of inspections because of the coronavirus, and resultant safety measures placed on council staff.

The Service Director spoke of the virtual training session run by Mr D Lucas from the Institute of Licensing, which had been well attended by Licensing Committee. The session was described as a valuable learning opportunity to advance or refresh the knowledge, understanding and practical expertise of Elected Members in relation to the role of the licensing authority, its Councillors and the conduct of licensing hearings.

The Service Director described the situation for Trade during the Covid-19 pandemic, explaining that it had been severely impacted and incredibly challenging. Members were informed that the ever-changing circumstances and Government advice had caused stress for both officers and the Trade, but were pleased to learn that officers had taken a proactive approach and contacted individual premises to guide them through. The Service Director continued and spoke of the number of complaints received in respect of licenced premises operating indoors at the beginning of the lockdown period and advised that officers had successfully worked with South Wales Police to further investigate these. The Service Director advised that following the reopening of premises on 3<sup>rd</sup> August 2020, the Licensing team had begun undertaking visits to premises, which, to date, had resulted in three premises receiving closure notices and a number of premises issued with improvement notices. The Service Director praised the team, explaining that despite the increase in workload, they had gone above and beyond. Speaking of the premises, the Service Director stated that it was evident that the majority were trying to do the right thing and assured

Members that those who were not were being appropriately dealt with.

Members took the opportunity to thank the Licensing Team for their continuous work, acknowledging the ever-changing environment.

One Member queried whether refunds could be provided for submitted TEN's, which had been cancelled as a result of Covid-19 and the local restrictions. The Service Director informed the Councillor that the funds could either be carried over until a later date or a refund could be provided by contacting the Licensing department.

It was **RESOLVED:-**

- a) To note the contents of the report in respect of the **Licensing Act 2003** and;
- b) To note the contents of the report in respect of the **Gambling Act 2005**.

**7 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.

**8 Licences and Registrations issued under the provision of Delegated Powers for the period: 10.02.20 - 27.09.20**

The Service Director, Public Protection provided the Committee with details of licences and registrations issued during the period 10<sup>th</sup> February 2020 to 27<sup>th</sup> September 2020.

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

**This meeting closed at 4.45 pm**

**CLLR A FOX  
CHAIR.**