



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

Minutes of the virtual meeting of the Licensing Act 2003 held on Tuesday, 6 July 2021 at 4.30 pm.

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

Councillor A Fox (Chair)

Councillor D Williams	Councillor S Bradwick
Councillor S Powderhill	Councillor T Williams
Councillor S Morgans	Councillor P Howe
Councillor G Holmes	Councillor L Jones

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

Ms L Davies, Director, Public Health, Protection and Community Services  
Mr P Nicholls, Service Director, Legal Services  
Ms R Hope, Temporary Head of Public Protection and Regulatory Services  
Mr M Owen, Assistant Licensing Manager  
Mr N Evans, Licensing Enforcement Officer

### **23 Apologies for Absence**

Apologies for absence were received from County Borough Councillors A. Cox and L. Hooper.

### **24 Declaration of Interest**

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

### **25 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.

### **26 Minutes**

It was **RESOLVED** to approve the minutes of the 4<sup>th</sup> May 2021 as an accurate reflection of the meeting.

## 27 **Review of the Licensing Act 2003 & Gambling Act 2005**

The Director, Public Health, Protection and Community Services 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 the number of Temporary Events Notices (TEN's) during the period have risen dramatically since the last reporting period to 74 during this period. This was predicted during the last report, the reason being re-opening of pubs and clubs. TENs have predominantly been used to allow premises to utilise their space to increase their capacity due to limitations under the coronavirus regulations with the largest number having being used by clubs, because clubs are not permitted to allow 'off-sales' unless they are open for 'on-sales', therefore when premises were only permitted to open outdoors clubs required a TEN to allow them to trade.

Furthermore, applications as a whole have also steadily increased, jumping up from a total of 99 last report to 163 during this period, which again is a reflection of the licensed trade opening back up and the majority being transfer applications.

The Director also noted that personal licence applications remain consistent as does vary DPS applications, as during the lockdown period for pubs and clubs many personnel moved trade which required backfilling, hence the changes of DPS and new personal licence holders.

The Director reported that since the last Committee report, there had been one contested application for Variation of a Premises Licence. It was also reported that an Appeal from the applicant of the White Lion Hotel had been lodged and reported as pending in the last report but had since been adjourned and a new date is to be determined.

The Director referred Members to section 4.3 of the report, where the premises inspections and infringements were outlined. Members learned that there is no change to the current performance level for inspected premises which as reported last was 90.5% and that specific licensing inspections had not been conducted during this reporting period due to officers conducting coronavirus inspections.

The Director went on to describe the current reporting period which has seen all licensed pubs, clubs and restaurants re-open following their enforced closures due to the restrictions imposed by Welsh Government to combat the coronavirus pandemic, where Initially the premises were only permitted to open outdoors but are also now allowed to trade indoors.

It was reported that complaints have been received relating to premises not adhering to the guidelines such as lack of, social distancing, track and

trace details, table service etc. Many complaints have involved noise nuisance emanating from outside areas, this has been across the whole of RCT, and also much confusion and frustration from the trade has surrounded the issue of playing pub games such as pool, darts, skittles etc.

Members learned that where premises have not followed advice officers have issued Premises Improvement Notices (PINs) which gave the premises time to rectify any wrongs. Where breaches were so significant officers were permitted to issue a Closure Notice.

Furthermore, Officers have been active in Pubwatch meetings which have now resumed in most areas of RCT.

It was reported that two premises were enforced the cessation of alcohol sales for an absence DPS.

The Director reported on the issues of underage drinking and noted that the Authority is working with partners such as Police, Trading Standards and Youth Engagement Project (YEP) Officers who visited some off licenses in those areas to discuss acceptable forms of ID and the issue of proxy sales. Officers will be kept informed if any further information becomes known. Furthermore, Pontypridd and Aberdare town centre forums have restarted and also the Public Space Protection Order (PSPO) is being evaluated to inform a review by Cabinet in September.

In terms of the recovery of annual fees, Members were reminded that the Licensing department had initially taken the decision to not chase immediate payment of the fees during the past year due to the economic hardship placed on premises, but had to begin chasing payments due to Legislation requirements. It was noted that the total income received as at 31<sup>st</sup> May 2021 was £4,660.00 which was attributed to the hard work of the team.

Members noted that there were no significant changes in terms of the Gambling Act 2005. Members were advised that the local RCT statement of principles was due for review in the Autumn Term and that the process would begin during the next reporting period.

Members took the opportunity to thank the Licensing Team for their continuous hard work and 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**.

**28 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.

**29 Licences and Registrations issued under the provision of Delegated Powers for the period: 19.04.21 - 20.06.21**

The Director, Public Health, Protection and Community Services provided the Committee with details of licences and registrations issued during the period 19<sup>th</sup> April 2021 to 20<sup>th</sup> June 2021.

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

**This meeting closed at 4.50 pm**

**CLLR A FOX  
CHAIR.**