



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

Minutes of the meeting of the Licensing Act 2003 held on Tuesday, 1 February 2022 at 4.30 pm.

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

Councillor A Fox (Chair)

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

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

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

### **37 Declaration of Interest**

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

### **38 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.

### **39 Minutes**

It was **RESOLVED** to approve the minutes of the 2<sup>nd</sup> November 2021. as an accurate reflection of the meeting.

### **40 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, together with ancillary

matters arising from the responsibilities charged to the Committee.

It was reported that the number of TENs applications received have fallen from 81 in the last report to a total of 58 during this period which can be attributed in part to the coronavirus restrictions that were introduced from Boxing Day such as nightclubs being forced to close, groups of no more than six people could meet in licensed premises, table service only and the two-metre social-distancing rule returned.

Furthermore, an analysis of the TEN's applications indicate 30 for existing premises licences, 14 for permitted community events and 14 from Private Members Clubs, which included some of the autumn rugby internationals for which some of the TENS were issued for this period, and also the festive period saw TENS for activities such as Christmas markets, carol concerts and the sale of alcohol in non-licensed premises.

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 Grant of Premises License which had been granted subject to the addition of conditions and two reviews for the period, one of which was requested by South Wales Police for the Cwm & Llantwit Welfare Hall, Beddau, whereby the Sub-Committee determined to revoke the license and there is an Appeal pending; and the second was requested by RCT Trading Standards for Pontypridd Anna, Pontypridd, whereby the Sub-Committee determined to revoke the license.

Furthermore, it was reported that in the last report whereby it was revealed that there was a dispute over the timeline of the appeal from the applicant of the Players Bar which had been lodged and was listed for preliminary legal arguments to determine if the appeal was submitted out of time, the outcome of this was that the Court upheld the decision that the Appeal was lodged out of time and the revocation of licence took effect. Also, an Appeal from the Applicant of the Cwm & Llantwit Welfare Hall had been lodged and reported as pending.

The Head of Service for Public Protection and Regulatory Services referred Members to section 4.3 of the report, where the premises inspections and infringements were outlined. Members learned that the inspections undertaken have primarily been conducted following complaints, with those premises being deemed to be higher risk due to alleged non-compliance issues, which is shown in the slight decrease since last reported in the current performance level for inspected premises which is now at 90.42%.

It was report that in relation to the number of complaints received this had been quieter than usual due to the restrictions imposed by covid regulations, whereby many licensed premises reporting issues with staff and needed to close over the Christmas and New Year period due to isolating staff. Furthermore, premises are also struggling to get SIA supervisors pre pandemic they were costing £10 an hour and now the

cost has increased to around £18.50 per hour, which is tough for the trade to get SIA staff as so many have not renewed their registration or found work elsewhere.

Members learned that Pubwatch activities continue to proceed in the Taf area, also, the Treforest Pubwatch has been expanded to include Rhydyfelin, Treforest Ind Est and Hawthorn areas in the hope of getting a higher attendance, whereby letters have been sent out to licensed premises with dates planned for the rest of the year. Furthermore, the Pontypridd Pubwatch held an extra meeting to enable the Covid Enforcement Team attend to explain the new rules to those present and everyone was afforded the opportunity to ask questions, which was a great benefit to the licence holders.

The Head of Service for Public Protection and Regulatory Services noted that the licensing Manager and Senior Licensing Officer attended the Institute of Licensing Annual Conference, which was an opportunity to attend a large number of events regarding the whole of the licensing regime, to gain knowledge on current and upcoming issues and refresh knowledge in other fields.

The Head of Service for Public Protection and Regulatory Services outlined that during last committee members were informed that since January 2021 there have been 20 reports relating to spiking in the RCT area, however, there were no confirmed cases of spiking, partly due to the nature of the reporting as it is generally retrospective. Furthermore, concerns were expressed over a potential increase in spiking over the Christmas period, however, after consulting with South Wales Police, it was advised that there had been no reported incidents over the festive period, although whilst this is good news, we must be mindful of the increased Covid restrictions that were put in place for the hospitality sector that may have had an impact.

Members learned that on Tuesday 21 December 2021, the Wales Safer Communities Network, with support from the Wales Violence Prevention Unit, hosted a Spiking Workshop to discuss the approaches being taken to tackle and reduce the risk of 'spiking' in Wales with public bodies, third sector organisations and private companies. Furthermore, the workshop which was the first of a number of workshops and discussions on the topic, gave an opportunity to share information from across Wales and ensure that there are no gaps being left between the different agencies and partnerships, ensuring there is a coordinated and joined up response.

It was reported that the Local Government Association has also met and following discussion with partner agencies have stated so far there has been very little, if any, evidence that there is an issue of spiking, however, the licensing authority has supported the Wales wide Christmas campaign and Police anti spiking campaign by posting information of the social media site.

The Head of Service for Public Protection and Regulatory Services reported that in relation to the Ask Angela Campaign, this initiative is being co-ordinated by Community Safety, Licensing and Domestic Violence staff and was relaunched week commencing 15<sup>th</sup> November 2021 to coincide with Safeguarding week. Furthermore, the Local Authority have printed and distributed 'Ask Angela' literature to all the licensed premises within RCT, which the lead officer is following this up by attending targeted licensed premises, providing face to face awareness sessions, and also attending all Pubwatch meetings to provide awareness. Also, within the first couple weeks of the campaign, a female presented herself to staff at a premises within the Pontypridd area and asked for Angela, whereby the staff member ensured her safety and arranged for her to get home in a safe manner.

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> December 2021 was £104,301, 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 put before the committee in September has been accepted at Full Council and is now live and valid.

Members took the opportunity to thank the Licensing Team for their continuous hard work and it was **RESOLVED:-**

- 1 To note the contents of the report in respect of the **Licensing Act 2003** and;
- 2 To note the contents of the report in respect of the **Gambling Act 2005**.

### **3 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.

### **42 Licences and Registrations issued under the provision of Delegated Powers for the period: 18.10.21 - 16.01.22**

The Head of Service for Public Protection and Regulatory Services provided the Committee with details of licences and registrations issued during the period 18<sup>th</sup> October 2021 to 16<sup>th</sup> January 2022.

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

report.

**This meeting closed at 4.50 pm**

**CLLR A FOX  
CHAIR.**