



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.

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.