

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023 - 2024: REPORT NO.

LICENSING COMMITTEE
6th June 2023

REPORT OF:
DIRECTOR OF PUBLIC
HEALTH PROTECTION &
COMMUNITY SERVICES

<u>Part I</u>	<u>Item No. 4</u>
Review of the Licensing Act 2003 & Gambling Act 2005	

1. **PURPOSE OF THE REPORT**

The purpose of the report is to update Members on relevant issues, with regard to

- **the Licensing Act 2003**
- **the Gambling Act 2005**

2. **RECOMMENDATION**

Members are requested to: -

- (i) note the contents of the report in respect of the **Licensing Act 2003** which has been provided for information.
- (ii) note the contents of the report in respect of the **Gambling Act 2005**, which has been provided for information.

3. **BACKGROUND**

Members will be aware that a quarterly meeting is convened to review and discuss the implementation and progress of the Licensing Act 2003, together with any ancillary matters arising from responsibilities with which this particular Committee is charged.

Such ancillary matters include the Gambling Act 2005. (There may also be ancillary matters arising from the impact of the Smoke-Free Premises Regulations, which have the potential to affect all licensed premises).

4. **LICENSING ACT 2003**

4.1 **Application Process**

Applications received since the last update (**1st April 2023 to 21st May 2023**) are as follows:-

<i>Application Type</i>	<i>Number received</i>
Personal Licence	16
Premises Licence	6
Transfer (Premises Licence)	8
Vary (Premises Licence)	3
Club Premises Certificate	0
Vary (Club Premises Certificate)	0
Temporary Event Notice (TEN)	48
Application to Review	0
Interim Authority Notice	0
Change of DPS	15
Minor Variation	1
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	0
Performance of Hypnotism	0
Total Number Applications	97

The number of TEN's submitted this period remains steady with a total of 48 received.

We once again see a trend for TEN's to be submitted for the sale of alcohol at rugby games played in local clubs selling alcohol as an off sale.

There have been several events in the community and on licensed premises to mark the King's Coronation. As the Summer months now approach, we are starting to receive TEN's for outdoor festivals such as the Big Welsh Bite.

An analysis of the TEN's applications indicates, 25 for existing premises licences, 18 for permitted community events and 5 from Private Members Clubs.

A summary of TEN's is reproduced for Members information as **Appendix 1A**.

In accordance with the advice received in respect of data protection matters, the summaries of Personal Licences and Premises Licences issued under delegated authority are now reproduced for information as a Part II restricted item.

4.2 Contested Applications

No contested applications have been determined since the last report:-

Reviews

No reviews have been determined during this period

Appeals

The following Appeal is pending:-

Name of Applicant requesting Appeal	Reason	Name of Premises	Date of Hearing	Outcome
Gold Bar Two Ltd Unit 7C Llwynceilyn Industrial Estate Porth CF39 9FP	Appealing against the decision of the Licensing Act Committee to modify the conditions of the premises licence following a review	Old Post Office (Squares) Porth Street Porth CF39 9RT	7 th June 2023 Merthyr Magistrates Court	Pending

4.3 Premises Inspection & Infringements

The relevant Performance indicator for the Licensing Team is "*the premises licences found to be broadly compliant following inspection by Licensing Officers*". Officers will consider confidence in management, compliance with licence conditions and business competency when determining the risk rating of the premises when considering whether they are broadly compliant.

The current performance level for inspected premises which is now at 90.15% compared to 89.94% during the previous reporting period.

Officers are working continuously with these premises to ensure they become compliant.

4.4 Complaints, Advice, Guidance & Information

Unfortunately, 2 premises have / or are due to close in the Cynon area:-

- The Mount Pleasant Hotel in Mountain Ash is due to close in June, and the premises is currently up for sale.
- The Cardiff Arms in Hirwaun has closed and is up for sale.

On a positive note, it looks like the Glancynon in Hirwaun will be reopening again later this Summer after being closed for several years.

A private members club in Cwmparc has surrendered their licence.

A pre application meeting was held with the new owners of the premises previously known as the Lighthouse and more recently, Troopers. The new owner indicated that he planned to operate as a wine bar, it is positive to see new businesses opening up.

A premises in Aberdare town centre has received a pre application meeting for an Off Licence, this meeting was a few months ago and since then it is believed the ownership has changed hands. As such, Licensing Officers have offered a further pre application meeting to the new owner. It appears the premises is currently operating primarily as a vape shop.

The Licensing Team along with their colleagues from other Responsible Authorities have attended several pre application meetings recently, for Off Licences, Late Night Refreshment establishments and On Licences, these meetings have been received well overall.

The CAP (Community Alcohol Partnership) Scheme is about to relaunch in Cynon. The scheme is aimed at educating youths about the dangers of alcohol but also preventing the sale of alcohol to underage. The coordinator, Mel Blayney has been in touch to discuss the involvement of Licensing Officers and licensed premises in the Cynon area.

The Rickards, in Treforest is another premises currently for sale, however this is still trading and is the venue for the Treforest and Rhydyfelin Pubwatch group.

A premises in Pontypridd town centre has been served with a Section 19 Closure Notice, due to a lack of CCTV and non-compliance with the conditions. This same premises was found to be trading over two hours after the licence authorises. South Wales Police and the Licensing Authority are in discussion in relation to this premises.

Good News Story:

The King (then Prince) came to Treorchy in June last year to commemorate the town becoming the Champion High Street of Great Britain.

Adrian Emmett, owner of The Lion in Treorchy played a pivotal role in bringing the community together and led the campaign to becoming the Champion High Street. In recognition of his efforts and his ongoing leadership role within the community he was invited to The Kings first Garden Party on Wednesday 3rd May.

Pubwatch:

As members are aware, there are several Pubwatch meetings attended throughout the Borough and Licensing Officers from both Local Authority and South Wales Police attend as invited guests. Most Pubwatch groups are well attended and run with assistance from the Business Crime Reduction Partnership (BCRP) and various BID groups.

Mike Jacklin has been a director of the BCRP for many years, and part of his role was to Co-Ordinate the Pubwatch meetings, Mr Jacklin retired in March this year. A new Pubwatch Co-Ordinator has been appointed and a meeting has been arranged with various parties to discuss new ways of working for the future.

The RCTCBC CCTV team have been attending meeting across the County Borough to offer advice and guidance in relation to Radionet and CCTV issues.

4.5 Recovery of Annual Fees

Total Income Received. 21/05/2023	Outstanding Invoices. 21/05/2023
£2,905	£1,975

The authority has a very robust process to ensure payment is received and will take action such as suspension where necessary. 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.

5. GAMBLING ACT 2005

5.1 Trade profile – Premises Licences

Permission Type	Number at Transition (1/9/07)	Number at 21/05/23
Bingo Premises Licences	4	2
Betting Premises	46	20
Adult Gaming Centre	10	6
Licensed Family Entertainment Centre	1	3
Lotteries/ Registered Societies	N/A	180

5.2 Trade profile – Gaming Permits

Complimentary to Premises Licences are a wide range of Gambling Permits that allow lower-level gaming in primarily alcohol licensed premises. A summary of existing permissions is as follows:-

Premises Type	Number of Permits	
	Licensed Gaming Notification Machines	Premises Machine (2 Permits (>2 Machines))
Public Houses (Premises License with Retail Alcohol 'On Sales')	189	9

Premises Type	Number of Permits	
	Club machine Permit (3 Machines)	Club Gaming Permit
Qualifying Member Clubs (Club Premises Certificate)	57	7

5.3 Recovery of Annual Fees

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.

Louise Davies

Director for Public Health, Protection and Community Services