



## **RHONDDA CYNON TAF COUNCIL**

Minutes of the virtual meeting of the Licensing Committee held on Tuesday, 30 January 2024 at 5.00 pm.

This meeting was live streamed, details of which can be accessed [here](#)

### **County Borough Councillors: -**

Councillor A Fox (Chair)

Councillor G Stacey	Councillor S Bradwick
Councillor L Ellis	Councillor W Hughes
Councillor M Powell	Councillor A O Rogers
Councillor J Turner	Councillor T Williams

### **Officers in attendance**

Ms R Hope, Head of Service for Public Protection and Regulatory Services  
Mr M Owen, Assistant Licensing Manager  
Ms K Trilloe, Health Protection and Licensing Manager  
Mr O Williams, Senior Solicitor - Litigation

#### **46 APOLOGIES FOR ABSENCE**

An apology for absence was received from County Borough Councillor G. Holmes.

#### **47 DECLARATION OF INTEREST**

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

#### **48 HUMAN RIGHTS ACT 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.

#### **49 MINUTES**

It was **RESOLVED** to approve the minutes of the 12<sup>th</sup> December 2023 as an accurate reflection of the meeting.

**50 TO CONSIDER THE LICENCES & REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS FOR THE PERIOD: 27.11.2023 - 14.01.2024**

The Head of Service for Public Protection and Regulatory Services presented Members with details of licences and registrations issued during the period 27<sup>th</sup> November 2023 to 14<sup>th</sup> January 2024.

**51 TO CONSIDER THE EXTENSION OF STREET TRADING PROVISIONS**

The Head of Service for Public Protection and Regulatory Services outlined the report which is to gain in principal Members approval on the adoption of further provisions to facilitate the control of street trading.

Members were advised that in December 2009 the Council implemented street trading provisions in Pontypridd town centre, which was extended in 2011 to the introduction of prohibition zones for the control of street trading within a 500m radius of Porth County Community School and Treorchy Comprehensive School.

Furthermore, that the scheme was initially implemented following complaints of unregistered food traders, poor food hygiene practices, litter, and odour nuisances in Pontypridd. Moreover, that the extension of provisions to areas around schools were introduced following concerns raised by the Police regarding street traders obstructing pavements & causing traffic hazards, and also, that Headteachers raised concerns that the vendors were offering high fat, low nutritional value foods that undermined the Authority's efforts to improve the diets of young people.

It was reported that Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 allows Council to a adopt Schedule 4 of the Act, which states that, 'A district Council may by resolution designate any street in their district as a prohibited street, a licence street, or a consent street.

Members learned that in a report to Licensing Committee on June 5<sup>th</sup>, 2007, reference is made to a meeting held on 12<sup>th</sup> March 2007 where a report was discussed that outlined the options, Also, that all options were considered, and it was decided that the most flexible and appropriate permission was that of consent streets.

In addition, in the meeting held on the 12<sup>th</sup> March 2007 it was determined that although there was no right of appeal against a refusal to grant/renew or revoke such consent, it was deemed good practice and Human Rights compliant that a provision be available, and therefore, aggrieved applicants will be afforded an opportunity of representation by means of the Licensing Committee.

Members were advised that it is proposed that the street trading provisions are not limited only to food vendors; it applies to other types of street trading activities, and there is also a list of exempt activities that are not regarded as Street Trading and are listed within the report embedded to the rear of the document. In addition, at the time of writing RCT has 88 registered mobile food traders, this does not necessarily mean that all of the 88 trade within RCT. Likewise, there may be mobile food traders registered with other local authorities but trade in RCT. Furthermore, that the extension of the existing provisions may not apply to all these businesses due to them trading outside of the Borough or the frequency of trading, and also, that there are currently no businesses trading that require a consent to trade.

Furthermore, it is proposed that the existing provision is extended across all RCTCBC and that a review of the existing conditions will look to improve the standard of the existing food businesses. In addition, it is proposed that those businesses with a food hygiene rating of 3, (satisfactory or above), can apply for a consent to trade.

Moreover, that the extension of the existing provisions across the Borough will provide the local authority with a flexible system which will include those traders from outside the Borough and those who trade infrequently. Also, that the extension of the scheme does not affect the Street Furniture Scheme that exists in Aberdare and Pontypridd Town Centres

It was reported that the process of the consents to trade currently sits within the Licensing Team of Public Health and Protection and supported by officers in the Food and Health & Safety Team along with Highways/Street-care. Furthermore, that there is a fee linked to the process of the consent to trade that covers the administration process. Also, that the fees are not statutory and are subject to the annual increase as per the Council policy in relation to fees and charges.

The Head of Service for Public Protection and Regulatory Services reported that the recommendations are made following concerns regarding mobile food vendors trading in the Borough, and that the extension of the existing provisions will provide a level regulatory regime for all mobile traders and will assist local authority officers in compliance to improve overall standards, providing added confidence to the residents of RCTCBC.

Following consideration of the report, the Committee **RESOLVED**;

- (i) To accept the proposals of the draft report to extend existing street trading 'consent' provisions in Pontypridd Town Centre afforded by the Local Government (Miscellaneous Provisions) Act 1982, to all areas across RCT, but to retain the prohibited streets in Treorchy and Porth.

- (ii) Approve that notice of the draft resolution be published in accordance with statutory requirements, allowing for consultation with the trade.
- (iii) That the Director Public Health, Protection & Community Services, in consultation with the Director of Highways, Streetcare and Transportation Services, be authorised to prepare and publish the required draft resolution to extend 'consent' street trading provisions afforded by the Local Government (Miscellaneous Provisions) Act 1982, to all areas across RCTCBC.

**52 TO CONSIDER PASSING THE FOLLOWING 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.

**53 SUMMARY OF LICENCES ISSUED UNDER PROVISION OF DELEGATED AUTHORITY FOR THE PERIOD: 27.11.2023 - 14.01.2024**

The Head of Service for Public Protection and Regulatory Services provided Members with the report outlining the Licences and/or Registrations issued under provisions of Delegated Authority for the period 27<sup>th</sup> November 2023 to 14<sup>th</sup> January 2024.

The Committee **RESOLVED** to acknowledge the update.

**54 ENFORCEMENT SUMMARY (INCLUDING APPEAL/PROSECUTION DATA) FOR THE PERIOD: 27.11.2023 - 14.01.2024**

The Head of Service for Public Protection and Regulatory Services provided Members with the report outlining the most recent enforcement activity, including any prosecution and appeals updates for the period 27<sup>th</sup> November 2023 to 14<sup>th</sup> January 2024.

The Committee **RESOLVED** to acknowledge the update.

**This meeting closed at 5.23 pm**

**Councillor A Fox  
Chair.**