

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LICENSING COMMITTEE**  
**(SITTING IN ITS ROLE UNDER THE LICENSING ACT 2003)**

**Minutes** of the meeting held at the County Borough Council Offices, the Pavilions, Clydach Vale on Tuesday, 20 January 2015 at 4:30p.m.

**PRESENT**

County Borough Councillor A. Fox – in the Chair

**County Borough Councillors**

(Mrs) T. A. Bates	J. Rosser
S. J. Jones	G. Smith
(Mrs) C. Leyshon	L. G. Walker
I. Pearce	E. Webster
B. Morgan	T. Williams
S. Powderhill	

**Officers in Attendance**

Mr P.J. Mee – Service Director, Public Health & Protection

Mrs R. Smith – Solicitor

Mrs M.D Williams – Licensing Manager

Mr L. Morgan – Assistant Licensing Manager

**20. APOLOGIES**

An apology of absence was received from County Borough Councillors S. A Bradwick and R. B. McDonald.

**21. DECLARATIONS OF INTEREST**

There were no disclosures of personal interests in matters pertaining to the agenda.

**22. HUMAN RIGHTS ACT 1988 AND CRIME & DISORDER ACT**

**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**

**RESOLVED** to approve as an accurate record the minutes of the meeting of the Licensing Committee (sitting in its role under the Licensing Act 2003) held on the 21<sup>st</sup> October 2014.

## **REPORT OF THE DIRECTOR, PUBLIC HEALTH & PROTECTION**

### **24. REVIEW OF THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005**

The Service Director, Public Health & Protection presented the Committee with his quarterly 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.

Members were informed that a number of applications for TEN's had been received since the last update and a detailed analysis of the applications was provided. It was reported that there had been a reduction in such applications over the past three years attributed to the introduction of the Live Music Act. For the benefit of Members the Service Director, Public Health & Protection outlined the proposal to introduce CAN (Community Ancillary Sellers Notice).

Members received a summary of the four contested applications and two reviews which had all taken place since the last period. It was also reported that a separate review application had been withdrawn and the hearing deemed unnecessary following the surrender of the Premises Licence. The outcome was considered a success following the multi agency work which ensured the removal of the licence.

The Service Director, Public Health continued to report on two pending appeals and two appeals which have been subject to consent orders. A brief overview of the Consent Order process was delivered together with detailed circumstances surrounding the individual cases.

Details of the Legislative changes in respect of the renewal of personal licences were provided and Members informed that as in the case of Premises Licences the Personal Licences will no longer require renewal and will continue unless subject to enforcement action or suspension/revocation. The Service Director Public Health & Protection also explained the results of a review process which was undertaken in relation to the Personal Licences and the impact this has had on those licences due to expire in 2015. Members of the Committee were given an indication of the situation on a local level and provided with the number of current licences in the County Borough together with the number of those due to expire. Members were also advised that the Home Office guidance was attached to the report for information. It was confirmed that a further report would be presented to the subsequent meeting of the Licensing Act 2003 Committee to update members with progress in relation to the changes.

The position to date regarding the recovery of Annual Fees was provided as was an update in relation to the Gambling Act 2005. Following consideration of the report it was **RESOLVED** 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;

**25. EXCLUSION OF THE PRESS AND PUBLIC**

**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 Schedule 12A of the Act, namely, information relating to a particular individual. Transparency in the conduct of Local Authority business is desirable, however, personal data relating to the conduct and capabilities of individuals will be discussed and considered. Consequently, it is considered the public interest in maintaining the exemption outweighs the public interest in disclosing information.

**REPORT OF THE SERVICE DIRECTOR, PUBLIC HEALTH AND PROTECTION CONTAINING EXEMPT INFORMATION**

**26. LICENSING ACT 2003 – LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS**

In his report, the Service Director, Public Health & Protection provided details of licences and registrations issued during the period the 6<sup>th</sup> October 2014 to 4<sup>th</sup> January 2015 in respect of Personal Licences and Premises Licences and it was **RESOLVED** to note the report.

**A. FOX  
CHAIRMAN**

The meeting terminated at 4.50pm