

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013 - 2014

LICENSING COMMITTEE
22nd October 2013

REPORT OF:
Service Director
Public Health & Protection

<u>Part I</u>	<u>Item No.4</u>
Review of 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 July 2013 to 6th October 2013**) are as follows:-

<i>Application Type</i>	<i>Number received</i>
Personal Licence	41
Premises Licence	7
Transfer (Premises Licence)	15
Vary (Premises Licence)	2
Club Premises Certificate	0
Vary (Club Premises Certificate)	0
Temporary Event Notice (TEN)	76
Application to Review	2
Interim Authority Notice	0
Change of DPS	10
Minor Variation	5
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	0

The downward trend for TEN's appear to be continuing and this possibly reflects the flexibility afforded to licensed premises by the implementation of the Live Music Act. An analysis of applications confirms an almost equal allocation between Club Premises Certificates, Premises Licences and community initiatives. There continue to be no adverse impact from the process and this is potentially the driver for change, where Government have a proposal to extend the provisions for authorisation of licensable activity with TENs. The proposal is currently the subject of consultation and further information will be provided when proposals are confirmed.

Summary of TEN's, reproduced 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

One contested application has been determined since the last summary report

Application Type	Name of Applicant	Name of Premises	Date of Hearing	Outcome
Variation of Club Premises Certificate	Maerdy Conservative Club Committee	Maerdy Conservative Club 50b Richard Street, Maerdy CF43 4AN	24 th September 2013	Granted subject to conditions

4.3 Reviews

Two Review applications that were reported in the last summary report remain pending which are as follows:-

Name of Applicant	Trading Name of Premiss	Premises Licence Holder	Date of Receipt	Scheduled Hearing Date
South Wales Police	Prince of Wales 21 High Street Treorchy CF42 6AA	Mr. Mihail A. Mihaylov	29/05/13	Wednesday 6/11/13
Trading Standards	Best One Superstore 70 Porcher Avenue G;lynoch Pontypridd CF37 3DD	Mr. Mohammed Bashir & Mrs. Shamim Akhtar	2/07/13	No scheduled hearing date; mediation meeting 5/11/13

One Review application has been received since the last summary report which is as follows:-

Name of Applicant requesting Review	Trading Name of Premises	Premises Licence Holder	Date of Receipt
Trading Standards	Village Trading Post, Church Village	Janet Suzanne Evans	25/9/13

Two Review applications have been determined since the last report:-

Name of Applicant requesting Review	Trading Name of premises	Licensee	Review Hearing Date	Outcome
Licensing Authority	Penygraig Rugby Tylacelyn Road Penygraig	Penygraig Rugby Club Committee	11th July 2013	Conditions imposed; warning issued re future activity
Licensing Authority	Rhydyfelin Convenience Store 1 De Barri Street Rhydyfelin, Pontypridd	Mr Hossein Jokarzadeh 18 Bala Road Cardiff CF14 2QL	29th July 2013	Conditions imposed; warning issued re future activity

(i) Penygraig RFC

The Review of the Club Premises Certificate was initiated by the Licensing Authority, acting in its capacity as a Responsible Authority and is a good example of the effective utilisation of this role. There appeared to be areas of ineffective management control, which was insufficient for respective Responsible Authorities to call Review. However, the collective picture presented as a result of monitoring of the premises 1/2/13 gave rise to more serious concerns.

Potential sales of alcohol to under age persons were identified, along with audible music noise and the locking of emergency exits. This activity was associated with a young person's party, agreed with an officer of the Club, but without the appropriate TEN authorisation.

This activity was of particular concern as Licensing Officers & partner agencies had visited the premises on several occasions for the purpose of advice & guidance.

Following the service of the Review, the management committee responded to the concerns of the Licensing Authority with a restructure and appointment of alternative officers to key posts. The Responsible Authorities welcomed this approach, which effectively improved confidence in management. This was reinforced by the mediation meeting held 30th April 2013 which demonstrated changes made to the management regime.

The positive response of the management committee allowed the Licensing Authority to have regard to the 'light touch regulation' advocated for such premises, which are essentially run on a 'not for profit basis'. However, premises must still be operated in accordance with the law and the management committee must recognise their role in protecting their patrons and the community in which they trade.

In recognition of the improved confidence in management and revised management arrangements Members determined that the Club Premises Certificate be allowed to continue with imposition of conditions and a warning re future activity.

(ii) Rhydfelin Convenience Store

The premises is a small convenience store with a premises Licence which permits sale of alcohol for 'off sale' only. Premises inspection identified an absent licensee & DPS and this indicated an absence of appropriate control which was reflected in complaints received regarding potential sale of alcohol to under age persons.

The service of the review initiated a change in a management control and improved confidence in the business to continue to trade. The existing conditions of licence were poorly expressed and the opportunity was taken to impose more robust controls that were both clear and unambiguous.

The owner of the business appreciated the early intervention and advice given and was happy to accept the imposition of conditions as proposed. Consequently the matter was dealt with administratively, with the agreement of the Sub Committee.

This is a further good example of the use of the Review process as an early intervention strategy, which is consistent with the ethos of the licensing objectives to engage compliance and prevent illegal activity in the interest of both the business and the community.

4.4 Appeals

One Appeal has been determined since the last summary report as follows:-

Name of Appellant	Reason	Name of Premises	Date of Hearing	Outcome
Geraint Morgan Morgan Tavern High Street Pontypridd	Appeal against Licensing C'ttee decision to revoke Premises licence following a Review Hearing	Morgan Tavern Pontypridd	25 TH September 2013 Merthyr & Bridgend Magistrates Courts	Council's decision to revoke the Premises Licence upheld

(i) Morgan Tavern

Members will recall the report of the 16th April 2013 where the revocation of the Premises Licence was reported. A copy of an extract of the report is reproduced for information as **Appendix 1B**.

The appeal was determined over a protracted period of 4 days, where the District Judge had the opportunity to consider all the information that was presented to the Licensing Committee, together with new information arising in the intervening period.

The basis of the defence of the appeal was that the decision was 'wrong, disproportionate & draconian' and that the Sub Committee had failed to take account of all options open to them, including suspension of the licence as a mechanism to secure continued trading. In addition representation was made that there had been a significant improvement in the management of the premises since service of the Review.

The Licensing Authority responded with a position that all options had received due consideration but the lack of confidence in management was such that no measure other than revocation could secure the promotion of the licensing objectives.

In addition, Officers reported additional matters of concern, arising in the intervening period between the date of the decision to revoke and the appeal hearing. This included primarily low level issues, such as demonstrated non-compliance with conditions of licence; complaints re inappropriate activity and Police incident reports. CCTV was also utilised to demonstrate that issues of concern identified during the review process were continuing to occur at the premises, despite assurances from the premises manager that such matters were now addressed. The collective position presented demonstrated that the management regime continued to be ineffective.

In his summation, The District Judge recognised the improvement in management since the service of the review. However he expressed a view that it was vitally important that such a premise was subject to robust management control where compliance with licensing conditions was paramount. Reference was made to the non-compliance identified by the Licensing Authority when the premises was under scrutiny and the District Judge concluded that the appellant had failed to demonstrate that the decision of the Licensing Committee was wrong, or disproportionate and accordingly dismissed the appeal, awarding costs of £4370 to the Licensing Authority.

The premises were subject to immediate closure as at 25th September 2013.

The closure of the premises in a high profile location in Pontypridd Town centre is a cause of concern to the Licensing Authority and partner agencies. South Wales Police, as witnesses for the Licensing Authority sought to assure the parties that closure of the premises was not the desired outcome. However the adverse impact of the trading position on the community was undermining the licensing objectives and presenting a risk that was unacceptable.

A copy of the press article relevant to the outcome of the appeal is reproduced for information as **Appendix 1C**.

(iii) One appeal remains outstanding, as follows:-

Name of Appellant	Trading Name of Premises	Scheduled Hearing Date
Mr. Harprit Singh Turtle Beach Food & Wine Company 91-92 Bute Street Treherbert CF42 5NY	Turtle Beach Food & Wine Company 91-92 Bute Street Treherbert CF42 5NY	23 rd October 2013; Merthyr Magistrates Court

(iv) **No new appeals have been received since the last report.**

4.5 Compliance & Enforcement

(i) Prosecutions

There are no prosecutions to report for the period.

(ii) Test Purchasing

10 Test Purchases for sale of alcohol to under age persons were undertaken in the period. This resulted in 2 sales; one sale was directly responsible for initiating a Review of Premises Licence as a result of concerns regarding management control.

One sale was made at an automated check out at a convenience store and this is currently the subject of legal advice in respect of person responsible for sale.

(v) Premises Inspection & Infringements

31 premises have been inspected during the last period, the full inspection regime being temporarily suspended as a result on the ongoing staffing issues in the Licensing Team.

As indicated previously, resources will be allocated to ensure WPI targets are met and it is anticipated that any backlog created will be cleared before the end of the year.

A summary of infringements identified is reproduced for information as **Appendix 1D**.

4.6 Legislative Change

Personal Alcohol Licences

The Government are currently consulting on proposals to review the regime for the issue of Personal Licences.

Licences are currently issued for 10 year period, with a significant number due for renewal in November 2015, following the introduction of the regime in 2005.

The renewal process will have a significant impact on resources for Local Authorities, but the basis of the changes is to limit unnecessary bureaucracy whilst maintaining adequate control of alcohol sales. Consideration is being given to the imposition of conditions applied locally to Premises Licence as a more cost effective, targeted alternative.

A summary of the key proposals are reproduced for information as **Appendix 1E**.

Further information will be provided following the outcome of the consultation period.

4.7 Recovery of Annual Fees

The position to date is as follows:-

Total Income Received; As at 30/9/13	Outstanding Invoices; As at 30/9/13
£17,437	£5165

GAMBLING ACT 2005

5.1 Trade profile – Premises Licences

Permissions are as detailed below, with no changes to report for this period:-

Permission Type	Number at Transition (1/9/07)	Number at 14/10/12
Bingo Premises Licences	4	3
Betting Premises	47	42
Adult Gaming Centre	10	7
Licensed Family Entertainment Centre	1	0
Lotteries/ Registered Societies	N/A	238

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.

No Gaming Permits have been processed in the last assessment period.

5.3 Enforcement

The Licensing Authority was invited to assist the Gambling Commission in a trial of test purchases in respect of local gambling premises. The product to be tested was Fixed Odds Betting Terminals (FOBT) which facilitates gambling remotely without direct interaction with a member of staff, (but under their supervision).

The process was intelligence led and four premises were tested. Tests were undertaken by Trading Standards Officers using volunteers in a similar manner to alcohol test purchases.

All four premises tested failed in that use of the FOBT was made by the volunteer.

Advice & guidance was given to each operator with a warning in respect of future activity. This action was initiated at the request of the Gambling Commission as it is their intention to launch a publicity campaign to raise awareness with licensees in respect of protection of young persons and test purchase regimes.

6 Recovery of Annual Fees

As a result 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.

Paul J Mee

Service Director Public Health & Protection

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
PUBLIC HEALTH & PROTECTION – LICENSING**

Temporary Event Applications
Received: from 1st July to 6th October 2013

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
391382 Standard TENS	Rhigos RFC Heol Pen Darren Rhigos Aberdare CF44 9HJ	Mr Richard Mark Williams	19 July 2013 To 21 July 2013	Aberdare Motorcycle Club Charity Event 19th & 20th July 2013
391448 Standard TENS	St Dyfrigs RC Church Hall Broadway Treforest Pontypridd CF37 1DB	Mr John Francis Egan	18 July 2013 To 18 July 2013	TENOVUS CHARITY CONCERT 18.07.13
391449 Standard TENS	St Dyfrigs RC Church Hall Broadway Treforest Pontypridd CF37 1DB	Mr John Francis Egan	3 August 2013 To 3 August 2013	tenovus charity concert 03.08.13
391450 Standard TENS	Pontyclun RFC Llantrisant Road Pontyclun CF72 9DQ	Ms Suzanne Carol Ayres	10 August 2013 To 10 August 2013	Family Fun Day 10.08.13

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Temporary Event Applications
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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
391452 Standard TENS	The Tumble Inn 4-9 Broadway Pontypridd CF37 1BA	Mr Jason Bales	21 July 2013 To 22 July 2013	Extension of opening hours 20.07.13 & 21.07.13
391466 Standard TENS	Greenmeadow Riding Centre Dare Valley Country Park Cwmdare Aberdare CF44 7RG	Mr Stephen John England	3 August 2013 To 3 August 2013	Charituy fundraiser 03.08.13
391467 Standard TENS	Greenmeadow Riding Centre Dare Valley Country Park Cwmdare Aberdare CF44 7RG	Mr Stephen John England	16 August 2013 To 16 August 2013	CHARITY EVENT 16.08.13
391468 Standard TENS	Greenmeadow Riding Centre Dare Valley Country Park Cwmdare Aberdare CF44 7RG	Mr Stephen John England	30 August 2013 To 30 August 2013	CHARITY EVENT 30.08.13

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
391494 Standard TENS	The Boncyff 196 Brynmair Road Godreaman Aberdare CF44 6LS	Mrs Pamela Connelly	3 August 2013 To 3 August 2013	Beer & Cider Festival with Music 03.08.13
391506 Late TENS	Central Park Playing Fields Central Park Church Village Pontypridd	Mr Craig Mannings	13 July 2013 To 13 July 2013	Touch Rugby Tournament - 13th July 2013
391519 Late TENS	Cae Fardre Playing Fields Cae Fardre Church Village Pontypridd	Mr Craig Mannings	13 July 2013 To 13 July 2013	Touch Rugby Tournament 13.07.13
391554 Standard TENS	The Lion Treorchy Bute Street Treorchy CF42 6AH	Mr Adrian Ian Emmett	27 July 2013 To 27 July 2013	Treorchy Music Festival 27.07.13
391599	O'Callaghans Coffee House	Mr Lee Alder-Dyke	20 July 2013	

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Late TENS	3 Fothergill Street Treforest Pontypridd CF37 1SG		To 21 July 2013	
391608 Standard TENS	Treorchy Boys Club Station Road Treorchy CF42 6UB	Cllr Emyr Webster	27 July 2013 To 27 July 2013	
391609 Standard TENS	Abercynon RFC Park Road Abercynon Mountain Ash CF45 4NA	Mr Michael Roger Williams	4 August 2013 To 4 August 2013	7 a side rugby tournament August 4th 2013
391632 Standard TENS	Llanharan Community Development Project 23A Bridgend Road Llanharan Pontyclun CF72 9RD	Mrs Sian Davies	3 August 2013 To 3 August 2013	Community fete 03.08.13

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391655 Standard TENS	Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Mr Ivan Wilson	3 August 2013 To 4 August 2013	Fire & Ice - stall at big welsh bite Ponty 2/3/4th August 2013
391656 Standard TENS	Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Mr Neal Earnest Shipp	2 August 2013 To 4 August 2013	STALL AT BIG WELSH BITE 2/3/4TH AUGUST 2013
391657 Standard TENS	Hirwaun Recreation Ground Tower Road Hirwaun Aberdare	Mr Jonothan Mark Shaw	3 August 2013 To 4 August 2013	Farmageddon Music Festival 3/4th August 2013
391658 Standard TENS	Ynys Playing Fields Ynys Road Aberdare CF44 7PA	Mr Anthony William Derrick	10 August 2013 To 10 August 2013	Cricket Club Summer Party 10.08.13
391663 Standard	The Market Tavern Market Street Aberdare	Mr Julian Mark Collins	23 August 2013 To	Aberdare market car park - Beer Festival 23/24/25th August 2013

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
TENS	CF44 7DY		25 August 2013	
391718 Standard TENS	The Student Union Centre University of South Wales - Treforest Campus Forest Grove Treforest Pontypridd CF37 1UF	Mr Michael James Borley	1 November 2013 To 1 November 2013	halloween party 31.10.13
391719 Standard TENS	The Student Union Centre University of South Wales - Treforest Campus Forest Grove Treforest Pontypridd CF37 1UF	Mr Michael James Borley	3 February 2014 To 3 February 2014	Superbowl 03.02.14
391723 Late TENS	Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Mr Michael Williams	2 August 2013 To 4 August 2013	big welsh bite stall 2/3/4th August 2013

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391724 Late TENS	The Tynte Hotel Main Road Tyntetown Abercynon, Mountain Ash CF45 4YH	Mr Gerin Charles Thomas	3 August 2013 To 3 August 2013	
391739 Standard TENS	Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Mr Nicholas Otley	2 August 2013 To 4 August 2013	Big Welsh Bite 2013 - 2nd Aug 13
391753 Late TENS	Maindy Sports & Social Club Ltd 7 Queen Street Ton Pentre Pentre CF41 7HE	Ms Jacqueline McKale	2 August 2013 To 6 August 2013	LATE TEN
391756 Late TENS	The Big Bite Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Mr Kenneth J Rosser	3 August 2013 To 4 August 2013	Late TEN

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391762 Standard TENS	St John's Church Hall Graig Street Graig Pontypridd CF37 1NF	Mrs Barbara Minton	20 September 2013 To 20 September 2013	Murder Mystery Play fundraiser 20.09.13
391763 Standard TENS	Bear Inn Tyla Coch Llanharry Pontyclun CF72 9LH	Mrs Amanda Price	25 August 2013 To 25 August 2013	cider festival 25.08.13
391764 Late TENS	Maindy Sports & Social Club Ltd 7 Queen Street Ton Pentre Pentre CF41 7HE	Ms Jacqueline McKale	8 August 2013 To 11 August 2013	General Trading - 8th - 11th Aug 2013
391765 Standard TENS	Maindy Sports & Social Club Ltd 7 Queen Street Ton Pentre	Ms Jacqueline McKale	13 August 2013 To	General Trading 13th to 18th August 2013

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	Pentre CF41 7HE		18 August 2013	
391786 Late TENS	The Bunch Of Grapes Bunch Of Grapes Public House 40 Ynysangharad Road Pontypridd CF37 4DA	Mr Nicholas Otley	9 August 2013 To 12 August 2013	Cider festival 9th-11th Aug 2013
391787 Standard TENS	The Bunch Of Grapes Bunch Of Grapes Public House 40 Ynysangharad Road Pontypridd CF37 4DA	Mr Nicholas Otley	16 August 2013 To 17 August 2013	cocktail evening 16.08.13
391792 Standard TENS	Judges & Jurys 7 Market Street Aberdare CF44 7DY	Mr Gino Fulgoni	26 August 2013 To 26 August 2013	Disco at Judges 26 August 2013
391796	The Bunch Of Grapes	Mr Nicholas Otley	23 August 2013	Beer Festival 23.08.13 to 25.08.13

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Standard TENS	Bunch Of Grapes Public House 40 Ynysangharad Road Pontypridd CF37 4DA		To 26 August 2013	
391797 Standard TENS	The Tumble Inn 4-9 Broadway Pontypridd CF37 1BA	Mr Jason Bales	25 August 2013 To 27 August 2013	Bank Holiday extention
391822 Standard TENS	Gilfach Goch RFC 73 High Street Gilfach Goch Porth CF39 8SR	Mr W Jenkins	24 August 2013 To 25 August 2013	Cider Festival 24/25th August 2013
391826 Standard TENS	The Banc 54-56 Llewellyn Street Pentre Treorchy CF41 7BW	Miss Louise Marie Fisher	25 August 2013 To 26 August 2013	disco 25.08.13

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391902 Standard TENS	Dylans Cafe Bar & Steakhouse Porth Street Porth CF39 9RL	Mr Alan Hamer	24 August 2013 To 25 August 2013	Music Festival - 24/25 Aug 2013
391929 Standard TENS	The Red Lounge 71 Wood Road Treforest Pontypridd CF37 1RJ	Mr Mohammed Sakir Miah	30 August 2013 To 31 August 2013	DJ & Party 30.08.13 - 31.8.13
391930 Standard TENS	Porth Harlequins RFC Nythbran Terrace Porth CF39 9TW	Mr Clive Booth	26 August 2013 To 26 August 2013	Cricket Match on field 25.08.13
391931 Standard TENS	The Skinny Dog Broadway Pontypridd CF37 1BA	Mrs Kay Morgan	26 August 2013 To 26 August 2013	Extension of hours - bank holiday 26.08.13
391934	Treorchy RFC	Miss Nerys Phillips	25 August 2013	rock band & disco 25.08.13

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Standard TENS	Regent Street Treorchy CF42 6PN		To 25 August 2013	
391936 Standard TENS	Aberdare Market Carpark Market Street Aberdare		24 May 2014 To 25 May 2014	
391939 Standard TENS	Ynysybwl RFC Heol-Y-Plwyf Ynysybwl Pontypridd CF37 3HU	Mr Clive Reed	25 August 2013 To 25 August 2013	Live Music - 25.08.13
391945 Late TENS	Suzy's at the old Ely Hotel Francis Street Thomastown Tonyrefail CF39 8DT	Mr Richard Hopkins	26 August 2013 To 26 August 2013	Extension of hours 26.08.13
391946	Maindy Sports & Social Club Ltd	Ms Jacqueline McKale	24 August 2013	General Trading 24/25/26 August 2013

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Standard TENS	7 Queen Street Ton Pentre Pentre CF41 7HE		To 26 August 2013	
391948 Standard TENS	Maindy Sports & Social Club Ltd 7 Queen Street Ton Pentre Pentre CF41 7HE	Ms Jacqueline McKale	28 August 2013 To 1 September 2013	General Trading 28/29/30/31 August - 1st Sept 2013
391950 Standard TENS	Rhydyfelin Non Political Club Poplar Road Rhydyfelin Pontypridd CF37 5LS	Mr Vivian Jenkins	31 August 2013 To 31 August 2013	50th Birthday Party - 31.08.13
391977 Late TENS	Cardiff Arms Hotel 32 High Street Hirwaun Aberdare CF44 9SL	Mr Julian Barfield	24 August 2013 To 25 August 2013	21st Birthday Party and Music - 24th & 25th August 2013

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391979 Standard TENS	Llanharan Primary School Llwynbrain Terrace Llanharan Pontyclun CF72 9PN	Mr Peter Geoffrey Ashton	7 September 2013 To 7 September 2013	Parish Fundraising - barbeque & bar - 7th September 2013
391990 Late TENS	Tonypandy Athletic Club Primrose Street Tonypandy CF40 1BQ	Mrs Patricia Ann Hodges	24 August 2013 To 24 August 2013	60's disco - 24th August 2013
392021 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Michael Williams	14 September 2013 To 14 September 2013	Artist - 14th September 2013
392208 Standard TENS	Mountain Ash Comp School New Road Mountain Ash CF45 4DG	Mr Duncan Gray	15 September 2013 To 15 September 2013	Mayors Civic Sunday - 15th September 2013

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392211 Standard TENS	All Hallows Catholic Church School Road Miskin Pontyclun CF72 8PG	Williams Jane	8 November 2013 To 8 November 2013	Charity Event
392247 Late TENS	Cardiff Arms Hotel 32 High Street Hirwaun Aberdare CF44 9SL	Mr Julian Barfield	7 September 2013 To 8 September 2013	Late TEN for 7th September extending to 2am (8th September)
392275 Late TENS	Tynewydd Labour Club Margaret Street Tynewydd Treorchy CF42 5LT	Mr Price	14 September 2013 To 14 September 2013	70s night with band/DJ
392334 Late TENS	Cardiff Arms Hotel 32 High Street Hirwaun Aberdare CF44 9SL	Mr Julian Barfield	14 September 2013 To 15 September 2013	Music 14th and 15th September 2013

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392349 Late TENS	Gelli & Ystrad Comrades Club 27-28 Gelli Road Gelli Treorchy, Pentre CF41 7LY	Mr Antony Sparrow	20 September 2013 To 20 September 2013	Disco & Comedy Duo 20.09.13
392357 Standard TENS	St John's Church Hall Graig Street Graig Pontypridd CF37 1NF	Mrs Barbara Minton	4 October 2013 To 4 October 2013	murder mystery play 04.10.13
392409 Standard TENS	O'Callaghans Coffee House 3 Fothergill Street Treforest Pontypridd CF37 1SG	Mr Michael O'Callaghan-Williams	27 September 2013 To 29 September 2013	Wedding Celebration
392451 Standard TENS	Ton Pentre AFC Social Club Llanfoist Street Ton Pentre Treorchy	Mr John Anthony Thomas	7 December 2013 To	Charity Event 7th Dec 2013

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	CF41 7AF		7 December 2013	
392490 Standard TENS	Cardiff Arms Hotel 32 High Street Hirwaun Aberdare CF44 9SL	Mr Julian Barfield	12 October 2013 To 13 October 2013	60th Birthday Party 12.10.13
392491 Standard TENS	Cardiff Arms Hotel 32 High Street Hirwaun Aberdare CF44 9SL	Mr Julian Barfield	22 November 2013 To 23 November 2013	Charity night with comedian 22.11.13
392494 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Michael Williams	19 October 2013 To 19 October 2013	Charity Night 19.10.13
392525	The Lifelong Learning Centre Garth Olwg Community	Mrs Heidi Katya Thomas	4 October 2013	Comedy Evening 04.10.13

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
PUBLIC HEALTH & PROTECTION – LICENSING**

Temporary Event Applications
Received: from 1st July to 6th October 2013

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
Late TENS	Campus St Illtyds Road Church Village Pontypridd CF38 1RQ		To 4 October 2013	
392565 Standard TENS	Abercynon Social Hall Station Road Abercynon Mountain Ash CF45 4TA	Mrs Meryll Murphy	23 October 2013 To 23 October 2013	Tea Dance 23.10.13
392640 Standard TENS	Ton Pentre AFC Social Club Llanfoist Street Ton Pentre Treorchy CF41 7AF	Mr John Anthony Thomas	14 December 2013 To 14 December 2013	Charity Event 14.12.13
392641 Standard TENS	The Old School House School Street Maerdy Ferndale CF43 4DN	Mr Mark Parry	7 December 2013 To 7 December 2013	Charity Event 07.12.13

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
PUBLIC HEALTH & PROTECTION – LICENSING**

Temporary Event Applications
Received: from 1st July to 6th October 2013

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
392695 Standard TENS	Otley Arms 18-19 Forest Road Treforest Pontypridd CF37 1SY	Mr Paul Otley	22 October 2013 To 26 October 2013	Real Ale & Cider Festival
392716 Standard TENS	Llanharan RFC Bridgend Road Llanharan Pontyclun CF72 9RD	Mrs Sian Davies	31 October 2013 To 31 October 2013	Fusion under 18 halloween disco 31.10.13
392838 Standard TENS	Hand and Squirrel 19 Ely Valley Road Talbot Green Pontyclun CF72 8AL	Mr Michael Davies	19 October 2013 To 19 October 2013	Wedding Party & Disco 19th October
392840 Standard TENS	Mid Rhondda Central Workingmens Club 71 Primrose Street Tonypandy CF40 1BQ	Mr David Herbert Lewis	8 November 2013 To 8 November 2003	Unison Social Evening, 8 November

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
PUBLIC HEALTH & PROTECTION – LICENSING**

Temporary Event Applications
Received: from 1st July to 6th October 2013

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
392844 Standard TENS	Tynewydd Labour Club Margaret Street Tynewydd Treorchy CF42 5LT		26 October 2013 To 26 October 2013	Halloween Ball with Band and Disco for 26 October
392849 Standard TENS	Tynewydd Labour Club Margaret Street Tynewydd Treorchy CF42 5LT	Green	26 October 2013 To 26 October 2013	Halloween Ball with Band and disco

Appendix 1B**EXTRACT OF LICENSING COMMITTEE REPORT 23RD APRIL; 2013**

One Review application has been determined since the last summary report as follows:-

Name of Applicant requesting Review	Name of Premises	Premises Licence Holder	Review Hearing Date	Outcome
South Wales Police	Morgan Tavern 11 High Street Pontypridd	Mr Geraint Morgan 11 High Street Pontypridd	8 th March 2013	Licence Revoked

(i) Morgan Tavern

The review was called by South Wales Police as a result of escalating levels of crime & disorder associated with the premises. This was evidenced by means of Police incident records and reflected in the Police 'Traffic Light' Analysis, where the premises was deemed as the worst performing in the Police area.

The concerns were exacerbated by a lack of confidence in management, in that this was the second review of the premises and whilst the previous review had achieved an improvement this had not been sustained.

There was also evidence of non-compliance with current conditions of licence, which had been imposed at review specifically to improve management practice and control in recognition of previous problems.

The Police expressed a view that whilst the licensee sought to co-operate with the Responsible Authorities on most occasions, there was an increasing need for intervention from various agencies in order to maintain an acceptable level of control. This suggested that the management capacity at the premises was inappropriate.

There was a collective concern from Responsible Authorities that current failures in management practices were giving rise to non-compliance with conditions and a compromising of the licensing objectives.

Responsible Authorities were in agreement that there was little merit in imposing conditions to achieve improvement as there

was no confidence in management to achieve sustained compliance.

In view of the foregoing, and having regard to the previous review of licence, warnings issued to secure improvement and the level of recent interventions Members resolved that the licence be revoked.

The Licensee subsequently appealed the decision and a court date is currently awaited.

Ends

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By Mark Smith  Comments | 23 Sep 2013 13:40

Pub dubbed 'worst in borough' for crime and disorder has lost its alcohol licence

Pontypridd pub has its alcohol licence taken away following a 'catalogue' of problems including violence, under-age drinking and drinking after hours



The Morgan Tavern pub in Pontypridd

A Pontypridd pub dubbed "the worst in the county borough" for crime and disorder has lost its licence to sell alcohol.

Morgan Tavern, on High Street, had its licence revoked this week following a "catalogue" of problems with crime and disorder.

South Wales Police and Rhondda Cynon Taf council said the popular watering hole failed to protect public safety, prevent public nuisance and protect children from harm.

In a hearing by Rhondda Cynon Taf Council's Licensing Committee, Trading Standards and South Wales Police produced a damning report which claimed sufficient evidence was found to warrant the pub losing its licence.

The report stated management for their "lack of social responsibility" to assist police with the investigation of offences.

Staff were also accused of failing to stick to designated closure times and maintain training for staff in respect of selling age-restricted products.

Concern about the over-capacity of the building and its high levels of underage drinkers were also called into question.

South Wales Police officers often "plant" young people in pubs to test staff on their identity checks.

But given the extent of the problems at Morgan Tavern, the authority decided not to carry out such an operation at the pub - for fear of putting the young person in danger.

Its licence was previously revoked in 2009, but officers said little had changed during the three-year period despite a raft of measures to address the issues.

The manager of the pub, who appeared at the hearing at Pontypridd Magistrates' Court, said he was not present on weekends and relied on his staff to keep him informed of incidents. He also claimed CCTV footage was available.

But South Wales Police, who use a "traffic light system" to indicate levels of crime and disorder, said Morgan Tavern as the only premises in Rhondda Cynon Taf to have a consistent "red level."

The licensee was order to pay costs of £4,370 after an unsuccessful appeal.

Head of Community Protection at Rhondda Cynon Taf Council, David Jones said: "A catalogue of drunken, violent and antisocial behaviour by patrons, shows that the management of the Morgan Tavern have once again blatantly disregarded their responsibilities, the law and the conditions of their licence.

"Under these circumstances revocation of the license was the only realistic option open to the Licensing Committee."

Inspector, Nigel Griffiths of South Wales Police said: "We've worked closely with this establishment for a number of years, but it has been unable to mend its ways.

“Violence and anti social behaviour, which would often spill out onto the streets outside, have continued to be linked to the pub and in the end we were left with no other alternative but to apply to stop it from trading.”

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Public Health & Protection

INR V8.2.x.0

REPORT PREPARED ON 9/10/13 AT 17:01

Closed Date from 1/ 7/2013 to 6/10/2013

Inspection Types : L - Licensing
Detail category : I - INSPECTION DETAIL TYPES
Detail code : L - Licensing Infringements

Primary Analysis by Detail Code

Sorted by Analysis Category

Report format ACTIONS

Sorted : 9/10/13

Printed : 9/10/13

TOTAL
CATEGORIES

L Licensing Infringements

LAA	No Licence Summary on display	5
LAB	No Premise.Lic or cert copy ke	7
LAC	No written permission from PLH	2
LAG	No CCTV	3
LAR	Premises Layout/Const.Differen	2
LAS	Other	2
TOT:	Licensing Infringements	<u>21</u>

*** GRAND TOTALS: 21

6 ANALYSIS RECORDS PRINTED
END OF REPORT

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6. Annex A – Proposal Summary

Our proposal to abolish personal licences would cut unnecessary bureaucracy for businesses while maintaining key safeguards to tackle irresponsible premises. As well as abolishing personal licences, we would maintain, or even strengthen, existing legislation in several ways. We would:

- i. Amend the mandatory conditions to require all alcohol sales to be authorised by the DPS, rather than a personal licence holder;
- ii. Allow the police to object under s.37 of the 2003 Act to a new DPS based on the crime prevention objective in general, rather than only in 'exceptional circumstances';
- iii. Allow licensing authorities to require a criminal records declaration with each new change of a DPS; and
- iv. Allow those who either are named as the DPS on a premises licence or have accredited training to give up to 50 Temporary Event Notices (TENs) a year; those without would be limited to giving only five.

	Now	Proposal
Who must be trained?	<p>All personal licence holders, in effect:</p> <ul style="list-style-type: none"> • The DPS in relation to a premises licence • Those who may authorise alcohol sales 	No-one ; unless required to be trained by a condition imposed on the premises licence
What is the benchmark for training?	All training courses must be accredited by the Secretary of State	
How can training be checked?	Inspection of the personal licence application ; and subsequently the personal licence itself at a premises	Inspection of a certificate of training at a premises
Who must provide a criminal records check?	<p>Applicants for, and those renewing, personal licences, in effect:</p> <ul style="list-style-type: none"> • The DPS in relation to a premises licence • Those who may authorise alcohol sales 	No-one
Who must provide a criminal records declaration?		No-one ; unless a condition imposed on a premises licence requires that all future applications to vary the DPS be accompanied by a criminal records declaration
What is the benchmark for criminal convictions?	Only those offences listed as relevant in Schedule 4 to the Licensing Act 2003 may be considered	

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