

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, 15 April 2014 at 4:30p.m.

PRESENT

County Borough Councillor A. Fox – in the Chair

County Borough Councillors

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| T. A. Bates | B. Morgan |
| S. A. Bradwick | S. Powderhill |
| (Mrs) S. Jones | G. Smith |
| (Mrs) C. Leyshon | L. Walker |
| R. B. McDonald | E. Webster |
| K. Montague | |

Officers in Attendance

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

Mrs R. Smith - Solicitor

Mrs M. Williams – Licensing Manager

Mr L. Morgan – Assistant Licensing Manager

23. APOLOGIES

An apology of absence was received from County Borough Councillors I. Pearce, J. Rosser and T. Williams

24. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct the following declarations of personal interests were received:-

1. From County Borough Councillor B. Morgan in relation to Agenda Item 4, Temporary Events Notice No.396289, Ynysyngharad Park, Bridge Street, Pontypridd – 'I represent the Town Council for Cilfynydd'
2. From County Borough Councillor A. S. Fox in relation to Agenda Item 4, Temporary Events Notice No.394242, The Osborne Hotel, Rheola Street, Penrhiwceiber, Mountain Ash – 'As local Member I was contacted by the applicant. I gave advice and directed the applicant to the relevant officer'

25. 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.

26. 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 21st January 2014

REPORT OF THE SERVICE DIRECTOR, PUBLIC HEALTH & PROTECTION

27. 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.

The Service Director, Public Health & Protection updated Members with details of the contested applications, reviews and appeals for the period. Committee was informed that the one appeal determined since the last report concerning the Best One Superstore was withdrawn shortly before the Court date.

Further details were provided in respect of compliance and enforcement issues and in particular test purchasing and premises inspections and infringements. Members were informed that 30 test purchases were carried out during the period with one sale being made.

The Service Director Public Health & Protection updated Members of the Committee with details of Licensee Training which has taken place with the support of funding made available by the Welsh Assembly Government. It was aimed at those licensees attaining Personal Licenses under 'Grandfather Rights'. Thirty places were made available for the training of licensees and 15 places for the Managers/DPS to attain Level 2 qualification. The pass rate was excellent and the response of the candidates was very positive.

A legislative update was provided in respect of the retention of personal licences and details on banning the sale of alcohol below the 'cost of duty' plus VAT were outlined.

The position in respect of the recovery of annual fees was noted by Members.

The Service Director, Public Health & Protection confirmed there has been no change to the trade profile in respect of 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

28. 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

29. 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 6th January 2014 to 23rd March 2014 in relation to Personal Licences and Premises Licences and it was **RESOLVED** to note the report.

**A. FOX
CHAIRMAN**

The meeting terminated at 4.45pm