

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, 21 October 2014 at 4:30p.m.

PRESENT

County Borough Councillor A. Fox – in the Chair

County Borough Councillors

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| S. A. Bradwick | B. Morgan |
| S. J. Jones | S. Powderhill |
| (Mrs) C. Leyshon | G. Smith |
| C. J. Middle | L. G. Walker |
| I. Pearce | E. Webster |

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

12. APOLOGIES

An apology of absence was received from County Borough Councillors R. B. McDonald, T. Williams, (Mrs) T. A. Bates and (Mrs) J. Rosser.

13. DECLARATIONS OF INTEREST

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

14. 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.

15. MINUTES

RESOLVED to approve as an accurate record the minutes of the meeting following meetings:-

- The Licensing Committee (sitting in its role under the Licensing Act 2003) held on the 29th July 2014 and
- The Special Meeting of the Licensing Committee (sitting in its role under the Licensing Act 2003) held on the 2nd September 2014

REPORT OF THE DIRECTOR, PUBLIC HEALTH & PROTECTION

16. 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 provided with a detailed breakdown of the TEN's applications received during the period, many of which related to charitable events particularly over the August Bank Holiday period. Details were also provided in respect of the Contested Applications and Reviews determined since the last report and those awaiting determination.

The Service Director Public Health & Protection summarised the main headings within the report such as Prosecutions which have taken place under the Licensing Act 2003 and the outcome of 34 test purchases undertaken by Trading Standards.

Members of the Committee were informed of several multi partner agency exercises conducted over the period to target anti social behaviour and substance misuse in the County Borough. During September several agencies participated in an ACPO, an Alcohol Harm Reduction and Licensing exercise which involved visits to 48 licensed premises across Rhondda Cynon Taf. The purpose and outcome of these visits was relayed to Members who agreed that it had been a worthy exercise.

The current position regarding the recovery of Annual Fees was demonstrated within the report before issues under the Gambling Act were addressed.

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

17. REVIEW OF LICENSING POLICY STATEMENT 2015-2020

The Service Director Public Health & Protection presented his report outlining the consultation process which had been undertaken in respect of the draft Licensing Policy Statement 2015-20.

By way of background Members were reminded that the draft Licensing Policy Statement was presented to the Committee for information at the Special meeting held on the 2nd September 2014 when it was resolved to note the proposal of the Service Director Public Health & Protection to conduct a further short consultation process and report back the outcome of this at the next scheduled meeting.

The Service Director Public Health & Protection reported that the majority of comments had been received from the Responsible Authorities which were reproduced at Appendix B of the report. It was noted that for ease of reference the amendments in the revised Licensing Policy Statement for 2015-2020 set out at Appendix 1C of the report were highlighted in red. Members of the Committee were informed that the amendments, albeit few, had served to strengthen the draft Policy and following consideration of the report it was **RESOLVED** to:-

- (i) Note the responses received to the consultation process and the consequent changes proposed by the Service Director of Public Health & Protection to the DRAFT Licensing Policy
- (ii) Approve the changes made to the DRAFT Licensing Policy Statement and commend the revised version, (to be the Licensing Policy Statement 2015-20) to the Executive for approval and adoption by Full Council
- (iii) That subject to adoption by Full Council the revised Licensing Policy Statement be implemented with effect from 7th January 2015

Members of the Licensing Committee appraised the Licensing Section for their continued hard work and commitment in completing the consultation process and producing the revised draft Licensing Policy

18. 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

19. 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 14th July 2014 to 5th October 2014 in respect of the to Personal Licences and Premises Licences and it was **RESOLVED** to note the report.

**A. FOX
CHAIRMAN**

The meeting terminated at 4.40pm