



RHONDDA CYNON TAF COUNCIL LICENSING ACT 2003

Minutes of the meeting of the Licensing Act 2003 meeting held on Tuesday, 4 December 2018 at 4.30 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

County Borough Councillors - Licensing Act 2003 Members in attendance:-

Councillor A Fox (Chair)

Councillor D Williams Councillor S Bradwick
Councillor S Powderhill Councillor E Webster
Councillor W Lewis Councillor S Morgans
Councillor P Howe

Officers in attendance:-

Ms L Davies, Head of Public Protection
Mr R Waters, Service Director, Highways & Streetcare Services
Mr P Nicholls, Head of Legal - Litigation, Planning & Environment, Community & Children's Services
Mr G Black, Community Safety and Licensing Manager
Mr M Owen, Assistant Licensing Manager
Mr N Evans, Licensing Enforcement Officer

County Borough Councillors in attendance:-

Councillor R Lewis

7 Apologies for Absence

Apologies for absence were received from County Borough Councillors T. Williams, A. Cox and L. Jones.

8 Declaration of Interest

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

9 Human Rights Act 1997 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.

10 Minutes

It was **RESOLVED** to approve the minutes of the 11th September, 2018 as an accurate reflection of the meeting.

Review of the Licensing Act 2003 & Gambling Act 2005

The Head of Public Protection provided the Committee with a 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.

It was reported that there had been a significant increase in the number of Temporary Events Notices (TEN's), which was largely due to events held for Halloween, Bonfire Nights and event planned for the approaching Christmas season. The officer also drew attention to the one premises which had utilised a TEN to trial the sale of alcohol at a microbrewery bar to test the viability of applying for a Premises Licence.

Members learned that during the period, there had been one contested application, namely Platform 11 Club, Pontypridd, where Members resolved to grant the variation of hours on Fridays and Saturdays but refused extra trading hours on Thursdays. Members were informed that there had been no reviews or appeals submitted since the last report.

The officer referred Members to section 4.3 of the report where the premises inspections and infringements were outlined. Members were pleased to learn that 89% of premises inspected were broadly compliant compared to the 79% rate during the same period in 2017.

Members were advised that there had been a number of complaints received during the period, most of which were associated with noise nuisance. It was explained that during the period, there had been an increased number of alleged incidents of underage sales but Members were assured that these were prioritised to ensure that the Licensing Objective of 'Protection of Children from Harm' is continued to be met.

The officer provided the Committee with an overview of the work undertaken by the Licensing team across RCT for the period. The officer was pleased to inform Members that since the last period, there had been an increase in attendance at 'Pubwatch' meetings and that a new meeting had been set up in the Gelli Hibernian Club which includes licensed premises from Pentre to Llwynypia.

The officer spoke of positive actions undertaken for young people to steer them away from consuming alcohol, which had been initiated following the successful launch of the Pontypridd CAP. The officer spoke of a recent Dragons Den competition which had taken place in partnership with Sainsbury's, Pontypridd and the Council's Youth Engagement Partnership Team and advised that the successful designs would be brought back to a future meeting of the Licensing Committee. Members were also pleased to learn that all six young people who had participated in the Young Persons Health Champion qualification had passed.

Members were updated on the new PSPO implemented on 1st September, 2018 and were advised that to date, nine people had had alcohol confiscated and were issued with warnings.

In respect of the revised Statement of Principles, under the provisions of the Gambling Act 2005, Members were reminded that the revisions which were endorsed by the Licensing Committee on 11th September, 2018 had been

approved by Council on 28th November, 2018.

One Member raised concerns in respect of the use of TEN's to test the viability of applying for a Premises Licence, namely the recent application in respect of Platform 11, Pontypridd. The Member queried whether officers visit premises following the approval to vary operating hours to ensure that there isn't an increase in anti-social behaviour due to further alcohol consumption. The officer assured the Member that the majority of the TEN's received were for community events, and that there was currently no trend in Licensed Premises using the TEN's as a method to apply to vary their licence. It was stressed to Members that each application would be dealt with on its own merits. The officer explained that following the application from Platform 11, the Licensing team would either visit similar future Temporary Events or visit the premises the following day to monitor the CCTV to ensure they have sufficient evidence prior to any application being brought to the Licensing Sub Committee.

The Member raised concerns in respect of the use of TEN's taking place until the early hours in residential areas, commenting that Public Health should be intervening and contacting the Local Member. The officer explained that early morning sporting events were not unusual and that it was difficult to object to a licensed premises with previously good behaviour as the TEN's Guidance relies heavily on the complaints history.

One Member advised officers that a number of complaints had been received in respect of underage alcohol sales at a licensed premises in Aberdare, and officers agreed to investigate.

It was **RESOLVED:-**

- a) To note the contents of the report in respect of the **Licensing Act 2003** and;
- b) To note the contents of the report in respect of the **Gambling Act 2005**.

12 To consider passing the under-mentioned 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.

13 Licences and Registrations issued under the provision of Delegated Powers for the period: 27.08.18 - 18.11.18

The Head of Public Protection provided the Committee with details of licences and registrations issued during the period of 27th August, 2018 to 18th November, 2018.

Following discussions, it was **RESOLVED** to note the content of the report.

This meeting closed at 4.55 pm

**CLLR A FOX
CHAIR.**