



RHONDDA CYNON TAF COUNCIL LICENSING ACT 2003

Minutes of the meeting of the Licensing Act 2003 meeting held on Tuesday, 25 February 2020 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 T Williams Councillor W Lewis
Councillor S Morgans Councillor P Howe
Councillor W Jones

Officers in attendance:-

Ms L Davies, Service Director – Public Protection Services
Mr P Nicholls, Service Director, Legal Services
Ms R Hope, Health Protection and Licensing Service Manager
Mr M Owen, Assistant Licensing Manager

28 Declaration of Interest

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

29 Human Rights Act 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.

30 Minutes

It was **RESOLVED** to approve the minutes of the 3rd December 2019 as an accurate reflection of the meeting.

31 Review of the Licensing Act 2003 and Gambling Act 2005

The Service Director, 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 decrease in number of Temporary Events Notices (TEN's), following the summer months and that the notifications could be

attributed to the Christmas and New Year period, permitting alcohol and/or entertainment across the community. The Service Director noted that one of the TEN's during the period, was used to enable a premises in Gilfach Goch to include alcohol in their hampers for special occasions, which demonstrated the versatility of the TEN's process.

The Service Director reported that since the last Committee report, there had been two contested applications, one of which was an Application for Grant of a Personal Licence, which had been refused; and the other was an Application for Variation of Club Premises Certificate (CPC) for Rhydyfelin A.F.C, which was approved.

The Service Director referred Members to section 4.3 of the report where the premises inspections and infringements were outlined. Members were pleased to learn that 90.5% of premises inspected were broadly compliant, which evidenced the continuous good work of the officers in conjunction with the licence holders.

The Officer provided the Committee with an overview of the work undertaken by the Licensing teams in conjunction with Police Licensing teams across Cynon, Rhondda and Taf areas for the period. Where there had been complaints, the report clearly identified a pro-active approach undertaken by both the Licensing Authority and South Wales Police to provide the Licence Holders with advice and assistance. Examples of the positive work included a premises in the Penrhiwceiber/Mountain Ash area and a premises in Pontypridd town centre.

The Service Director spoke of concerns in relation to underage drinking within the Cynon area and informed the Licensing Committee that information received had also been referred to the Multi Agency Child Sexual Exploitation (MACSE) working panel.

Members were pleased to note that Pubwatch meetings were regularly attended by officers on a regular basis.

Within the update was a detailed section, which outlined the pre-application advice given on prospective applications by the Senior Licensing Officer acting in the role of Responsible Authority, which, again, evidenced a proactive approach.

The Service Director took the opportunity to assure Members that officers were working with businesses affected by the recent floods following Storm Dennis and were visiting the owners/tenants alongside food hygiene officers to ensure to support them in reopening as soon as possible.

Members were informed that the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 would come into force on 2nd March 2020. It was explained that the Act was inclusive of a formula for how the applicable minimum price must be calculated.

Members' attention was drawn to Section 4.6 of the report, where information in respect of VE Day Licensing was outlined. It was explained that the Government had agreed that pubs, clubs and bars in England & Wales that were licensed to trade until 11pm, would be allowed to open for an additional two hours, on Friday 8th May and Saturday 9th May until 1am the following morning, to mark the 75th anniversary of Victory in Europe (VE) Day.

One Member sought clarification in respect of the Council's hardship fund for residents and small-medium businesses impacted by the flood and whether there were measures in place to protect the community from cold callers at such a devastating time. The Service Director informed the Committee that businesses would need to submit an E-form on the Council's website to apply for the fund and that officers were continuing to work closely with residents to identify those eligible for the fund. The Service Director acknowledged that there had been reports of illegal scams, unsolicited calls and rogue traders falsely offering support and claiming to be from the Council, housing associations or utility companies. As such, guidance had been provided on the Council website for residents with clear information on how to report a scam to South Wales Police.

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**.

32 To consider passing the following 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.

33 Licences and Registration issued under the provision of Delegated Powers for the period: 18.11.19 - 09.02.20

The Service Director, Public Protection provided the Committee with details of licences and registrations issued during the period of the 18th November 2019 to 9th February 2020.

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

This meeting closed at 4.40 pm

**CLLR A FOX
CHAIR.**