

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014 - 2015

LICENSING COMMITTEE
21st October 2014

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 (**14th July 2014 to 5th October 2014**) are as follows:-

<i>Application Type</i>	<i>Number received</i>
Personal Licence	28
Premises Licence	2
Transfer (Premises Licence)	8
Vary (Premises Licence)	2
Club Premises Certificate	1
Vary (Club Premises Certificate)	1
Temporary Event Notice (TEN)	56
Application to Review	3
Interim Authority Notice	0
Change of DPS	11
Minor Variation	1
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	0

Summary of TEN's, reproduced as **Appendix 1A**.

Analysis of TEN'S applications indicates 20 were for Private Members Clubs; 15 for Community events and 21 for existing Premises Licences. Many of the TEN's provided relate to Charitable events, a number were utilised to increase alcohol sale times over the August Bank Holiday period or other Community based events.

It is pleasing to note that a number of Club premises submitted TENS's following advice and guidance provided to the Clubs concerned after intervention by the Licensing Authority or Police. Licensing Officers will routinely check TEN's for compliance with the notice. Officers conducted an inspection of one Temporary Event Notice during the period and noted that the Notice giver had failed to instruct door staff as per their notice and that loud music was emanating from the function hall of the premise. This information was subsequently shared with South Wales Police and Environmental Health who will have the ability to object to future TEN's at the club concerned.

Officers continue to liaise with Private Members Clubs in order to support this valuable cultural aspect of our communities. However numbers continue to decline, despite support provided.

It is noted that one Application has been received in the period for a Club Premise Certificate, the last application of its kind since the introduction of the Licensing Act 2003.

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

Two contested applications have been determined since the last summary report:-

Application Type	Name of Applicant	Name of Premises	Date of Hearing	Outcome
Grant of a Premises Licence	Sherrin Payne 38 Yew Street Troedyrhiw Merthyr Tydfil CF48 4EE	XS Bar and Carvery 180 Abergondda Road Porth CF39 0LF	22 nd July 2014	Granted subject to the imposition of terms and conditions
Grant of a Premises Licence	Wesbry02 Ltd. Unit 5 Varlin Court Western Industrial Estate Caerphilly CF83 1BQ	Bargain Booze 10 Commercial Street Tynant Beddau Pontypridd CF38 2DB	23 rd September, 2014	Granted subject to the imposition of terms and conditions

4.3 Reviews

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

Name of Applicant requesting Review	Name of Premises	Premises Licence Holder	Date of Hearing	Outcome
Environmental Health (Pollution & Public Health Team)	Hand & Squirrel 19 Ely Valley Road Talbot Green Pontyclun CF72 8AL	The Hand and Squirrel Ltd. Young & Phillips Inspiration House Cardiff Road Upper Boat Pontypridd CF37 5BH	9 th September 2014	Suspend the premises licence for a period of 3mths and impose the condition that removes Live Music as a deregulated activity.

Three Review Applications have been brought and are awaiting determination since the last report:-

Name of Applicant requesting Review	Name of Premises	Premises Licence Holder	Reason for Review
Licensing Authority (in role as Responsible Authority)	The Raj 17-19 Talbot Road, Talbot Green	Mr Abdul Bari	Absent DPS and Premise Licence Holder
South Wales Police	Megasave 74 Wyndham Street, Treherbert	Megasave Supermarkets Ltd	Crime and Disorder, theft and racially aggravated offences against staff
South Wales Police	Banga Booze, 34 Taff Street, Pontypridd	Mr Banga	Crime and Disorder Absent DPS, unauthorised sale of alcohol

4.4 Appeals

One appeal is pending at this time:-

Premises	Appellant	Reason for Appeal	Comment
Hand & Squirrel 19 Ely Valley Road Talbot Green Pontyclun CF72 8AL	The Hand and Squirrel Ltd. Young & Phillips Inspiration House Cardiff Road Upper Boat Pontypridd CF37 5BH	Contesting the Licensing Committee's decision	Date to be confirmed, copy of press article in respect of the premise is reproduced as Appendix 1B.

4.5 Compliance & Enforcement

(i) Prosecutions

Details of Prosecutions under the Licensing Act 2003 are reproduced for information as **Appendix 1C**.

Members will note that one of the Prosecutions which took place at the Royal Oak, Abercynon relates to an Offence under the Food Safety Act 1990 in relation to 'substituting' Vodka. A copy of the press release is reproduced as **Appendix 1D**.

(ii) Test Purchasing

34 test purchases have been undertaken by Trading Standards underage volunteers during the period, this resulted in 2 sales of alcohol to persons under 18 years of age. These matters are now subject to on going investigation. The continued the low level of failed test purchase continues to be encouraging and demonstrates a high level of compliance from retail outlets for direct sale, however proxy sales are a continuing concern.

(iii) Partnership Working

Over the period Community Safety, Youth Offending and Trading Standards service have conducted various exercises across the borough aiming to address anti social behaviour and substance misuse by young persons via enforcement and youth engagement projects namely 'Streetwise' and 'Friday Night Projects.'

These exercises have resulted in alcohol seizures, children being taken home to their parents in an intoxicated state, guidance and advice issued to children and parents alike and an amount of intelligence concerning hotspot areas and premises which required intervention by Licensing or Police Officers.

During September, Licensing Officers, Trading Standards, Trainee Student Environmental Health and South Wales Police Officers also took part in an ACPO Alcohol Harm Reduction and Licensing exercise, namely Operation 'Violet Volcano' looking at licensed premises in the Borough. In total 48 licensed Premises were visited across Rhondda, Cynon and Taff areas.

As part of this exercise compliance with licence conditions was tested, test purchasing by underage volunteers was undertaken as was testing of spirits for adulteration and substitution. In general the visible presence of Officers was welcomed. As a result of the visits –

- 2 Absent DPS detected
- 1 Personal Licence Holder failed to notify of change of address
- 2 premises required minor variation application

- 1 Transfer of Premises Licence Required
- 3 Off licence premises noted to be selling drugs paraphernalia (albeit not illegal per se demonstrates a lack of social responsibility)
- 1 premise referred to South Wales Fire and Rescue Service
- 2 Premises failing to comply with minimum staffing requirements, (1 of the premises already subject to a Review)
- 2 Licensees given suitable advice about conduct of patrons found at the premise.

Officers continue to liaise with partner agencies in respect of Licensed premises, where the value of premise inspection has been highlighted, in dealing with concerns raised by a member of the public. On receipt of information licensing officers visited a takeaway in the Taff area to make further enquiries and provide guidance. It was established that several persons appeared to be sleeping at the premise which may contravene fire safety legislation.

Officers contacted South Wales Fire and Rescue Service who subsequently inspected identified a number of issues and have issued a prohibition notice under fire safety legislation. This clearly demonstrates the value of partnership working and benefit to the wider community.

(iv) Premises Inspection & Infringements

44 premises were inspected in the last period and the inspection programme continues to be targeted at high risk premises, which are reflected by Wales Programme of Improvement (WPI) priority. However the department continues to respond to demand led issues and complaints from members of the public, Elected Members or partners.

The premises inspection programme is currently under review, however WPI priorities will continue to be met.

A summary of infringements is reproduced as **Appendix 1E**.

4.5 Recovery of Annual Fees

The position to date for 2014/15 is as follows:-

Total Income Received; As at 31/8/14	Outstanding Invoices; As at 31/8/14
£11370.00	£2600.00

Members will be aware that provision exists for suspension of licence for non-payment of annual fee. The suspension process is being used where

Licensees have failed to pay their annual fee by the due date. Currently there are 9 premises where their premise licences have been suspended, however it is noted that the majority of these premises are not currently trading.

The suspension process has been used effectively during the last period and a number of licensees have paid as a result of suspension warning letters sent or contact by Licensing Officers.

Where a premise licence is suspended, test purchases will be conducted to establish whether unlicensed activity is being undertaken, with the prospect of prosecution or review for any premises licence holders found trading contrary to the terms of their licence/certificate.

5. GAMBLING ACT 2005

5.1 Trade profile – Premises Licences

Permissions are as detailed below, there is one new Betting Premises licence that has been granted in Ynysybwl in this period:-

Permission Type	Number at Transition (1/9/07)	Number at 5/10/14
Bingo Premises Licences	4	3
Betting Premises	47	40
Adult Gaming Centre	10	7
Licensed Family Entertainment Centre	1	2
Lotteries/ Registered Societies	N/A	215

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. At the time of preparing the report a summary is not available and further comment will be made at the meeting.

5.3 Enforcement

Licensing Officers have responded to one complaint in the period relating to a premise in the Treorchy area, where concern was expressed about children having access to gaming machines. However following a visit to the premises by Licensing Officers, the machines present namely category D machines are those able to legitimately to be played by children.

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

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

Appendix 1A

Temporary Event Applications
Received: from 14th July 2014 to 5th October 2014

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
401548 Standard TENS	Tynewydd Labour Club Margaret Street Tynewydd Treorchy CF42 5LT	Mrs Veronica Mary Bundock	29 August 2014 To 29 August 2014	Fundraising Evening 29th August 2014
401554 Late TENS	Tynewydd Labour Club Margaret Street Tynewydd Treorchy CF42 5LT	Mr Shaun Lawthom	26 July 2014 To 26 July 2014	Charity Fund Raising Night - 26th July 2014
401555 Standard TENS	The Big Welsh Bite Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Mr Justin Jacobi	2 August 2014 To 3 August 2014	Food Festival

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
401634 Standard TENS	Commercial Hotel 35 Cilfynydd Road Cilfynydd Pontypridd CF37 4NL	Mr Christopher Jones	2 August 2014 To 2 August 2014	50th Birthday Party - 2nd August 2014
401635 Standard TENS	Commercial Hotel 35 Cilfynydd Road Cilfynydd Pontypridd CF37 4NL	Mr Christopher Jones	9 August 2014 To 9 August 2014	Wedding - 9th August 14
401636 Standard TENS	Commercial Hotel 35 Cilfynydd Road Cilfynydd Pontypridd CF37 4NL	Mr Christopher Jones	16 August 2014 To 16 August 2014	Wedding - 16th August 14
401641 Late TENS	The Big Welsh Bite Ynysangharad Park Bridge Street Pontypridd CF37 4PF	Ms Beverley Robins	2 August 2014 To 3 August 2014	Annual Food & Drink Festival - Pontypridd Big Bite - 2/3 August 2014

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401651 Standard TENS	Judges & Jurys 7 Market Street Aberdare CF44 7DY	Mr Gino Fulgoni	25 August 2014 To 25 August 2014	DISCO
401665 Standard TENS	Gelli & Ystrad Comrades Club 27-28 Gelli Road Gelli Treorchy, Pentre CF41 7LY	Mr Antony Sparrow	9 August 2014 To 9 August 2014	Social Evening to Promote Cwmrhondda FC
401677 Standard TENS	Greenwood Park Station Road Ferndale	Mr Gareth Edwards	24 August 2014 To 24 August 2014	Invitational 6 a side cricket competition
401687 Standard TENS	Wattstown RFC Danygraig Terrace Ynyshir Porth CF39 0RD	Mr Mark David Leyshon	9 August 2014 To 10 August 2014	Wedding - 9/10 August 2014

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
401701 Standard TENS	Thomastown Social Club & Institute Francis Street Thomastown Porth, CF39 8DS	Mrs Lynette Ann Griffiths	15 August 2014 To 15 August 2014	18th Birthday Party
401744 Standard TENS	Griffin Hotel 48-49 Carne Street Pentre CF41 7LD	Miss Katrina Edwards	17 August 2014 To 17 August 2014	Charity Event with Live Music - 17th August 2014
401768 Standard TENS	The Skinny Dog Broadway Pontypridd CF37 1BA	Mrs Kay Morgan	25 August 2014 To 25 August 2014	Bank Holiday change of Time
401776 Standard TENS	Porth Harlequins RFC Nythbran Terrace Porth CF39 9TW	Mr Clive Booth	23 August 2014 To 23 August 2014	Charity cricket event - 23rd August 2014

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
401789 Standard TENS	The Tumble Inn 4-9 Broadway Pontypridd CF37 1BA	Mr Jayson Bales	24 August 2014 To 25 August 2014	24/25 August 2014
401794 Standard TENS	Abercynon Community Centre Station Road Abercynon Mountain Ash CF45 4TA	Mrs Merryl Murphy	10 September 2014 To 10 September 2014	Tea Dance for the over 50's - 10th September 2014
401800 Standard TENS	Cae Fardre Playing Fields Cae Fardre Church Village Pontypridd	Mr Gary John Pitman	23 August 2014 To 23 August 2014	23rd August 2014

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
401905 Standard TENS	The Student Union Centre University of South Wales - Treforest Campus Forest Grove Treforest Pontypridd CF37 1UF	Mr Michael James Borley	21 September 2014 To 22 September 2014	Freshers Week - welcome Weekend Party
401906 Standard TENS	The Student Union Centre University of South Wales - Treforest Campus Forest Grove Treforest Pontypridd CF37 1UF	Mr Michael James Borley	23 September 2014 To 24 September 2014	Freshers Week - Toga Party
401907 Standard TENS	The Student Union Centre University of South Wales - Treforest Campus Forest Grove Treforest Pontypridd CF37 1UF	Mr Michael James Borley	26 September 2014 To 27 September 2014	Freshers Week - Freshers Club Night

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
401908 Standard TENS	The Student Union Centre University of South Wales - Treforest Campus Forest Grove Treforest Pontypridd CF37 1UF	Mr Michael James Borley	1 February 2015 To 2 February 2015	American Superbowl Final
401939 Standard TENS	Llwynceilyn Inn 57 Cemetery Road Trecynon Aberdare CF44 8HT	Mrs Hayley Richards	30 August 2014 To 30 August 2014	Charity Day with Live Music in the Beer Garden
401940 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Arthur Lewis	6 September 2014 To 6 September 2014	To Generate Funds for Local Charities - 9th September 2014

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401956 Standard TENS	The Countryman Heol Ddu Castellau Pontyclun CF72 8LQ	Mrs Barbara Gail Johnson	30 August 2014 To 31 August 2014	Wedding
401959 Late TENS	Cardiff Arms Hotel 32 High Street Hirwaun Aberdare CF44 9SL	Mr Julian Barfield	29 August 2014 To 30 August 2014	Music
402053 Late TENS	Penygraig RFC Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mrs Kathleen Riddick	30 August 2014 To 31 August 2014	
402066 Late TENS	Cross Inn Hotel Main Road Cross Inn Pontyclun CF72 8AZ	Ms Cheryl Joy Williams	30 August 2014 To 30 August 2014	Birthday Party with Marquee at rear of pub - 30th August 2014

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
402088 Standard TENS	Grey Trees Brewery Unit 5-6 Gasworks Road Industrial Estate Aberaman Aberdare CF44 6RS	Mr Brian Kerslake	19 September 2014 To 19 September 2014	Celebrating One Year of Trading
402090 Standard TENS	Llanharan Constitutional Club Chapel Road Llanharan Pontyclun CF72 9QA	Mr Peter Hughes	14 September 2014 To 14 September 2014	Show with Band - 14th September 2014
402095 Standard TENS	St Dyfrigs RC Church Hall Broadway Treforest Pontypridd CF37 1DB	Mr John Francis Egan	27 September 2014 To 27 September 2014	Concert in aid of Marie Currie Cancer Charity

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402096 Standard TENS	St Dyfrigs RC Church Hall Broadway Treforest Pontypridd CF37 1DB	Mr John Francis Egan	13 September 2014 To 13 September 2014	Retirement Party
402097 Late TENS	Central Park Playing Fields Central Park Church Village Pontypridd	Mr Gary John Pitman	6 September 2014 To 6 September 2014	Serve refreshments at Local Rugby Match
402098 Standard TENS	Central Park Playing Fields Central Park Church Village Pontypridd	Mr Gary John Pitman	20 September 2014 To 20 September 2014	Serve refreshments at Local Rugby Match
402185 Standard TENS	Thomastown Social Club & Institute Francis Street Thomastown Porth, CF39 8DS	Mrs Lynette Ann Griffiths	19 September 2014 To 19 September 2014	Rainbow Chidrens Charity Band - 19th September 2014

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402187 Standard TENS	Thomastown Social Club & Institute Francis Street Thomastown Porth, CF39 8DS	Mrs Lynette Ann Griffiths	27 September 2014 To 27 September 2014	Wedding Party - 27th September 2014
402202 Standard TENS	Ton Pentre AFC Social Club Llanfoist Street Ton Pentre Treorchy CF41 7AF	Mr John Anthony Thomas	25 September 2014 To 25 September 2014	Charity Breast Cancer - 25th September 2014
402367 Standard TENS	Pontyclun RFC Llantrisant Road Pontyclun CF72 9DQ	Mrs Tracy Jayne Gore	4 October 2014 To 4 October 2014	Fundraising event - 4th October 2014
402383 Standard TENS	The Trebanog Brocks Terrace Trebanog Porth CF39 9YS	Mr Christopher Jones	26 September 2014 To 26 September 2014	26/9/14

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402386 Standard TENS	Treorchy RFC Regent Street Treorchy CF42 6PN	Miss Nerys Phillips	27 September 2014 To 27 September 2014	DJ - A youth teams fundraising 16+ event - 27th September 2014
402433 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Arthur Lewis	11 October 2014 To 11 October 2014	Generate Funds for Local Charities - 11th October 2014
402446 Standard TENS	Llanharan RFC Bridgend Road Llanharan Pontyclun CF72 9RD	Mrs Jane Dauncey	19 December 2014 To 19 December 2014	Private Party - 19/12/14

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
402452 Standard TENS	Thomastown Social Club & Institute Francis Street Thomastown Porth, CF39 8DS	Mrs Lynette Ann Griffiths	3 October 2014 To 3 October 2014	18th Birthday Party - 3rd October 2014
402454 Standard TENS	Thomastown Social Club & Institute Francis Street Thomastown Porth, CF39 8DS	Mrs Lynette Ann Griffiths	6 October 2014 To 16 October 2014	Gareth Thomas Academy Welsh X Factor Family Night - 6th October 2014
402499 Late TENS	Ton Pentre AFC Social Club Llanfoist Street Ton Pentre Treorchy CF41 7AF	Mr John Anthony Thomas	3 October 2014 To 3 October 2014	Event to raise money for Charity - Asthma UK - 3/10/14

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
402503 Late TENS	Central Park Playing Fields Central Park Church Village Pontypridd	Mr Anthony D Parry	4 October 2014 To 4 October 2014	Rugby Game
402504 Standard TENS	Penygraig Rugby Field Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mrs Kathleen Riddick	11 October 2014 To 11 October 2014	Season's First Game - 11th October 2014
402525 Standard TENS	Y Pant Comprehensive School Cowbridge Road Talbot Green Pontyclun CF72 8YQ	Mr Christopher Lloyd Williams	7 November 2014 To 7 November 2014	Christmas Shopping Event

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402526 Standard TENS	Pontyclun Institute Athletic Club Castan Road Pontyclun CF72 9EH	Mr Robert Symonds	6 December 2014 To 6 December 2014	Tesco Staff Party
402582 Standard TENS	Dragons Den Soft Play Ltd Unit 29&30 Aberaman Industrial Estate Aberaman Aberdare CF44 6DA	Mr Michael Jones	31 December 2014 To 1 January 2015	
402591 Standard TENS	Llanharan Community Development Project 23A Bridgend Road Llanharan Pontyclun CF72 9RD	Mrs Sian Davies	5 November 2014 To 5 November 2014	Evening of Entertainment via Fireworks Display

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
402593 Late TENS	The Factory Welsh Hills Works Jenkin Street Porth CF39 9PP	Mr John Davies	10 October 2014 To 11 October 2014	Club Night/Music
402610 Standard TENS	Mountain Ash RFC 12 Oxford Street Mountain Ash CF45 3PL	Mr Paul Moore	18 October 2014 To 18 October 2014	
402616 Standard TENS	Central Park Playing Fields Central Park Church Village Pontypridd	Mr Anthony D Parry	18 October 2014 To 18 October 2014	
402625 Standard TENS	Penygraig Labour Club 11 Penygraig Road Penygraig Tonypandy CF40 1HA	Mr Graham Martyn Ross	29 November 2014 To 29 November 2014	Charity Night - 29 Nov (6pm - 11.30pm)

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REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
402633	Abercynon Community Centre	Mrs Meryll Murphy	22 October 2014	Halloween theme tea dance
Standard TENS	Station Road Abercynon Mountain Ash CF45 4TA		To 22 October 2014	

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OCTOBER 9, 2014

Pub can carry on serving pints pending appeal



The Hand and Squirrel pub in Pontyclun

ATALBOT Green pub "at the heart of the community" is appealing against a ban on serving alcohol and playing live music - retaining its right to do so until the appeal is heard.

SAM TEGELTJIA
sam.tegeltjia@walesonline.co.uk

pealed against the decision and is able to keep on serving alcohol until it is heard, which could be in several months.

Despite being still able to do so, the owners have voluntarily stopped live events and vowed to work with the council on sound-proofing the premises.

Mr Bernard said: "We appealed and the council cannot impose anything until it is heard."

"We have offered to work with the council on sound-proofing - I've said I'm willing to spend thousands of pounds on improvements to the



The pub has played host to charity events says its director

pub. We have voluntarily stopped live events since June until the changes are made, which costs us about £2,000 a week.

"I've also offered, through a local councillor, to give my personal mobile number to and have

a meeting with the people who complained.

"You cannot stop some sorts of behaviour but we would never knowingly do anything to upset the neighbours."

Mr Bernard also said his pub is an asset to the

community as it hosts many charity events, links up with local sports teams and caters for a wide range of people.

He added: "We host charity events which have raised money for the likes of Macmillan, Ty Hafan, Alzheimer's Society, Cancer Research UK and the Whizz Kidz charity."

"We also sponsor the local Llantrisant football teams, junior and senior, who use the pub for events and after games."

"Since the council's cuts came into force, we have become something of a

community hub - lots of elderly people come here in the day and we also have lots of disabled customers who we cater for."

According to a statement by RCT Council last week, environmental health officers became involved in the case with the Hand and Squirrel in May 2013.

It followed calls from residents for action against noise and anti-social behaviour, while South Wales Police were also included in the interventions.

The statement said actions and instructions to

the pub continued until June 2014, but residents' complaints, visits to the pub and music audibility tests all concluded the noise levels - and associated behaviour of its customers - were unacceptable.

A Rhonda Cynon Taf Council spokeswoman this week said: "The Hand and Squirrel has appealed so any decision of the licensing committee does not take effect until the appeal is heard by a Magistrates' Court."

No date has yet been set for the appeal.

The committee imposed a ban on serving alcohol for three months and a permanent ban on hosting live music from 8pm to 11pm following complaints from local residents.

The pub has since ap-

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

Appendix 1C

Prosecutions Heard
from 14th July 2014 to 5th October 2014

DEFENDANT	PREMISES	STATUTE	HEARING DATE	TOTAL FINE
Mr Jayshree Patel	Gilfach Food and Wine 42 Cambrian Avenue Hendreforgan Gilfach Goch	Licensing Act 2003	26 September 2014	225.00
	SECTION	No of Offences	RESULT	COSTS
	146(1)	1	Prosecution - Guilty	269.00

DESCRIPTION OF OFFENCE
Sold alcohol to an individual aged under 18, etc

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Licensee prosecuted for "substituting" vodka

Posted on Friday 19th September 2014

A licensee who filled an empty bottle of premium vodka with an alternative brand has been prosecuted by Rhondda Cynon Taf Council's Trading Standards Team.

The issue at the Royal Oak in Aberdare was uncovered as part of the proactive inspection work that is carried out by Trading Standards on behalf of consumers and the wider public, to ensure they are getting what they pay for and that the law has been upheld.

A routine inspection of the premises in Incline Top in August 2013 led to inspections of a bottle of Smirnoff displayed in the bar, about which officers had suspicions. Further tests proved the vodka in the bottle was not Smirnoff at all, but an alternative brand.



As a result of the offence, licensee Susan Jenkins was charged with an offence under the Food Safety Act 1990 for refilling an empty premium brand vodka with another, alternative vodka.

This is known in the practice as substitution and is a serious issue, as it means customers are not getting the product they think they are paying for and it also harms the alcohol industry and the business of those who do work hard to uphold the law and ensure all products they sell are correctly labelled.

During the visit, officers also discovered the premise had failed to display a notice informing customers that genetically-modified vegetable oil was being used to cook food, contrary to the Genetically Modified Food (Wales) Regulations 2005 and also to display a weights and measures notice that gin, rum, vodka and whisky was being offered for sale in 25ml measures, contrary to the Weights and Measures (Intoxicating Liquor) Order 1988.

As a result, Mrs Jenkins was charged with three offences, which she admitted when she appeared before Pontypridd Magistrates' Court on September 12.

She was ordered to pay a total of £1015, which included a fine of £650, costs of £300 and a victim surcharge of £65.

David Jones, Head of Community Protection at Rhondda Cynon Taf Council said: "Trading Standards Officers regularly visit licensed premises and test spirits for substitution and watering down, it forms part of our wider work to protect consumers and those businesses that strive to operate legally.

"Spirit substitution not only deceives consumers, but also has a negative impact on the brand holders and creates an unfair advantage over other pubs, clubs and restaurants that are trading fairly.

"I hope this case serves as a reassurance that we are working proactively to protect consumers, residents and businesses and also serves as a reminder to all in the licensed trade that there are standards we do expect. We will work with you proactively to help you meet and maintain those standards – but we will also take action where we need to."

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INR V8.2.x.1

REPORT PREPARED ON 8/10/14 AT 13:46

Closed Date from 14/ 7/2014 to 5/10/2014
Inspection Types : L - Licensing
Detail category : I - INSPECTION DETAIL TYPES
Detail code : L - Licensing Infringements
All Classes of Last Visit (Primary, Alternative, etc) included
Primary Analysis by Detail Code
Sorted by Analysis Category

Report format ACTIONS

Sorted : 8/10/14

Printed : 8/10/14

TOTAL
CATEGORIES

L Licensing Infringements

LAA	No Licence Summary on display	2
LAB	No Premise.Lic or cert copy ke	2
LAC	No written permission from PLH	1
LAE	No Staff training book	1
LAF	No Refusals book	1
LAG	No CCTV	1
LAH	No required posters challenge	1
LAS	Other	1
TOT: Licensing Infringements		<u>10</u>

*** GRAND TOTALS: 10

8 ANALYSIS RECORDS PRINTED
END OF REPORT

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