

LICENSING COMMITTEE (LICENSING ACT 2003)

16 JULY 2012

Present: Councillor J Brown (Chair)
Councillor P Jeffree (Vice-Chair)
Councillors I Brandon, I Brown, K Crout, G Derbyshire,
J Dhindsa, K Hastrick, M Hofman, D Scudder, L Scudder,
D Walford, N Bell and M Turmaine

Officers: Environmental Health and Licensing Section Head
Licensing Manager
Committee and Scrutiny Support Officer (JK)

1 APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP

Apologies for absence were received from Councillor Meerabux.

There were two changes of membership for this meeting: Councillor Bell replaced Councillor Connal and Councillor Turmaine replaced Councillor Mills.

2 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

3 MINUTES

The minutes of the meeting held on 19 March 2012 were submitted and signed.

4 LICENSING SUB-COMMITTEE MINUTES AND UPDATE

The Committee received an update on the Licensing Sub-Committees that had taken place.

Councillor Dhindsa asked about the outcome of the hearing to review the licence of Hot Stuff. Councillor Derbyshire, who had chaired the Licensing Sub Committee, explained how the matter had come to the Committee from the Magistrates Court following a closure order. He reported that the Sub-Committee had decided to change the terminal hour of the licence from 04.00 to 02.30. Like any other premises, they had the right to apply for a variation to their licence.

The minutes of the Licensing Sub-Committees were submitted and signed.

GAMBLING ACT 2005 STATEMENT OF PRINCIPLES

The Committee received a report of the Licensing Manager. He advised that it was a statutory requirement to review the policy every three years and agree the Council's approach to applications under the Gambling Act. A lot of policy was suggested by the Gambling Commission; but very few changes were proposed few of which were contentious. The changes reflected how the law had moved on nationally.

He added that the report had recommended that there was no need for the Council to pass a 'no casino' resolution. He suggested that the Committee ignore paragraph 3.4 and the final report to the Committee in November would make this point clearer. He explained that the resolution would inform central government that the Council did not want one of the new casinos. All 16 of the casinos had been allocated locations but it was possible that government policy could change. The Committee may therefore wish to pass the resolution as a precaution. He outlined the consultees at paragraph 3.6 of the report and explained that the resolution would go to Council in the Autumn.

Councillor Brandon referred to paragraph 3.3.(c) and asked if there were any premises that were considered a risk. The Licensing Manager responded that there were only approximately two complaints per year and that the Gambling Commission also had investigatory powers.

Councillor D Scudder agreed that passing a no casino resolution was a good idea as a safety net. He asked what was meant by 3.3 (d). The Licensing Manager explained that there were occasions where two premises were merged and the owners wanted the number of permitted machines to double. This was not the spirit of the law and the policy made that clear.

Councillor Bell asked if there were any private gambling clubs in the Borough. The Licensing Manager confirmed that there had been one application and it was reflected in the club gaming machine permits. With regard to pubs, they could hold poker games without a separate licence as long as they were within certain limits.

Councillor Dhindsa asked about the requirement for casinos and bingo premises to have SIA registered door supervisors. The Licensing Manager responded that the way the legislation worked meant that it did not apply to casinos.

Councillor I Brown referred to paragraph 3.3 (i) and asked how a small society was defined. The Licensing Manager replied that there was a legal definition which related to turnover or the amount it collected per year.

RESOLVED –

That, subject to amendments by Committee, officers conduct a public consultation exercise on the Gambling Act 2005 statement of principles with a view to reporting back to the Committee's next meeting.

The Meeting started at 7.30 pm
and finished at 7.45 pm

Chair