

LICENSING COMMITTEE (LICENSING ACT 2003)

12 NOVEMBER 2012

Present: Councillor J Brown (Chair)
Councillor P Jeffree (Vice-Chair)
Councillors I Brandon, I Brown, J Connal, G Derbyshire,
K Hastrick (For minute numbers 8 to 10), M Meerabux, M Mills,
D Scudder, L Scudder, P Taylor and D Walford

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

6 APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP

Apologies for absence were received from Councillors Crout and Dhindsa.

There was a change of membership for this meeting: Councillor Taylor replaced Councillor Hofman.

7 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

8 MINUTES

The minutes of the meeting held on 16 July 2012 were submitted and signed.

9 LICENSING SUB-COMMITTEE MINUTES AND UPDATE

The Committee received an update on the Licensing Sub-Committees that had taken place since the last meeting of the Licensing Committee (Licensing Act 2003).

The minutes of the Licensing Sub-Committees were submitted and signed by the relevant chairs of those hearings.

10 GAMBLING ACT 2005 STATEMENT OF PRINCIPLES

The Committee received a report of the Head of Environmental Services which asked the Committee to consider and recommend the Gambling Act 2005 Statement of Principles to Council.

The Licensing Manager introduced the report; he noted that the Committee had considered the draft at the last meeting. The draft had gone out for consultation but there had been no responses. The changes to the document had been as

the Committee had previously recommended and there had been minor changes to terminology from the Gambling Commission.

In response to a question from the Vice Chair, the Licensing Manager explained that the number of gambling premises in the borough was relatively low compared with similar areas. He added that it was difficult to control the number of premises; this was something that could be addressed through planning policy.

Councillor Derbyshire referred to paragraph 3.3 (c) about the change from proactive to reactive inspections. He asked what the triggers for inspection were. The Licensing Manager explained that it could be a number of individual complaints about a premises or unlicensed activity, or if there was a single serious complaint.

Councillor I Brown asked about the small society lotteries and asked for further information. The Licensing Manager replied that they fulfilled particular criteria which were laid out in the Gambling Act. Small society lotteries had specific monetary limits, which, if exceeded, would require them to be registered with the Gambling Commission rather than the local authority.

The Chair referred to paragraphs 9.10 and 14.5 of the Statement of Principles and asked who made the decisions in these instances. The Licensing Manager explained that in both cases they would be made by a Licensing Sub Committee.

In response to a question from Councillor Mills, the Licensing Manager explained that the small shops which had fruit machines were classified as adult gaming centres and licensed under the Gambling Act.

The Committee agreed the resolutions.

RESOLVED –

1. That the Licensing Committee recommends to Council the adoption of the Statement of Principles under the Gambling Act 2005 set out at the appendix.
2. That the Licensing Committee recommends that Council resolves under Section 166 of the Gambling Act 2005 that from 5 December 2012 it will not issue any casino premises licences as it believes any casino would detract from its aspiration to create a safe, prosperous and family-friendly town centre.

Chair

The Meeting started at 7.30 pm
and finished at 7.40 pm