

LICENSING COMMITTEE (LICENSING ACT 2003)

26 September 2018

Present: Councillor J Fahmy (Chair)
Councillor A Dychton (Vice-Chair)
Councillors A Barton, S Bolton, A Grimston, K Hastrick, P Jeffree,
B Mauthoor, M Mills, M Parker, D Scudder, R Smith and
D Walford

Officers: Environmental Health and Licensing Section Head
Environmental Health Manager (Commercial)
Senior Licensing Officer (AY)
Committee and Scrutiny Support Officer (AG)
Senior Solicitor

5 Apologies for absence/ committee membership

Apologies for absence had been received from Councillors Connal and Saffery.

6 Disclosure of interests (if any)

There were no disclosures of interest.

7 Minutes

The minutes of the meeting held on the 25 June 2018 were submitted and signed.

8 Licensing Sub-Committee minutes and update

The Chair informed the committee that there had been no Licensing Sub-Committees since the last Licensing Committee (Licensing Act 2003) held on 25 June 2018.

9 Gambling Act 2005 Statement of Principles 2019 - 2022

The Committee received a report of the Head of Community and Environmental Services. It set out the three year review, consultation and proposed amendments of the Council's Gambling Act 2005 policy that was due to expire on 6 January 2019.

The Environmental Health Manager introduced the report. He discussed the background to the policy review and reminded the Committee as to the type of premises and licences covered by it. He advised that the revised policy only contained minor amendments and that members were being asked to approve the Statement of Principles 2019 – 2022 that would take effect from 6 January 2019. He read the recommendations as outlined on Page 4 of the report to the Committee.

The Environmental Health Manager drew the committee's attention to the licensing objectives that drove the policy. He discussed the number and types of premises currently holding licenses under the Gambling Act and advised that new premises licenses were rarely applied for. He discussed the 'no casino' resolution contained in the report and the implications of any change in legislation.

He went on to explain the two proposed amendments to the policy. Firstly, a public health reference was included in the revised Statement of Principles as public health teams played a role in promoting the licensing objectives relating to the protection of children and other vulnerable people from gambling. He described the resulting stronger links with these teams contained within the policy.

Secondly, he discussed the proposed change to the granting of gaming machine applications for five or more machines; obviating the need for a Licensing Sub-Committee to be held where no representations were received and officers were satisfied that the licensing objectives were being promoted.

The Environmental Health Manager discussed the public consultation process that was conducted between 27 July 2018 and 31 August 2018 and the responses received. He advised that the replies were supportive of the proposed changes to the policy. The local Director of Public Health was also supportive of the proposed changes when first contacted albeit no formal response to the consultation was received.

In response to questions from members the officers:

- Clarified why the 'no casino' resolution was contained in the proposed policy.
- Advised that the proposed amendment removing the need for Licensing Sub-Committees applied only to applications for fruit machines in public houses and clubs.
- Explained that fees for gaming licenses were cost neutral so there would be little scope to put monies in to public health issues.

RESOLVED –

1. That the Licensing Committee recommended that the Council, acting as the licensing authority for the Borough of Watford, adopted the Statement of Principles under the Gambling Act 2005 as set out at appendix 1, to take effect from 6 January 2019 upon the expiry of the existing policy.
2. The Committee recommended that the Council resolved under section 166 of the Gambling Act 2005 that it would continue with the policy not to issue any casino premises licences as it believes a casino would detract from its aspiration to create a safe, prosperous and family-friendly town centre.
3. That the Local Area Profile be maintained as a separate document and not included within the Statement of Principles, with the upkeep of the profile delegated to officers.

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Proposed Licensing Act 2003 Statement of Licensing Policy 2018-2023

The Committee received a report of the Head of Community and Environmental Services. It set out the consultation and the associated responses in relation to the review of the Statement of Licensing Policy - and asked the committee to finalise the policy and recommend that it be adopted by the council.

The Senior Licensing Officer introduced the report. He discussed how the Committee had previously agreed, at its meeting on 25 June 2018, the process by which officers would carry out the review and he read the recommendation as outlined on Page 148 of the report.

He discussed the role of the council as the licensing authority under the Licensing Act 2003 and how it was required to prepare, consult and keep under review a Statement of Licensing Policy. He explained how the review had taken account of the Cultural Plan recently approved and the vision for the town centre that was currently under development.

The Senior Licensing Officer described the consultation process that had taken place between 6 July 2018 and 17 August 2018, and summarised the responses received in the various policy areas (as described in paragraphs 5.0 to 5.13 in the report). He advised members how comments containing allegations were progressed.

In response to questions from the committee, the Senior Licensing Officer:

- Confirmed that some consultation responses had included complaints in relation to Whippendell Road.
- Explained how a Licensing Sub-Committee would determine whether a particular premises fell within a 'leisure' or 'residential' location (as defined).
- Outlined what was meant by the term 'Sensitive Licensing Area' and the range of tactics that could be deployed when licensing problems occurred in other areas.
- Advised that there was one licensed premises in Cassiobury Park.

The Chair thanked the officers for their detailed work in the preparation of the committee reports.

Resolved –

1. That the Licensing Committee recommended to Council, acting as the Licensing Authority for the Borough of Watford, it adopts the amended Statement of Licensing Policy for 2018-2023 as attached at Appendix 1 at its meeting on 16th October 2018.

Chair

Licensing Committee (Licensing
Act 2003)

The meeting started at 7.00 p.m.
and finished at 7.35 p.m.