
MEETING	LICENSING ACT 2003 COMMITTEE
DATE	7 JULY 2006
PRESENT	COUNCILLORS NIMMO (CHAIR), D'AGORNE, HALL, HORTON, MOORE, REID, B WATSON, I WAUDBY AND EVANS
APOLOGIES	COUNCILLORS BARTLETT, SUE GALLOWAY, HYMAN, KING, RUNCIMAN AND WILDE

1. DECLARATIONS OF INTEREST

At this point, Members were asked to declare any personal or prejudicial interests they had in the business on this agenda. No interests were declared.

2. MINUTES

Members noted the Officer update that the Veranda Coffee House licensing appeal was on 5th September 2006. The Applicant was challenging the Cumulative Impact Zone policy.

Members discussed the procedure for review of licenses and requested a copy of the guidance.

RESOLVED: That the minutes of the meeting held on 12th December 2005 be approved and signed as a correct record.

3. PUBLIC PARTICIPATION

It was reported that there were no registrations to speak under the Council's Public Participation Scheme.

4. GAMBLING ACT 2005 – CONSULTATION ON LICENSING POLICY

This report outlined the Council's responsibilities under the Gambling Act 2005 and the timescales for its implementation. Members approval was sought to consult on a draft statement of licensing policy and on those parties to be consulted. Members were also asked to approve a rearranged date for a future meeting of the committee to consider the responses to the consultation exercise. Members were presented with the following Options:

Option 1: To approve the draft policy for consultation without amendment.

Option 2: To make amendment to the draft policy prior to the consultation process.

Option 3: To agree or amend the proposed list of consultees.

The following was discussed:

- A policy of no casinos was discussed and it was agreed that this may be considered after responses from the consultation had been received.
- Members Support Group Officers were arranging training for Members and Officers, on the Gambling Act 2005.
- Personal licenses were issued by the Gambling Commission. Local Authorities were only responsible for issuing premises licences.
- There were no financial implications listed in the report, although the cost of consultation and of additional committee meetings could be considered a financial implication.
- It was noted that Ward Councillors could represent their ward without requiring a request from an interested party.
- Officers circulated draft proposals about the types of gambling machines permitted on different premises.
- It was clarified that applicants could not obtain a full premises licence until the premises was built, but could obtain a provisional statement in advance of this.
- With reference to pages 19 and 31, it was clarified it was not expected that the main activity of Local Authorities should be to ensure gambling was conducted in a 'fair and open way', but this could be considered.
- With reference to page 38, paragraph 6.2, it was clarified that the size of premises was relevant to ensure that there was enough space between gaming machines, to avoid jostling and overlooking.
- The delegations that applied were to be added as an annex.

Members agreed that the following amendments should be made to the policy:

- The Club & Institutes Union, Trade Associations and Trades Council, Tenants and Residents Associations, CAMRA, Children and Young People's Champion, Clifton Moor Business Association and Mecca Bingo, should be added to the consultees listed in the report on page 7 of the agenda. It was also requested that Clifton Bingo Hall be included, if they were independent of the Bingo Association.
- It should be made clear in paragraph 11 of the report, that paper copies of the policy were available if requested.
- On page 25, there was a spelling correction on the fourth line of paragraph 8.5. This was altered to read 'responsibility under the Act *understand* and *comply* with the law'.
- On page 27, there was a spelling correction to the start of the third sentence in paragraph 10.2. It was altered to read '*Non-contentious* applications'.
- On page 28, paragraph 1.2 the end of the first sentence was altered to read 'in so far as it thinks *is*'.
- On page 29, at the last sentence of the first paragraph, the word 'drift' was changed to '*unintentionally enter*'.
- On page 35 and page 40, signage was referred to, and it was requested that signage on premises include details about and

contacts for the complaints procedure, and contact details of the licence holder.

- On page 37, paragraph 5.2 the word 'premise' on the third line should have read '*premises*'.
- On page 42, paragraph 8.3, the fourth line was amended to read 'land which crosses *its*'.
- On page 44, paragraph 10.2, the last sentence was replaced to read 'Where the Authority initiates a review this will be first agreed by the relevant Assistant Director in consultation with the relevant Executive Member'.
- On page 45 and 46, the references to the FEC should be given in full as 'Family Entertainment Centre'.

RESOLVED: That:

(i) the draft statement of the Gambling Act 2005 licensing policy, as amended above, be approved for consultation in line with above **Option 2**; and

(ii) the named consultees and process for consultation be approved as amended in line with above **Option 3**; and

(iii) a meeting of the Licensing Act 2003 Committee should take place after the period for consultation, which concludes on 6th October 2006, and before full council on 30th November 2006. This meeting should take place on Friday 3rd November 2006.

REASON: To meet legislative requirements.

G NIMMO
Chair

The meeting started at 2.00 pm and finished at 3.15 pm.

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