

# LICENSING AND GAMBLING ACTS COMMITTEE

Friday 30<sup>th</sup> June 2006

**COUNCILLORS PRESENT:** The Chair (Councillor Sareva), Councillors Armitage, Bance, Brundin, Cook, Keen, Royce, Sinclair, Williams and Young.

**OFFICERS PRESENT:** Lois Stock and Jeremy Franklin (Legal and Democratic Services), Paul Kirkley and Tony Payne (Environmental Health Business Unit).

**ALSO IN ATTENDANCE:** Bill Denver, Thames Valley Police Licensing Officer

## 1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Goddard and Turner.

Councillor Bance asked for it to be noted that she found the starting time of 9.30am for the Committee meeting to be most inconvenient, and possibly not helpful for other members who needed to go to work.

Resolved to change the starting time of the Licensing and Gambling Acts Committee to 9am.

## 2. DECLARATIONS OF INTEREST

Councillor Sareva declared a personal interest in all the items on the agenda as the holder of a Security Industry Association badge.

## 3. URGENT BUSINESS

There was no urgent business.

## 4. GAMBLING ACT 2005 – PROGRAMME AND RESPONSIBILITIES.

The Environmental Health Business Manager submitted a report (previously circulated, now appended) concerning the Council's responsibilities under the Gambling Act 2005. Tony Payne and Paul Kirkley (Environmental Health) presented this report to the Committee.

The following additional information was reported:-

- (1) The local authority must comply with guidance from the Gambling Commission when drawing up any policy.

- (2) It was anticipated that there could be several small lotteries, but provided that they met the criteria, they could be dealt with by means of a registration scheme.
- (3) It was intended that there would not be a programme of routine inspections for all premises. High-risk premises would be inspected more frequently than low risk ones. Risk related to the size of the premises and the range of activities that took place within. Larger, more active premises were likely to be classed as high risk and therefore inspected more frequently.
- (4) It was acknowledged that all City libraries should be included as places in which the draft policy for public consultation should be deposited.
- (5) In determining premises licences, licensing authorities were not permitted to take account of the demand for gambling facilities, or, by implication, issues such as the effect of market conditions or the possible dominance of a single operator.
- (6) Only the Council, as a body, could consider the “no casino” resolution, with guidance from the Committee.
- (7) “Adult Gaming Centres” were amusement arcades with machines giving higher payouts. People under 18 would not be allowed access to such machines.
- (8) It was unlikely that the issue of parking would fit with the licensing objectives (protection of children from harm, ensuring that gambling was conducted in a fair and open way, and the prevention of crime and disorder).

Resolved:-

- (1) To note the programme for implementation of the Council’s responsibilities under the Gambling Act 2005;
- (2) To approve the timing proposed in the report for any “no-casino” resolution under S166 of the Gambling Act;
- (3) To record that, subject to the outcome of consultation, the Committee was minded to recommend Council to pass a “no-casino” resolution;
- (4) To approve the draft Statement of Licensing Policy for public consultation with the following amendments:-
  - (a) The inclusion of a statement that the Committee was minded to recommend Council to pass a “no casino” resolution;
  - (b) The re-wording of the following sentence in paragraph 24 – Reviews – under Part B, Premises Licences, of the draft policy, so that it reflects that any reason should meet the Licensing Objectives:

“The Licensing Authority can also initiate a review of a licence on the basis of any reason that it considers appropriate”

- (c) The inclusion of the following Statement of Principles under Part C of the draft policy:-

“ The Licensing Authority expects each applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Licensing Authority will consider on their individual merits the efficiency of such policies and procedures which may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with any unsupervised very young children on the premises, or children causing perceived problems on or around the premises.

In accordance with Gambling Commission Guidance, the Licensing Authority will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions (as set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.”

- (5) To ask the Democratic Services and Environmental Health Business Units to prepare a letter to the Secretary of State, which set out the Committee’s dissatisfaction with the inability under the Act for local authorities to consider market dominance and market conditions when determining licence applications, the Committee Chair to approve the letter.

The meeting started at 9.30am and ended at 9.55am.