

LICENSING AND GAMBLING ACTS COMMITTEE

Thursday 10th May 2007

COUNCILLORS PRESENT : The Chair (Councillor Sareva), The Vice-Chair (Councillor Turner), The Sheriff (Councillor Clarkson), Councillors Armitage, Bance, Brundin, Campbell, Cook, Goddard, Keen, Royce, Rundle, Williams and Young.

1. ELECTION OF CHAIR FOR THE 2007/08 COUNCIL YEAR

Councillor Sareva was elected Chair of the Committee for the 2007/08 Council Year.

2. ELECTION OF VICE-CHAIR FOR THE 2007/08 COUNCIL YEAR

Councillor Turner was elected Vice-Chair of the Committee for the 2007/08 Council Year.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence.

4. DECLARATIONS OF INTEREST

The Head of Legal and Democratic Services submitted a note (previously circulated and now appended).

The Chair (Councillor Sareva) declared a personal interest in the work of the Committee as the holder of a Security Industry Authority licence.

5. POWERS AND DUTIES

Resolved to receive a note (previously circulated and now appended) setting out the Committee's powers and duties.

6. APPOINTMENT OF SUB-COMMITTEES FOR THE 2007/08 COUNCIL YEAR

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended).

Resolved:-

- (1) To appoint as many Casework Licensing Sub-Committees as there were combinations of three members in the total number of members of the Licensing and Gambling Acts Committee;
- (2) That the powers and duties of the Sub-Committees be as set out in the Annex to the report.

7. GAMBLING ACT 2005 – DELEGATION OF FUNCTIONS

The Environmental Health Business Manager submitted a report (previously circulated and now appended).

Resolved:-

- (1) to agree the Scheme of Delegation of Council functions under the Gambling Act 2005 as follows:-
 - (a) Approval of gambling licensing policy – Council
 - (b) No casino policy – Council
 - (c) Setting of fees – Licensing and Gambling Acts Committee
 - (d) Objections to applications for or changes or transfers of premises licences – Casework Sub-Committee
 - (e) Objections to provisional statement applications – Casework Sub-Committee
 - (f) Premises licence reviews – Casework Sub-Committee
 - (g) Objections to club gaming/club machine permit applications – Casework Sub-Committee
 - (h) Cancellation of club gaming/club machine permits – Casework Sub-Committee
 - (i) Counter notice to a temporary use notice – Casework Sub-Committee
 - (j) Objections to prize gaming permit applications – Casework Sub-Committee
 - (k) Any other functions that may not be delegated to officers or that require a hearing – Casework Sub-Committee
 - (l) All other functions under the Act – Environmental Health Business Manager

(2) In respect of items (g), (i) and (j) in the Scheme of Delegation, to alter the powers and duties of the Casework Licensing Sub-Committee (agreed in Minute 6) to accord with the Scheme, as follows:-

(a) delete item 5 and insert the following:-

“5. To decide whether to prevent temporary events or uses when there are objections”.

(b) delete item 10 and insert the following:-

“10. to deal, when there are objections, with applications for club gaming or club machine permits, and with cancellation of such permits.”

(c) delete item 11 and insert the following:-

“11. to deal, when there are police objections or officers are minded to refuse, with applications for prize gaming permits.”

8. GAMBLING ACT 2005 – SETTING OF FEES FOR 2007/08

The Environmental Health Business Manager submitted a report (previously circulated and now appended).

Resolved that the following fees be set for the undermentioned types of application for the 2007/08 financial year:-

Application/Fee/Type	Premises Type				
	Bingo £	AGC* £	Track £	FEC* £	Betting £
New	755	610	720	610	680
New (with Provisional Statement)	755	610	720	610	680
Transition (fast track)	230	230	230	230	230
Transition (non-fast track)	1,140	890	1,205	890	990
Variation	1,085	845	1,130	845	940
Transfer	350	320	345	320	335
Reinstatement	450	390	425	390	415
Provisional Statement	655	535	595	535	585
Copy of Licence	25	25	25	25	25
Notification of Change	40	40	40	40	40
First Annual Fee (may differ from Annual Fee)	495	550	655	550	520
Annual Fee	495	550	655	550	520

- *AGC – Adult Gaming Centre
- *FEC – Family Entertainment Centre

9. STATEMENT OF LICENSING POLICY

The Head of Legal and Democratic Services reported that Council had adopted its Statement of Licensing Policy under the Licensing Act 2003 on 16th December 2004. The Policy committed the Council to review the Policy at intervals of not more than 3 years. The Committee's meeting timetable did not fit with the timetable that would see the adoption of the revised policy by Council on 19th November 2007. He therefore suggested a revised timetable of meetings.

Resolved:-

- (1) That to accommodate the timetable for adoption by Council of a revised Statement of Licensing Policy the Committee should meet as follows:-
 - 17th July 2007 – to approve a consultation draft of a revised Statement of Licensing Policy (noting that if a licensing hearing was needed on that day, the start time would need to be re-arranged)
 - 24th October 2007 – to agree a revised Statement of Licensing Policy for recommendation to Council on 19th November 2007
- (2) In consequence of (1) above, that the Committee should meet on its scheduled date of 12th September 2007 only if there was business to warrant holding a meeting;
- (3) To note that the remaining dates when the Committee would meet were 16th January 2008 and 8th May 2008.

10. COMMITTEE START TIMES 2007/08

Resolved to confirm that the Committee's meetings in the 2007/08 Council Year would commence at 9.30 am.

11. LICENSING HEARING – 15th MAY 2007

Resolved to note that the Casework Sub-Committee's meeting scheduled for 15th May 2007 to deal with licensing hearings did not need to take place because there were no hearings to deal with.