

**LICENSING ACT 2003 COMMITTEE  
27 OCTOBER 2015**

**PRESENT** – Councillors Nutt (in the Chair); Councillors CLB Hughes, B. Jones, Mrs. D Jones, Kane, Newall and Stenson. (7)

**APOLOGIES** – Councillors L. Haszeldine, Lawton and Lee. (3)

**OFFICERS** – Pam Ross, Licensing, Parking, Trading Standards and CCTV Manager; Helen Thompson, Lawyer; Julie Richings, Principal Licensing Officer; PCSO M McAllister; Evan Kelly, Student; and Allison Hill, Democratic Officer.

**LA1. APPOINTMENT OF CHAIR – RESOLVED** – That Councillor Nutt be appointed Chair of this Committee for the remainder of the Municipal Year 2015/16.

**LA2. APPOINTMENT OF VICE-CHAIR – RESOLVED** – That Councillor Kane be appointed Vice-Chair of this Committee for the remainder of the Municipal Year 2015/16.

**LA3. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**LA4. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Act 2003 Committee held on 10 February, 2015.

**RESOLVED** – That the Minutes be accepted as a correct record.

**LA5. MINUTES** – Submitted – The Minutes (previously circulated) of the meetings of the Licensing Act 2003 Sub Committee held on 17 July, 28 July and 12 August 2015.

**RESOLVED** – That the Minutes be accepted as a correct record.

**LA6. THE REVISED LICENSING POLICY 2016** – The Director of Economic Growth submitted a report (previously circulated) to inform Members of the revision to the Council's Licensing Policy, required in accordance with the Licensing Act 2003 prior to the Policy being submitted to Council on 19 November 2015 and to seek Members' support of the submitted Policy.

The submitted report gave the background to the Licensing Act 2003 which transferred liquor licensing from the Magistrates to Local Authorities and requires all Local Authorities to prepare, consult on and publish a Licensing Policy. The initial policy document was approved by full Council on 6 January 2005 and published on 7 January 2005. It was since revised on 25 November 2010 and published on 7 January 2011. The Policy is a 'living document' and statutorily requires a review at least every five years.

The Licensing Policy provides information and guidance to applicants and local residents on the Council's approach to the licensing of people and venues in respect of the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment.

It was reported that no changes had been proposed to the policy in respect of dealing with applications, however there had been some considerable legislative changes since the policy was last reviewed in 2010 brought about by the Police Reform and Social Responsibility Act 2011, the Legislative Reform (Entertainment Licensing) Order 2015 and the Deregulation Act 2015. All amendments and updates were highlighted in the revised policy appended to the submitted report.

It was also reported that a 12 week consultation exercise had been undertaken which included licence holders, Responsible Authorities, Trade and residents Associations, Licensing Solicitors and other relevant organisations, including Council's Members.

Members asked questions in relation to minimum unit pricing of alcohol and littering and it was suggested that this should not just include promotional flyers but all littering within a 20 metre radius of the premises. The Licensing, Parking, Trading Standards and CCTV Manager advised Members that this was an issue that could be raised at Pub Watch meetings to highlight to licensed premises the importance of keeping the area around their premises clear from all litter.

**RESOLVED** – That Members support the revised policy prior to its submission to Full Council.

**LA7. GAMBLING ACT 2005 REVISED STATEMENT OF PRINCIPLES 2016** – The Director of Economic Growth submitted a report (previously circulated) to inform Members of the revision to the Council's Gambling Act Statement of Principles, required in accordance with the Gambling Act 2005 prior to the Policy being submitted to Council on 19 November, 2015 and to seek Members' support of the submitted Policy.

The submitted report gave the background to the Gambling Act 2005 which gives responsibility to Local Authorities for the licensing of premises used for gambling e.g. betting shops and bingo halls etc. and the issue of permits for gaming and small society lotteries. The 2005 Act requires all Local Authorities to prepare, consult on and publish a Gambling Policy. The Policy is a 'living document' which must be reviewed at least every three years. The first Policy was approved by Members at full Council on 23 November 2006 and published on 3 January 2007 to take effect on 31 January 2007. It was last revised by Council in November 2012 for publication on 31 January 2013 and is due for revision.

To avoid confusion with Local Authority Licensing Policies required under the Licensing Act 2003, the Gambling Policy is referred to as the 'Statement of Principles'.

The Gambling Act 2005 has three licensing objectives to prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ensure gambling is conducted in a fair and open way; and to

protect children and other vulnerable persons from being harmed or exploited by gambling.

It was reported that the Policy remained largely unchanged except for the inclusion of a requirement for a local risk assessment to be submitted with effect from April 2016 as part of the application process. The proposed revised Statement of Principles was appended to the submitted report for Member's consideration.

It was also reported that a widespread consultation exercise had been undertaken over a 12 week period ending 30 September 2015, which included the Responsible Authorities, the gaming industry, the leisure industry and organisations dealing with problems arising from gambling.

Discussion ensued on the Gambling Policy and Members raised questions relating to Local Area Profiles; and the restrictions on children in amusement arcades and the policing of amusement arcades.

**RESOLVED** - That Members support the revised policy prior to its submission to Full Council.