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**MINUTES OF THE INAUGURAL MEETING OF THE LICENSING AND REGISTRATION  
COMMITTEE**

**HELD ON WEDNESDAY 15 JULY 2015 AT 7.30 P.M.**

**IN THE COUNCIL CHAMBER, WEELEY**

**Present:** Councillors Platt (Chairman), Callender (Vice-Chairman), Amos, B Brown, M Brown, Davis, V Guglielmi, J Henderson, Newton, Raby, M J Skeels, Watson, White, Whitmore and Winfield

**In Attendance:** Environmental Services Manager (John Fox), Licensing Manager (Simon Harvey), Solicitor (Linda Trembath) and Senior Democratic Services Officer (Ian Ford)

**1. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS**

There were none.

**2. MINUTES OF THE LAST MEETING OF THE FORMER LICENSING COMMITTEE**

The minutes of the last meeting of the former Licensing Committee held on Tuesday 16 December 2014 were approved as a correct record and signed by the Chairman.

**3. DECLARATIONS OF INTEREST**

There were none.

**4. MINUTES - PREMISES/PERSONAL LICENCES SUB-COMMITTEE 'A'**

The Committee received and noted, for information only, the minutes of the meeting of the Premises/Personal Licences Sub-Committee 'A' held on 8 April 2015.

**5. MINUTES – PREMISES/PERSONAL LICENCES SUB-COMMITTEE 'C'**

The Committee received and noted, for information only, the minutes of the meeting of the Premises/Personal Licences Sub-Committee 'C' held on 20 April 2015.

**6. MINUTES – SPECIAL MEETING OF AN AD HOC PREMISES/PERSONAL LICENCES  
SUB-COMMITTEE**

The Committee received and noted, for information only, the minutes of the special meeting of an ad hoc Premises/Personal Licences Sub-Committee held on 25 June 2015.

**7. FRAMEWORK OF LIKELY AGENDA ITEMS FOR THE CONSIDERATION OF FUTURE  
LICENSING AND REGISTRATION COMMITTEE MEETINGS**

The Committee gave consideration to a report of the Corporate Director (Public Experience) which:

- (1) Advised it of the likely programme of work that would be brought before it for consideration during 2015/2016;
- (2) Sought its agreement to a flexible work plan based on that programme; and
- (3) Invited Members' views on any other matters that they might wish to see included in the work plan.

The proposed work plan was attached at the Appendix to item A.1 of the Report of the Corporate Director (Public Experience).

The Licensing Manager (Simon Harvey) undertook to take into account, when progressing the work programme, the following suggestions made, respectively, by Councillors Amos and Henderson:

- (a) that Essex Police be invited to attend a future meeting of the Committee to discuss what Essex Police would like to achieve through any introduction of a 'Taxiwatch' scheme; and
- (b) that the Harwich/Dovercourt area be considered for inclusion in any roll out of the 'Reducing the Strength' campaign.

Having considered and discussed the proposed work plan it was unanimously **RESOLVED** that:

- (a) the contents of the report be noted; and
- (b) the proposed work plan, as set out in the Appendix to item A.1 of the Report of the Corporate Director (Public Experience), be approved.

## **8. REVIEW OF THE COUNCIL'S DRAFT STATEMENT OF GAMBLING POLICY FOR PUBLIC CONSULTATION**

The Committee was advised that the Gambling Act 2005 placed a statutory responsibility on all Local Authorities to be responsible for the issuing of various permissions, permits and notices relating to the use of premises for gambling activities including:

- (a) Consideration of applications for premises licences for:
  - Casinos
  - Bingo premises
  - Betting premises and Race tracks
  - Adult gaming centres
  - Family entertainment centres
- (b) Consideration of applications for permits for:
  - Gaming machines in alcohol-licensed premises, such as pubs
  - Gaming machines for private Members' Clubs
  - Gaming in Members' Clubs
  - Unlicensed family entertainments centres (category D machines only – i.e. those that had the lowest level of stakes and prizes)
  - Prize gaming
- (c) Temporary use notices;
- (d) Occasional use notices;
- (e) Provisional Statements; and
- (f) Registration of small society lotteries.

Each Local Authority was legally required to formulate its own Gambling Licensing Policy Statement. That Policy had to be based on the three licensing objectives, which were:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and

- Protecting children and other vulnerable people from being harmed or exploited by gaming.

The Committee was made aware that Section 349 of the Gambling Act 2005 required the Council to review its Statement of Gambling Policy every three years and to consult on that review with responsible authorities and other interested parties. The Council's current Statement of Gambling Policy had been in place and in force since 31 January 2013 and so the new Policy would be required to be agreed, published and in place by 31 January 2016 in order to avoid the Council being ultra vires in respect of any Gambling Act 2005 applications submitted after that date. This proposed draft and review of the Policy would therefore be the fourth that had taken place since the first policy had been adopted in 2006.

The Licensing Manager (Simon Harvey) further reported that the framework of the Policy had originally been initiated and designed by the Essex Licensing Officers' Forum so that applicants and existing businesses in the betting and gaming industry that had outlets across Essex would have a template to recognise and work with across a wide range of different Local Authorities in Essex. It had also ensured a framework of generic best practice amongst all Essex Authorities and had further ensured that any necessary regulatory requirements did not unnecessarily burden businesses (such as a betting shop chain) who had applications to make for licensed outlets across Essex.

The draft Statement of Gambling Licensing Policy proposed for statutory and public consultation purposes was set out as the Appendix to item A.2 of the Report of the Corporate Director (public Experience). The Officers' proposed revisions to the original text in the policy were shown in bold and contrasting colour with the original text still in place and crossed through for ease of reference for Members where changes had been made.

As the proposed draft amendments to the Gambling Policy were insubstantial, administrative and non-contentious in nature and predominantly updated the Policy to reflect current legislation and Gambling Commission advice, it was suggested to Members that the standard twelve week consultation period be reduced to six weeks.

Members are informed that further administrative changes might need to be made to the Policy following its adoption as a result of revised Guidance to Local Authorities given by the Gambling Commission. It was therefore suggested by Officers that the Committee gave authority for any future non-contentious administrative, or legislative, changes to the Policy that could result from any revised Gambling Commission guidance to be made by Officers, in consultation with the Chairman (or failing him the Vice-Chairman) of the Committee, without the need and expense of the Policy being returned to the full Committee and subject to further public consultation.

The Chairman (Councillor Platt), on behalf of the Committee, thanked Mr Harvey and his Licensing Team for all the hard work and commitment that had gone into producing the draft Statement.

Having considered and discussed the draft Statement of Gambling Licensing Policy it was unanimously **RESOLVED** that:

- (a) the Council's draft Statement of Gambling Licensing Policy, as submitted by the Officers be approved for statutory and public consultation purposes, subject to the inclusion of "vulnerable persons" under the third bullet points in Sections 26.2 and 28.1.
- (b) the programme and timetable for consultation, review, approval, publication and implementation of the revised Statement of Gambling Licensing Policy be as set out below:

<b>Signpost</b>	<b>Outcome</b>
Licensing & Registration Committee 15 July 2015	Committee review and agree proposed draft of Gambling policy and agree it goes out to public consultation commencing 1 August 2015 and ends 14 September 2015
Licensing & Registration Committee 7 October 2015	Committee review outcome of consultation and agree final content of policy and recommend adoption of policy to Full Council.
Full Council 24 November 2015	Full Council agrees Licensing & Registration Committee's recommendation to adopt revised policy
Policy to be published on Council's web site by 2 January 2016	Policy published on website
Public Notice of adoption to be published in local newspaper by 2 January 2016	Public Notice published in newspaper
Commencement of new three year policy from 31 January 2016	Policy runs from 2016 to 2019 (with any future administrative amendments as required by legislation or Gambling Commission guidance).

- (c) authority be delegated to the Corporate Director (Public Experience), in consultation with the Chairman, or failing him the Vice-Chairman, of the Committee, to make any future non-contentious administrative, or statutory, changes to the Policy that could result from any revised Gambling Commission guidance or legislation.

The meeting was declared closed at 7.51 p.m.

Chairman