

LICENSING ACT 2003 COMMITTEE

Monday, 9 November 2009

<u>Present:</u>	Councillor	S Taylor (Chair)	
	Councillors	WJ Davies	IO Coates
		A Taylor	W Duffey
		J Salter	D Kirwan
		H Smith	S Niblock
		C Teggins	P Williams
		S Clarke	C Povall
<u>Apologies</u>	Councillors	R Wilkins	D Knowles

8 DECLARATIONS OF INTEREST

Members were asked to consider whether they had any personal or prejudicial interests in connection with the item on the agenda and, if so, to declare them and state what they were.

No such declarations were made.

9 MINUTES

The Committee was requested to receive the minutes of the meeting held on 14 September, 2009.

Resolved – That the minutes of the meeting held on 14 September, 2009, be approved as a correct record.

10 DRAFT STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

The Director of Regeneration submitted for Members' approval the Draft Statement of Principles under The Gambling Act 2005 in order that it might be presented to Council for approval on 14 December 2009.

Members were also requested to agree that the Director of Regeneration be given delegated authority to amend the draft document in conjunction with the Chair and Party Spokespersons prior to its presentation to Council should this become necessary as a result of feedback from the consultation.

On 14 September 2009 (minute 6 refers) the Licensing Act 2003 Committee approved a draft Statement of Principles so that it might be circulated for consultation. The consultation period began on 14 September 2009 and would close on 14 December 2009. To date, no comments had been received from consultees. The draft Statement of Principles had been circulated to a number of consultees and had been publicised on the Council's website. A list of those consulted was attached as an appendix to the report. Any comments received before the close of the

consultation period would be presented at the meeting of the Council on 14 December 2009.

A Member referred to paragraph 4.1 of the guidance, in relation to interested parties being able to make representations about licence applications, if they lived sufficiently close to the premises to be likely to be affected by the authorised activities. He sought clarification as to the definition of 'sufficiently close' and commented that the guidance appeared not to take account of churches or schools in an area, which although not seen as being sufficiently close to a licences premises, but would nevertheless be an interested party in relation to an application. He commented also, in relation to paragraph 23.2 that the guidance should include a minimum time period for a request for a review by interested parties that was substantially the same as previous representations or requests for review.

The Director agreed to consider the points made, having regard to the requirements of the Act and proposed to re-circulate the document to members prior to its submission to the Council.

Resolved –

- (1) That subject to clarification of the matters raised being circulated to Members, the Draft Statement of Licensing Principles be approved as a Draft to be considered by the Council on 14 December 2009 for approval as the Statement of Principles to be applied under The Gambling Act 2005.**
- (2) That Members also agree that the Director of Regeneration be given delegated authority to amend the draft document in conjunction with the Chair and Party Spokespersons prior to its presentation to Council should this become necessary as a result of feedback from the consultation.**