

LICENSING ACT COMMITTEE

Wednesday, 24 November 2021

| | | | |
|------------------|-------------|---|--|
| <u>Present:</u> | Councillor | A Hodson (Chair) | |
| | Councillors | M Booth D Burgess-Joyce M Collins C Jones D Kenny D Mitchell | C O'Hagan I Williams KJ Williams S Williams A Wright |
| <u>Apologies</u> | Councillors | E Gleaves | C Spriggs |

5 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

6 MINUTES

Resolved – That the accuracy of the minutes of the meeting held on 17 June 2021 be approved.

7 MINUTES OF THE LICENSING PANEL

Councillor S Williams requested that the minutes of the meeting of the Licensing Panel held on 24 September be amended to remove him from the attendance list.

Resolved –

- (1) That the accuracy of the minutes of the meetings of the Licensing Panel held 30 June, 17 August, 27 August and 22 September be approved.
- (2) That the accuracy of the minutes of the meeting of the Licensing Panel held on 24 September 2021 be approved as amended with the removal of S Williams from the attendance list and Councillor A Wright being shown as being in attendance.

DRAFT STATEMENT OF POLICY UNDER THE GAMBLING ACT 2005

The Director of Law and Governance sought Members' approval of the draft Statement of Policy under the Gambling Act 2005 so that it may be presented to Council for approval on 6 December 2021 in compliance with the statutory requirement that it must be reviewed every three years.

The Licensing Manager reported that the Council's Statement of Policy had first been published in December 2006 and had been reviewed in accordance with the requirements every three years. Each review had been consulted upon and subsequently recommended to Council for approval by this Committee.

The Licensing Manager informed Members of the Committee that following a review of the current Statement of Policy, proposed amendments had been made which had been highlighted in red in the revised draft Statement of Policy attached in Appendix 1 to the report. The amendments were summarised as follows:

- Updates to contact details, committee and panel
- Reference to the withholding of personal details
- Additional section on test purchasing and age verification
- The Licensing Authority's role in remote gambling
- Further information in respect of who can apply for a licence and the information required
- Additional information relating to the protection of children and vulnerable adults
- The meaning of 'available for use'

The draft Statement of Policy had been circulated for consultation to a number of consultees as stated within Appendix 2 attached to the report and had been publicised on the Council's website. The consultation period commenced on 1 October 2021 and closed on 18 November 2021.

Members were advised that at the time of writing the report no comments had been received in response to the consultation, however, the Licensing Manager advised that a letter had subsequently been received on behalf of the Betting and Gaming Council who had made a number of observations.

The Licensing Manager outlined the feedback received from the Betting and Gaming Council which included making the following amendments to the draft Statement of Policy:

- That paragraphs 15.3 and 15.4 be amended to remove reference to having a specific policy with regard to areas where gambling premises should not be located.

- To have it clarified within the Policy that applicants are not expected to offer conditions within their application but that the expectation is for them to outline their policies, procedures and mitigation measures in their risk assessment.
- To include reference within the Policy that additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives which is not adequately addressed by the policies, procedures and mitigation measures described in an applicant's risk assessment.

Members considered the feedback provided by the Betting and Gaming Council which had been outlined by the Licensing Manager and agreed that the suggested amendments in respect of risk assessments be made to the Statement of Policy but that paragraphs 15.3 and 15.4 should remain without the amendments suggested by the Betting and Gaming Council.

It was highlighted to the Licensing Manager that it should be made clear in paragraph 20.2 that where a person is employed as a door supervisor they are required to hold a licence issued by the Security Industry Authority. The Licensing Manager agreed to make this amendment.

On a motion by Councillor M Collins and seconded by Councillor C Jones it was –

RECOMMENDED – That the draft Statement of Policy attached in Appendix 1 to the report be recommended for approval by Council on 6 December 2021 subject to the following amendments:

- **To have it clarified within the Policy that applicants are not expected to offer conditions within their application but that the expectation is for them to outline their policies, procedures and mitigation measures in their risk assessment.**
- **To include reference within the Policy that additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives which is not adequately addressed by the policies, procedures and mitigation measures described in an applicant's risk assessment.**
- **To amend paragraph 20.2 to make it clear that where a person is employed as a door supervisor they are required to hold a licence issued by the Security Industry Authority.**