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LICENSING ACT COMMITTEE

Thursday, 25 July 2024

Present: Councillor A Hodson (Chair)

Councillors	S Bennett	C McDonald
	L Luxon-Kewley	G Jenkinson
	P Basnett	E Tomeny
	B Hall	K Murphy
	M Booth	A Brame

1 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting and those watching the webcast.

2 APOLOGIES

Apologies had been received from Councillors J Laing and G Davies

3 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 item on the agenda and state the nature of their interest.

Councillor Paula Basnett declared a non-pecuniary interest in Agenda item 7 (draft revised statement of Licensing Policy under the Licensing Act 2003) as a current holder of a Premises Licence under the Licensing Act 2003.

4 MINUTES

Resolved – That the accuracy of the minutes of the meeting held on 7 June 2023 be approved.

5 PUBLIC AND MEMBER QUESTIONS

No questions, statements or petitions had been received.

6 DRAFT REVISED STATEMENT OF GAMBLING POLICY UNDER THE GAMBLING ACT 2005

The Licensing Manager introduced the report of the Director of Law and Corporate Services which presented the draft revised Statement of Gambling Policy which required approval in order that it may be circulated for public

consultation. The Statement was required to be reviewed every three years and was last approved by Council in November 2021. It was proposed that Consultation take place between the 29 July 2024 and 27 September 2024 and that responses would be referred back to this Committee for consideration in order that a final draft be presented to Council for approval in December 2024.

Having reviewed the draft Statement of Gambling Policy Councillor Stephen Bennett proposed that the policy be sent out for consultation and responses be debated when they come back. This was seconded by Councillor Craig Walsh-McDonald and agreed by assent.

Resolved: That the draft revised Statement of Gambling Policy to be applied under the Gambling Act 2005 attached at Appendix 1 to this report be approved in order that it may be circulated for consultation and debate what comes back.

7 DRAFT REVISED STATEMENT OF LICENSING POLICY UNDER THE LICENSING ACT 2003

The Licensing Manager introduced the report of the Director of Law and Corporate Services which presented the draft revised Statement of Licensing Policy under the Licensing Act 2003 for approval in order that it may be circulated for public consultation. The report also asked the Committee to approve that the public consultation included a review of the Cumulative Impact Assessment contained within the Statement of Licensing Policy. Members were informed that it is a legal requirement for the Statement of Licensing Policy to be reviewed at least every five years. In 2017 a Cumulative Impact Assessment was included within the Statement of Licensing Policy. Members were informed that it is a legal requirement for the Cumulative Impact Assessment to be reviewed at least every three years and was subsequently due for review in 2025. Members were informed that Statutory Guidance issued under the Licensing Act 2003 states that where Licensing Authorities are reviewing their Statement of Licensing Policy they may wish to use this as an opportunity to review the evidence in support of the Cumulative Impact Assessment.

Resolved: That

- 1. the draft revised Statement of Licensing Policy under the Licensing Act 2003 attached at Appendix 1 to this report be approved in order that it may be circulated for consultation.**
- 2. the consultation include a review of the Cumulative Impact Assessment contained within the Statement of Licensing Policy.**

8 **APPOINTMENT OF MEMBERS TO THE LICENSING ACT SUB-COMMITTEE**

The Senior Lawyer (Litigation) presented the report of the Director of Law and Corporate Services which provided the Terms of Reference of the Licensing Act Sub-Committee and detailed its membership for the 2024/2025 Municipal Year. It was noted that the Terms of Reference had been agreed at Council on 22 May 2024 and that the members were to be drawn from the membership of the Licensing Act Committee.

Resolved: That

- 1. the Terms of Reference of the Licensing Act Sub-Committee, as referred to in paragraphs 1.1 and 1.2 of this report, be noted, and it be further noted that each Licensing Act Sub-Committee be comprised of three Members drawn from the fourteen Members of the Licensing Act Committee with the Chair appointed on the day of each meeting.**
 - 2. delegated authority be given to the Director of Law and Corporate Services (Monitoring Officer), in consultation with the Chair and Spokespersons to convene Licensing Act Sub-Committees as and when required for the purposes of carrying out the Council's functions to deal with applications, determinations and reviews of licences permissions and any related matter in respect of the Licensing Act 2003 or the Gambling Act 2005. Up to two (2) further members of the Licensing Act Committee may attend hearings as observers.**
 - 3. the term of membership be continued until such time as a new Licensing Act Committee is appointed.**
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