

LICENSING COMMITTEE
Tuesday, 23rd May, 2006

Present:- Councillor Senior (in the Chair); The Mayor (Councillor Wootton); Councillors Davies, Doyle, J. Hamilton, Havenhand, Jack, Rushforth, P. A. Russell, Swift and F. Wright.

An apology for absence were received from Councillor Sangster.

1. GAMBLING ACT 2005

Consideration was given to a report of the Head of Neighbourhood Services concerning the provisions of the Gambling Act 2005.

The Gambling Act 2005 required the Council to prepare and publish a Statement of Licensing Principles before it carried out any function in respect of applications made under the Act. The principles and policy must be determined with a view to promoting the three licensing objectives:-

- (i) preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime;
- (ii) ensuring that gambling is conducted in a fair and open way; and
- (iii) protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Principles document is a statement of how the Council intends to exercise the licensing functions imposed upon it by the Act. It may state the Council's general approach to the making of licensing decisions and the regulation of licensable activities. It should provide transparency for all those affected by the licensing regime, which means not only applicants for a licence, but also local residents who are able to make representations to the Council in opposition to some applications.

The Statement of Licensing Principles must be prepared and published every three years. During the three years period, these principles and policy must be kept under review and revised as appropriate.

The report stated that Section 349 (3) of the Act required the Licensing Authority to consult the following persons/bodies on the licensing principles statement or any subsequent revision:

- in England and Wales, the Chief Officer of Police for the Authority's area;
- one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and

- one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

The list of persons to be consulted when preparing the licensing policy statement is, according to the Gambling Commission, deliberately wide. This is to enable licensing authorities to undertake a comprehensive consultation exercise with anyone who may be affected by or otherwise have an interest in the licensing principles statement.

The groups who will be engaged are those from the business community, as well as groups representing children and young people, disabled people, faith communities, older people, rural communities and the general public, amongst others.

The methods to be used are the more traditional 'mail shot' as well as internet and intranet exposure, Council media services, focus groups, newsletters, meetings, Area Assemblies, Parish Councils, the citizen's panel and direct contact with the general public through a 'stall' in the town centre. This allows for a 'deeper', more strategic approach to consultation.

The views of all the above should be given appropriate weight when the policy is determined.

The Statement of Licensing Principles had to be approved by the Council, published and advertised by 31st December, 2006. The first day of the initial three years of the Policy was 31st January, 2007.

Resolved:- (1) That the report be received and its contents noted.

(2) That, in order that the consultation process may commence on 1st June, 2006, the draft Statement of Licensing Principles, as now submitted, be approved and with not less than the persons/bodies listed in the Gambling Act 2005 being consulted.

(3) That all Members of the Council be invited to submit any comments on the draft Principles and Policy, in writing, during the consultation period.