

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2006

Councillors: Andrew Rowles (*Chairman*) (P), Peter Argyle (P), Paul Bryant, Billy Drummond (P), John Farrin (*Vice-Chairman*) (P), Geoff Findlay (P), Manohar Gopal (A), Sally Hannon (P), Roger Hunneman (P), Owen Jeffery (AP), Tony Linden (P), Mrs Irene Neill (P), Alexander Payton (P), Quentin Webb (P)

PART I

Note: Councillor John Farrin took the chair in the absence of Councillor Andrew Rowles.

30. APOLOGIES.

Apologies for the inability to attend the meeting was received on behalf of Councillor Owen Jeffery.

31. MINUTES.

The Minutes of the meeting held on 25 July 2006 was approved as true and correct record and signed by the Vice Chairman.

32. DECLARATIONS OF INTEREST.

None.

33. GAMBLING ACT 2005

The Gambling Act 2005 repeals the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976 and creates a new system of licensing and regulation for commercial gambling in this country. Amongst other changes, it gives to local authorities new and extended responsibilities for licensing premises for gambling. In some cases such as gambling arcades, these build on existing responsibilities. But in other major areas, including betting, casino gaming and bingo, they transfer to local authorities responsibilities which previously lay with licensing justices.

The new Act comes fully into force in September 2007. In preparation, each licensing authority is required to develop, consult on and publish a statement of its licensing policy.

Like the Licensing Act 2003, the Gambling act has licensing objectives that are:

- Preventing Gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Brian Leahy introduced the draft policy statement to the meeting. This draft policy had been worked up by officers and a Member Working Group over the last 3 months:

The Licensing Policy Statement addresses the requirements of section 1 of the Act. It sets out the Council's Licensing Policy and takes account of the Gambling Commission guidance. This Licensing Policy Statement will apply to the area of West Berkshire District Council. In producing the final licensing policy statement the authority will have regard to the licensing objectives of the Act, the guidance issued by the Gambling Commission and any responses from those consulted on the draft policy statement.

Brian drew the meeting's attention to Section 4 paragraph 11:

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‘Notwithstanding this general requirement the Licensing Authority may resolve not to issue Casino Premises Licences within its area. Any resolution not to issue Casino Licences will be published in the final licensing policy statement together with the Authority’s reasons.’

Members should consider whether a qualification should be applied in the final policy that allows the Licensing Authority to issue or not issue Casino Licences within its area.

Note: Councillor Andrew Rowles joined the meeting and took over the chair.

Members then discussed the draft policy and a number of comments were made:

Councillor Geoff Findlay proposed that the draft policy document be accepted subject to the qualification noted above. He was of the opinion that the policy should allow the Licensing Authority to issue Casino Licenses within its area.

Councillor Tony Linden seconded proposed recommendation. He commented that the policy would be reviewed within three years.

Councillor Quentin Webb under Section 6 paragraph 14b, asked what was ‘appropriate training’? Brian Leahy confirmed that there was no specific guidance on the matter. However, there would be a need to demonstrate that Members had undertaken adequate training.

Councillor John Farrin requested that officers provided a set of guidelines for Councillors on the Gambling act to help Councillors responding to public questions and enquiries. Brian Leahy was asked to produce guidelines and briefing notes.

It was agreed that further Member training sessions on the Gambling Act would be required.

RESOLVED that the draft West Berkshire Council Gambling Policy was approved unanimously by the Committee and that the policy document will now go forward for formal consultation. Where the Licensing Authority resolves not to issue Casino Premises Licences within its area then the final policy statement will be updated to that effect and published together with the Authorities reasons for that resolution.

Next meeting of the Licensing Committee will take place on Tuesday 5th December 2006, starting at 6.30 p.m. in the Council Chamber to approve the final version of West Berkshire Gambling Policy.

(The meeting commenced at 6.00 p.m. and closed at 6.40 p.m.)

CHAIRMAN

Date of Signature: