

Minutes

Licensing Committee

29th April 2015



Present:

Councillors	Present	Councillors	Present
J S Allen	Apologies	C Gibson	Yes
M J Banthorpe (Chairman)	Yes	M Green	Apologies
J Baugh	Yes	S A Howell	Apologies
T G Cunningham	Apologies	H D Johnson	Yes
J G J Elliott	No	J A Pell	Yes
J H G Finbow	Yes	L S Walters	No
M J Fincken	Apologies	S A Wilson	Yes
M E Galione	Yes	R Wright	Yes

36 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

37 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 4th March 2015 be approved as a correct record and signed by the Chairman.

38 **QUESTION TIME**

INFORMATION: There were no questions asked, or statements made.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

39 **LICENSING ACT 2003 – REVIEW OF THE STATEMENT OF LICENSING POLICY**

INFORMATION: Consideration was given to a report on the proposed review of the Council's Licensing Act 2003 - Statement of Licensing Policy.

Members were advised that in accordance with the Licensing Act 2003 the Council, as the Licensing Authority, was required to publish a Statement of its Licensing Policy every five years. The re-published Policy would set out the principles that the Licensing Authority would generally apply to promote the licensing objectives when determining applications submitted under the Act.

The last Statement of Licensing Policy had been published in January 2011 and it was due for re-publication in January 2016.

It was reported, that since the last review of the Policy a number of significant amendments had been made to the Licensing Act 2003 which had been introduced by the Police Reform and Social Responsibility Act 2011, the Live Music Act 2012, the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013, the Deregulation Act 2015 and the Legislative Reform (Entertainment Licensing) Order 2014. There had also been a number of amendments to Government Guidance issued under Section 182 of the Licensing Act 2003.

Members were advised that the draft revised Statement of Licensing Policy attached to the Agenda at Appendix 1 was based upon the Essex Authorities generic framework. Whilst the significant changes to legislation would be reflected in technical changes to the Policy, the Council did not propose to introduce any new initiatives or special policies at this time. If approved by the Committee, the draft Statement of Policy would be subject to public consultation for a period of 12 weeks.

In accordance with the Council's obligations under the Equalities Act 2010, a draft Equality Impact Assessment had been completed in respect of the Policy. This Assessment was attached at Appendix 2 to the report.

DECISION: That the draft revised Licensing Act 2003 - Statement of Licensing Policy be approved for the purpose of public consultation.

40 **GAMBLING ACT 2005 – REVIEW OF THE STATEMENT OF LICENSING POLICY**

INFORMATION: The Committee was advised that the Gambling Act 2005 placed a statutory responsibility on all Local Authorities to issue various permissions, permits and notices for the use of premises for gambling activities.

Each Authority was legally required to formulate its own Statement of Licensing Policy for Gambling which had to be reviewed and re-published every three years. The Policy had to be based on three licensing objectives, which were to prevent gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime; to ensure that gambling was conducted in a fair and open way; and to protect children and other vulnerable people from being harmed or exploited by gaming.

Members were advised that the draft revised Statement of Licensing Policy attached to the Agenda at Appendix 1 was based upon the Essex Authorities generic framework and it set out the principles which the Council would generally apply when making decisions on applications made under the Act. It was reported that the Gambling Commission was currently consulting on proposed revisions to their Guidance to Licensing Authorities. These revisions did not represent a change of policy or approach, but sought to

reinforce the tools that enabled Licensing Authorities to regulate gambling at a local level. Minimal amendments had been made to the Council's draft revised Policy to reflect the proposed changes to Guidance. No changes had been made to the intent or direction of the Policy. If approved by the Committee, the draft Policy would be subject to public consultation. The consultation would be limited to a period of four weeks because of the minor nature of the amendments.

In accordance with the Council's obligations under the Equalities Act 2010, a draft Equality Impact Assessment had been completed in respect of the Policy. This Assessment was attached at Appendix 2 to the report.

DECISION: That the draft revised Gambling Act 2005 - Statement of Licensing Policy be approved for the purpose of public consultation.

At the close of the meeting, the Chairman stated that this was the last meeting of the Committee in the current Civic Year and Council Administration. The Chairman wished to record his thanks to Members of the Committee for their attendance and input and he wished those not returning after the forthcoming Election well. Members of the Committee thanked the Chairman in response.

The meeting closed at 7.30pm.

Councillor M J Banthorpe
(Chairman)