

## **Licensing Committee**

**2 JULY 2018**

**PRESENT:** Councillor J Brandis (Chairman); Councillors P Cooper (In place of A Huxley), M Hawkett, L Monger, G Powell, S Renshell, B Russel and Sir Beville Stanier Bt (ex-Officio)

**APOLOGIES:** Councillors T Mills, S Lambert and S Morgan

### **1. MINUTES**

RESOLVED –

That the Minutes of the meeting held on 16 May 2018 and 21 May 2018 be approved as a correct record.

### **2. PRE-CONSULTATION ON DRAFT GAMBLING POLICY 2019-22**

Section 349 of the Gambling Act 2005 required all licensing authorities to publish a statement of principles that they propose to apply in discharging their functions under the Act. The statement of licensing policy or principles had to be republished every three years. A new version must be published in January 2019 so AVDC were now due to review their current principles. This had to be done following consultation with a number of prescribed persons and organisations which included the Gambling Commission, Thames Valley Police, Head of Planning at AVDC and the Buckinghamshire Safeguarding Children Board at BCC. Statute prescribed the general content of the policy and procedure to be followed when formulating, adopting and publishing the policy.

The Committee had received a copy of the draft policy document as part of the report and were asked for their comments prior to the statutory consultation. Following the meeting, it was proposed that AVDC would run the eight week consultation from 9 July to 31 August 2018. Responses would be collated and reported to Licensing Committee on 10 September 2018. Comments would also be sought from Environment & Living Scrutiny Committee at their meeting on 25 September 2018 prior to Full Council approval on 24 October 2018.

A standalone, add-on to the policy was 'Local Area Profiles' which was a statistical document that raised awareness of local risks to the licensing objectives in Aylesbury Vale. This document, drafted in conjunction with partner agencies, allowed AVDC to better serve the community by identifying local risks, providing clarity to the operators and improving local decision making. Operators would be expected to refer to the Local Area Profiles when submitting their risk assessments, and the Licensing Authority would seek to restrict gambling facilities in areas it felt vulnerable persons would be put at potential risk of harm. Nonetheless, all applications would be decided on merit and applicants would have the opportunity to demonstrate how concerns in the local area would be overcome.

Members sought more information on the policy consultation and were advised:-

- i. It was not possible to put a numerical limit on betting shops within certain areas due to legislation. Also numbers of existing betting shops could not be taken into account when considering new applications. There was the possibility of Development Management 'clustering' locations but this was outside the remit of Licensing Committee.

- ii. The Gambling Act 2005 Licensing Policy followed a statutory structure which contained localised information.
- iii. Inspections of gambling premises were held annually and lasted 2-3 hours. No warning was provided to the premises when the inspections would take place. The inspections investigated compliance of policy and logging of safeguarding intervention. Premises also needed to have a register of those who had self-excluded.
- iv. Neighbourhood Plans did not have a bearing on Licensing Policy, however evidence collated during the Neighbourhood Plan drafting could be utilised in Local Area Profiles.

The Committee saw the benefit in suggesting the following:-

- Licensing, Development Management and Neighbourhood Planning had scope to work closer together.
- A closer relationship should be harnessed between Licensing and Social Services beyond the consultation period.
- It would be useful for Members to attend an inspection of a Licensed Gambling premises to aid further understanding.

The Committee recognised the importance of the Local Area Profile given that applicants would have to refer to it and considered whether this should also be submitted to Full Council for consideration along with the Gambling Policy. However they were advised this may not be practical given the fluid nature of Profile so on balance Members agreed that it should be presented back to Committee when they next meet in September 2018.

RESOLVED –

That the Committee support the commencement of the consultation and the drafted Gambling Act 2005 Licensing Policy 2019-2022.