

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the **LICENSING COMMITTEE (CDC)** held on **10 JULY 2018**

PRESENT: Councillor J Rush - Chairman
" C Jackson - Vice Chairman

Councillors: M Flys
G Harris
M Harrold
M Harker
P Jones
C Jones
C Rouse
N Southworth
H Wallace

APOLOGIES FOR ABSENCE were received from Councillors R J Jones, J Waters and F Wilson

ALSO IN ATTENDANCE: Councillor L Walsh

1 MINUTES

The minutes of the Licensing Committee held on 10 May 2018 and 16 May 2018 were approved and signed by the Chairman as a correct record.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 GAMBLING ACT 2005 STATEMENT OF PRINCIPLES REVIEW 2017 CONSULTATION OUTCOME

Members received a report which detailed the outcome of the consultation on the revised draft Gambling Act 2005 Statement of Principles. It was advised that the consultation had lasted for 6 weeks and in that time two responses had been received.

The first response from GamCare could be seen at Appendix 2 of the agenda pack. Members were advised that the response contained general guidance and information which officers confirmed was already adequately covered by the draft Statement of Principles.

The second response was received from Gosschalks Solicitors, on behalf of the Association of British Bookmakers, which could be seen at Appendix 3 of the supplementary agenda pack. The Committee were informed that the response contained general guidance and comments and a number of suggested changes, which were summarised below:

- In relation to the foreword, officers agreed with the suggestion that the legislation no longer be referred to as “new”, and that reference to “promoting” licensing objectives should be removed and replaced with “have regard to” the licensing objectives.
- Officers recommended that minor changes to the wording of section 2.7 should be made to remove reference to “primary activity” and replace with “providing substantive facilities for betting”.
- Officers recommended the removal of section 8.3 relating to a location policy as it was deemed as unnecessary.
- Officers did not recommend that suggested minor changes to sections 8.6 and 8.12 should be made as these had been adequately covered by other sections of the draft Statement.
- In relation to local risk assessments, it was suggested that points relating to deprivation, unemployment and homeless people should be removed as they were not relevant. Officers did not recommend that these changes be made as the list of factors was widely used by other authorities and was supported by wider knowledge including the recent Guidance issued by the LGA and Public Health England.
- Regarding the possible future Location Policy in the draft Statement of Principles, officers confirmed that the new information on Local Risks addressed this and therefore recommended that reference to a possible future Location Policy be deleted.
- Regarding changes to Conditions, officers confirmed that the draft Statement of Principles already addressed this.

Members were informed that the proposed amendments to the draft Statement of Principles could be delegated to the Head of Healthy Communities in consultation with the Chairman without needing to return to the Committee for approval.

A question was raised as to why there were concerns over the reference to areas of deprivation in the local risk assessment. It was advised that the main concern was around predetermination, however officers explained that the Council was not making any predetermination, but the draft Statement of Principles was instead providing a list of relevant factors which should be taken into account when carrying out a local risk assessment. Various pieces of research had been carried out showing that persons of lower income, unemployment and homelessness were at a higher risk of being affected by gambling related issues.

The Head of Healthy Communities advised the Committee that none of the wards in Chiltern District were in the lowest 30% of deprived areas in the country. Therefore it was suggested that supporting documentation may need to be produced to define areas of deprivation before adopting the wording as part of the Statement of Principles. Members felt that the Council had a duty to protect vulnerable people, regardless of whether they lived in an area of deprivation, and that crime and disorder relating to gambling establishments was often under-reported.

Councillor C Jones proposed:

1. That the responses to the consultation at Appendix 2 and Appendix 3 be noted.
2. That the draft Statement of Principles attached at Appendix 1 be approved subject to the amendments referred to in the minute above, the exact wording to be delegated to the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee.
3. To recommend to Council to adopt the approved draft Statement of Principles at its meeting on 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.
4. To request that Cabinet, at its meeting on 16 October 2018, consider the approved draft Statement of Principles and recommend to Council as set out in 3 above.
5. To recommend to Council to resolve with effect from 14 January 2019 to 13 January 2022 not to issue casino premises licences in accordance with Section 166 of the Gambling Act 2005.

This proposal was seconded by Councillor Flys and agreed at a vote.

RESOLVED

- 1. That the responses to the consultation at Appendix 2 and Appendix 3 be noted.**
- 2. That the draft Statement of Principles attached at Appendix 1 be approved subject to the amendments referred to in the minute above, the exact wording to be delegated to the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee.**
- 3. To recommend to Council to adopt the approved draft Statement of Principles at its meeting on 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.**
- 4. To request that Cabinet, at its meeting on 16 October 2018, consider the approved draft Statement of Principles and recommend to Council as set out in 3 above.**

- 5. To recommend to Council to resolve with effect from 14 January 2019 to 13 January 2022 not to issue casino premises licences in accordance with Section 166 of the Gambling Act 2005.**

Note: Councillor M Harrold entered the meeting at 6.45 pm but did not participate in the debate.

The meeting ended at 6.51 pm