

LICENSING COMMITTEE

Meeting - 7 October 2015

Present: Mr Walters MBE (Chairman)
Mr D Smith, Mr Hogan, Mrs Jordan, Mr Pepler, Mr Read, Mr Sandy
and Mr Sangster

Apologies for absence: Mr Griffin and Mr Vincent

16. MINUTES

The minutes of the meeting of the Licensing Committee held on 1 July 2015 were confirmed and signed by the Chairman.

17. LICENSING ACT 2003 - OFFICER DETERMINATIONS

The Committee received a report which informed members of Officer Determinations during the period 11 June 2015 to 7 September 2015.

RESOLVED that the report be noted.

18. GAMBLING ACT 2005 LICENSING STATEMENT OF PRINCIPLES - 2015 REVISION

The Committee considered a report which set out the final revised draft Gambling Act 2005 Statement of Principles, attached as appendix A, as required under the Gambling Act 2005. The Committee were asked to consider whether to recommend to Council the adoption of the Statement of Principles which would come into effect on 31 January 2016.

The Committee considered a revised draft Statement of Principles at its meeting on 1 July 2015 and agreed that it should be submitted for formal consultation. This consultation took place for 12 weeks from Monday 6 July to Monday 28 September. At the time of writing the report only one response had been received during the consultation period which was from Buckinghamshire Fire and Rescue Service advising that it has no comments. Since writing the report, two further responses had been received. The Committee considered these two further responses.

The first response was from Coral Racing Limited which stated that they were 'supportive of the document'.

The other response received was from Gosschalks Solicitors on behalf of the Association of British Bookmakers (ABB). This response made two specific comments on the revised draft Statement of Principles.

The first comment confirmed that all of ABB's operators have a 'no under 18's' policy which supported one of the general principles within the Statement which encourages prohibitions from applicants where it was felt that the presence of children would be undesirable or inappropriate.

The second comment was that ABB considered that a paragraph contained within the Statement that refers to Location as a consideration 'appears to implement a cumulative impact type policy' and therefore was against the 'aim to permit' principle of the Gambling Act 2005.

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In response to the second comment, the Licensing Manger advised that the section on location within the draft Statement of Principles states that 'demand issues cannot be considered' and therefore this section clearly indicates that there is no cumulative impact policy being implemented. The section goes on to clarify that the aspects of a location that would be considered would relate to its siting in a location that may put children or vulnerable people at risk, or lead to potential issues of crime and disorder. The Licensing Manager confirmed that this was in line with the Gambling Commissions Guidance.

Having considered all the comments, the Licensing Committee were of the view that no amendments to the revised draft Statement of Principles were required.

The Committee noted that Cabinet would also be commenting on the revised draft Statement of Principles at its meeting on 13 October 2015.

Having considered the revised draft Gambling Act 2005 Statement of Principles and all the comments received in response to the consultation, the Committee accordingly

RECOMMENDED to Council to adopt the draft Statement of Principles at its meeting on Tuesday 10th November 2015 for publication at least 4 weeks prior to coming into effect for the period 31 January 2016 to 30 January 2019.

19. **IMPLICATIONS OF THE DEREGULATION ACT 2015 IN RELATION TO THE TAXI AND PRIVATE HIRE TRADE**

The Committee received a report which advised members of the decisions made by the Licensing Consultative Body following the changes to the Deregulation Act 2015 in relation to the Taxi and Private Hire trade.

Whilst fees for Taxi and Private Hire Licensing are usually set by the Licensing Committee, the Consultative Body had to be used on this occasion due to the requirement to bring the new fees in at the start of October 2015 following a public consultation.

The Committee were advised that the Licensing Consultative Body approved the recommendations in the report, attached as an appendix, including the proposed fees. No objections were received during the consultation, which ran from 25 August 2015 to 21 September 2015, and therefore the approved fees came into effect on 1 October 2015.

RESOLVED that report and decision of the Licensing Consultative Body be noted.

20. **TAXI AND PRIVATE HIRE LICENSING - SCHEDULE OF LICENSING SUB-COMMITTEE DETERMINATIONS AND APPEALS**

The Committee received a report which informed members of the Licensing Committee determinations during the period July 2015 and September 2015.

The Committee were advised that the appeal which was due to be heard on 2 September 2015 had been withdrawn as the applicant had made a new application which had been granted.

RESOLVED that the report be noted.

21. **HACKNEY CARRIAGE & PRIVATE HIRE LICENSING - OFFICER DELEGATIONS**

The Committee received a report informing members of the number of Officer Determinations in respect of private hire and hackney carriage matters during the period 11 June 2015 and 7 September 2015.

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RESOLVED that the report be noted.

22. LICENSING OF HOUSE TO HOUSE COLLECTIONS AND STREET COLLECTIONS

The Committee received a report showing the total number of house-to-house collection permits and street collection permits issued during the period 11 June 2015 and 7 September 2015.

RESOLVED that the report be noted.

23. ANY OTHER BUSINESS

Performance Indicators

The Chairman referred to a report that was submitted to the Overview and Scrutiny Committee on 5 October 2015 on Performance Report Quarter 1 which showed that the service target for dealing with licences issued/renewed had not been met. The Licensing Manager explained that this was due to staff shortages which had now been resolved. The Licensing Manager advised the Committee that whilst the service target was not met, all statutory deadlines had been achieved. The Licensing Manager further advised that the structure of the shared service had provided additional resilience during the transition of staff and therefore the impact of the short term loss of staff was less significant than it would have been prior to the implementation.

The meeting terminated at 6.25 pm