



# MINUTES

## LICENSING COMMITTEE

### FRIDAY, 1 SEPTEMBER 2006

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#### COMMITTEE MEMBERS PRESENT

Councillor Howard  
Councillor Mrs Jalili  
Councillor Mrs Percival  
Councillor Mrs Radley

Councillor Shorrock  
Councillor Turner (Vice-Chairman)  
Councillor Mrs Wheat (Chairman)

#### OFFICERS

Clerk to the Committee  
Environmental Health Practitioner  
(Licensing)  
Committee Support Officer

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#### 17. APOLOGIES

Apologies for absence were received from Councillors Mrs. Bosworth, Parkin, Wheat and Williams.

#### 18. DECLARATIONS OF INTEREST

No declarations of interest were made.

#### 19. MINUTES OF MEETING HELD ON 25TH AUGUST 2006

The minutes of the meeting held on 25<sup>th</sup> August 2006 were agreed as a correct record of the decisions taken.

#### 20. GAMBLING ACT 2005

*Decision:-*

*The Licensing Committee endorses the draft statement of principles as 'The Statement of Principles' for Cabinet approval subject to no adverse observations being received by the consultation closing date of 4<sup>th</sup> September 2006.*

The Committee had before them report number ENV359 by the Head of Environmental Health and Licensing on the draft Statement of Principles for the Gambling Act 2005. Responses to consultation were attached as appendix 1 to

the report and the most recently updated statement of principles was circulated prior to the meeting. The Committee were advised that the Section 151 officer had no comments on the report and that the Monitoring Officer understood that the draft Statement followed the LACORS model.

The draft Statement would be considered by the Cabinet on Monday 4<sup>th</sup> September 2006 and then by Council on Thursday 26<sup>th</sup> October 2006. Provision for the Gambling Act 2005 needed to be in place by January 2007. It would come into effect in February 2007 and "go live" in September 2007.

The Clerk to the Committee advised that any recommendation made by the Committee to Cabinet would need to be subject to no adverse observations before the closing date for consultation.

The Environmental Health Practitioner (Licensing) updated the Committee on the consultation that had been undertaken following the decision of the Licensing Committee on 2<sup>nd</sup> June 2006. The consultation period was due to close on Monday 4<sup>th</sup> September 2006. As part of the consultation 600 letters were sent to individuals and groups on whom the Act could impact; from these 13 responses had been received. Local newspapers also ran articles on the impact of the Gambling Act 2005. Consultation responses were attached to the agenda with officer analysis. It was also noted whether the response resulted in any changes to the draft Statement of Principles.

An addition had been made to section 4 on page 22 of the draft Statement, which stated: the Council recognised the work done by small lotteries and affirmed a commitment to continue to support these.

Members of the Committee put questions to the Environmental Health Practitioner for Licensing. There were concerns that only 13 responses had been received in response to consultation. To ensure that people were fully aware of the implications of the Gambling Act 2005, the District Council had prepared a newsletter, which was available on the Council's website along with other information on the Act; anyone liable to be legislatively affected should be aware of the Act.

The Committee discussed the enforcement of the Act, particularly with reference to Occasional Use Notices. The primary enforcement bodies would be the Gambling Commission and the police.

The Gambling Act 2005 would also have implications for individuals and groups who ran small lotteries. People who held a Small Lotteries Licence with the District Council would be contacted when the implications of the legislation became clear. It was anticipated that the main problem presented by small lotteries would be the production of quarterly returns, which would be compiled by the District Council for the Gambling Commission.

Predominantly, the Alcohol and Entertainment Licensing Committee would deal with applications for gambling Premises Licences. The Environmental Health Practitioner did not expect that the Committee would have to deal with a large

number of applications because of the limited number of premises that would need licensing.

Fees for applications under the Act had not been released but would be prescribed by central government. Applications under the Gambling Act would be cost neutral. The draft Statement had been prepared in consultation with other districts in Lincolnshire to ensure a uniform approach.

It was proposed, seconded and duly agreed that following the consultation exercise, the Committee endorse the draft statement of principles as 'The Statement of Principles' for Cabinet approval, subject to no adverse observations being received by the consultation closing date of 4<sup>th</sup> September 2006.

**21. CLOSE OF MEETING**

The meeting was closed at 10:25.