

Appendix 4

LC15/06 PROJECT INITIATION DOCUMENT UPDATE – GAMBLING ACT 2005 TO RECOMMEND TO COUNCIL ADOPTION OF THE STATEMENT OF LICENSING POLICY

The Committee received a report on implementing the Gambling Act 2005 and, as part of that, to confirm the Statement of Licensing Policy and to recommend adoption by Council.

The Chief Environmental Health Officer reported that the Council were on schedule to meet the timetable for adoption of the Statement of Licensing Policy by December. Members noted that 10 responses had been received following the consultation – three from trade organisations, three from Residents' Associations and four from individuals. There had been seven "No" votes for a casino within the District and therefore Council would be asked to endorse this as policy and include it in the Statement of Licensing Policy. It was noted that an additional response from Eastern Region Faith Council had been received urging the Council to consider a no casino policy.

Councillor Richard Laval, seconded by Councillor Joy Mann, moved an amendment to the recommendation, that due to the low response to the consultation the recommendation to Council be that that the Council do not adopt a no casino policy and that any application received be assessed on its individual merits.

Councillor Francis Durham was against the amendment and recommended that the Council be asked to adopt a no casino policy. He said that the consultation responses, which were unanimously in favour of a no casino policy, should be respected, even though the response was very low.

The Committee reviewed the draft statement of licensing policy and made the following amendments:

- i) Under Statement of Principles (Page 3 & 4, Section 2, Paragraph 3) to read "A consultation took place" and take out the sentence starting "The full list" and the remaining text in that section;

- ii) Under Interested Parties (Page 5, Section 5, Paragraph 6, Line 3) take out the word “likely”;
- iii) Under Interested Parties (Page 5, Section 5, Paragraph 7, Line 3) take out “www”;
- iv) Under Enforcement (Page 6, Section 7, Paragraph 7) keep the paragraph that reads “The authority recognises”.
- v) Part B under Premises Licences, General Principles (Page 7, Paragraph 3) paragraph references to be amended;
- vi) Under Betting Machines (Page 9, Paragraph 9) retain this paragraph in the policy;
- vii) Under Door supervisors (page 10, paragraph 3) retain the paragraph that reads “there is no evidence.....and proportionate.”
- viii) Under type of premises section 4 – Casinos (page 11) add “Those who responded to the consultation were in favour of a “no casino policy”;
- ix) Under Part C section 2 – license premises gaming machines permits (page 14) paragraphs in bold to be deleted;
- x) Under Part C, Section 4 – page 15 first paragraph to add “community centres”;

Members noted that if the Committee was minded to recommend to Council a no casino policy the Council would not be able to consider any applications received for casino licences.

Councillor Martin Trevett stated that the Committee should accept the response of the consultation even though it had been very low.

On being put to the Committee the amendment to RECOMMEND AGAINST a no casino resolution was TIED vote the voting being 3 For, 3 Against and 1 Abstention. The Chairman used his casting vote and voted against the proposal making the voting 3 For, 4 Against and 1 Abstention.

RECOMMENDED:

- (1) that a No Casinos policy be adopted and that this be included in the Statement of Licensing Policy for premises;
- (2) that the final Statement of Licensing Policy (copy attached) be adopted;
- (3) that the matter of fees in relation to the Gambling Act be delegated to the Licensing Committee to determine when they are made available from the DCMS; and
- (4) that subject to the awaited regulations, the matter of small lottery registration be delegated to the Licensing Committee.

RESOLVED:

- (1) that progress on the implementation of the Project Initiation Document be noted;

- (2) that members noted the comments in Appendix 1 following the consultation on the draft Statement of Licensing Policy and determined that the changes outlined in the minutes be incorporated into the final document;
- (3) that members noted the result of the consultation was in favour of a No-Casino policy for the district (Section 166) and that this be included in the Statement of Licensing Policy; and
- (4) that members noted that a training programme for the processing of applications under the Gambling Act is being developed and will be implemented within the timescale identified in the Project Initiation Document.

Followed by Council Meeting of 17/10/06:

CL42/06 RECOMMENDATIONS OF THE LICENSING COMMITTEE

Councillor Chris Brearley moved approval and adoption of the Regulatory Services Committee recommendations contained within Minute LC15/06 (Gambling Act 2005 – Statement of Licensing Policy –(No Casinos).

RESOLVED:-

that the recommendations of the Licensing Committee listed above be agreed.