

- 3 August 2006;
- 7 September 2006; and
- 14 September 2006

4. REPORT TO THE COMMITTEE ON THE CURRENT SITUATION WITH REGARD TO APPLICATIONS UNDER THE LICENSING ACT 2003

The Environmental Health Manager reported that the number of Personal License Applications granted under delegated authority had been 84, not 56 as shown on the agenda. None of these applications had been refused and consequently there had been no appeals to the Magistrates Court.

In respect of Premises License Applications or Variations, there had been 23 new applications received, 347 renewals and 23 Change of Designated Premises Supervisor applications received. Of these, 408 were granted under delegated authority, whilst four were considered by Sub-Committee and granted subject to conditions. As none of the applications were refused, there were no appeals to the Magistrate's Court. The Environmental Health Manager commented that the number of Change of Designated Premises Supervisors applications received had been higher than expected.

RESOLVED:

That the report to the Licensing Committee on the current situation in respect of applications under the Licensing Act 2003 be noted.

5. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES

The Committee felt that the current policy of holding Sub-Committee meetings in the Council Chamber whenever possible, rather than a Committee Room, should be confirmed. In addition, it was also felt that coffee should be produced for outside the public entrance to the Chamber if a large public presence was expected for an application under the Licensing Act 2003.

The Environmental Health Manager reported that a fraudulent Hackney Carriage Drivers License application had been made, whereby the applicant had not listed their convictions. However these had been revealed after a CRB and DVLA check on the applicant.

6. GAMBLING ACT 2005 CONSULTATION

The Environmental Health Manager reported that the Gambling Act 2005 was due to come into force in April 2007, and would regulate any Casinos, Bookmakers and gaming machines that paid out prize awards of £250 or greater. The Act required the Council to draft a Statement of Principles, which had been performed in conjunction with other District Councils in Essex. The draft Statement of Principles was due to be considered by the Cabinet on 13 November 2006 and the Council on 14 December 2006.

The Environmental Health Manager added that the consultation exercise had elicited three responses. The non-Conformist Churches had requested to be added to the list of consultees, which the Committee agreed. Loughton Town Council had suggested the removal of the sentence "This authority will not apply a rigid role to its decision making" in paragraph (3) of Section (5). However, the Committee felt that the flexibility to consider each case on its own merit should be retained and rejected this request.

The British Bookmakers Association had made the following suggestions to the Committee: -

- That door supervisors were not required at betting offices unless there was clear evidence that public order could not be maintained from the counter;
- That there was no evidence to regulate betting machines within betting offices; and
- That as some bookmakers had numerous betting offices within the District, there should be a single named point of contact for each operator.

The Committee felt that as each case should be considered on its merits, it would reserve the right for the Sub-Committee to determine whether door supervisors were required at a particular betting office, or whether betting machines should be regulated. The Committee agreed that operators with multiple offices within the District could provide the Council with a single, named point of contact, provided that the individual concerned had responsibility for the premises in question.

The Environmental Health Manager reminded the Committee that the Gambling Act 2005 did not extend to either the National Lottery or Premium Bonds.

RESOLVED:

That the draft Statement of Principals be endorsed, subject to the following amendment:

- (a) The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single, named point of contact, who should be a senior individual with responsibility for the premises in question and whom the authority will contact first should any compliance queries or issues arise.

7. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE

The Committee noted the Gambling Act 2005 training that had been scheduled for 29 November 2006. In order to broaden the knowledge of licensing procedures, it was suggested that the Sub-Committees should contain a mixture of experienced and less experienced members, and that informal discussions should be held after each meeting. The Democratic Services Officer reminded the Committee that one problem facing members was the infrequency of licensing meetings, as on average they would only undertake a meeting every four months.

8. DATE OF NEXT MEETING

The next meeting of the Licensing Committee had been scheduled for Thursday 19 April 2007 at 2.00p.m. in the Council Chamber.

CHAIRMAN