

Public Document Pack

BRECKLAND COUNCIL

At a Meeting of the

COMMITTEE OF THE LICENSING AUTHORITY

Held on Tuesday, 17 July 2018 at 10.12 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

Councillor M. Chapman-Allen (Chairman)	Mrs J. Hollis
Mr K. Martin (Vice-Chairman)	Mrs L.H. Monument
Councillor C. Bowes	Mr W. R. J. Richmond
Mr R. F. W. Brame	Mr F.J. Sharpe
Mr P. R. W. Darby	Mrs S.M. Matthews

In Attendance

Josie Hoven	- Licensing Officer
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer BDC)
Julie Britton	- Democratic Services Officer
Leanne Neave	- Democratic Services Officer

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Adjournment

The Committee of the Licensing Authority commenced at 10:10am following the adjournment of the Licensing Committee to discuss the Gambling Act Policy.

8/18 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 28 March 2018 were agreed as a correct record and signed by the Chairman.

9/18 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Keith Gilbert and Kate Millbank.

10/18 URGENT BUSINESS (AGENDA ITEM 3)

None.

11/18 DECLARATION OF INTEREST (AGENDA ITEM 4)

None.

12/18 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

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13/18 GAMBLING ACT POLICY (AGENDA ITEM 6)

The Legal Services Manager presented the report in the absence of the Licensing & Business Support Manager who had sent her apologies due to illness.

The purpose of this meeting was to consider the amendments to the Council's Gambling Policy (Statement of Principles) prior to it being issued for consultation.

The Council's current Statement took effect in January 2016 and therefore the required review process must be completed by the end of 2018 to enable publication in January 2019. The timetable for the Committee process had been highlighted at section 1.6 of the report.

The proposed changes were also highlighted at section 1.7 of the report. One of the changes at Part B Section 16 of the Policy (attached at Appendix A) explained the new recommendation from the Gambling Commission for Licensing Authorities to produce a Local Area Profile (see section N on page 9 of the agenda pack). Councillor Darby asked if this included the number of betting shops in the area. Members were informed that these premises were not limited.

The Gambling Act required the Policy to be reviewed every three years which included the preparation of the Policy, the consultation and the publication. The Gambling Act 2005 placed the responsibility for the licensing of gambling premises and the issuing of gambling permits with Local Authorities, with the associated responsibility for ensuring that the conditions on these licences were upheld. Amongst other matters the 2005 Act dealt with the licensing of:

- Casinos
- Betting Shops
- Bingo Halls
- Amusement Arcades
- Gaming Machines; and
- Society Lotteries

The Chairman referred to section L on page 9 of the agenda pack and presumed that it meant that if a person did not have any money, no personal credit could be given. Councillor Darby asked how betting shops notified each other of problematic customers now that the new General Data Protection Regulations (GDPR) had come into effect. The Licensing Officer took this to be self-exclusion; gamblers were considered to be 'brand' loyal and although there were provisions for such behaviour, it would be down to the individual shops and their privacy notices as to what steps should be taken if anyone caused trouble.

Section K referred to test purchasing and it was explained that Breckland Council did not carry out this testing itself. Most betting

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shop companies were supported by another company to carry out this exercise to verify the robustness of gambling businesses controls on underage gambling. The Chairman asked if gambling machines had limited amounts that could be won. The Licensing Officer explained that this was currently being considered by a Parliamentary Select Committee and a decision was awaited.

The Chairman wanted to know if Breckland Council had ever received an application for a casino. Members were informed that Breckland was in an area that could not have one as only set areas were allowed to accommodate a casino.

Following discussion, the Legal Services Manager asked if Members were happy for the revised Gambling Act Policy to go out to consultation. If however, Members had further comments to add after this meeting, their comments could be considered prior to the Policy being adopted at the Full Council meeting.

Councillor Hollis asked if this Policy applied to cafes with gaming machines. The Licensing Officer explained that cafes were not supposed to have such machines if the premises did not sell alcohol and for that they would need a permit. If the premises had more than two machines they would also have to be licensed. Question/knowledge machines could be installed in such premises as no monetary winnings were involved. There were cafés that had separate rooms for gaming machines called Adult Gaming Centres of which a premises licence would be required as well as a licence from the Gambling Commission. There were also unlicensed (with permit) Family Entertainment Centres, for example at coastal resorts.

The options contained in the report were highlighted, and it was:

RESOLVED that the Council's Gambling Policy (Statement of Principles) as shown at Appendix A of the report be approved for consultation; subject to the wording 'premise' and 'premises' contained within the Policy document being reviewed.

14/18 FEEDBACK AND DISCUSSION ON RECENT PANEL MEETINGS (AGENDA ITEM 7)

There had been a number of Licensing Hearing Panel meetings recently and another that was in the pipeline and the Chairman asked if everyone had received appropriate training. Those that had not were encouraged to attend as a substitute, for the reason that although not able to take part, it would provide some experience.

Members were encouraged to be more robust and consistent at any future Hearing Panel meetings and if Members of those Panel meetings had any doubts or concerns to raise them with the Licensing Officers or the Legal Services Manager beforehand.

The guidance mentioned in the meeting would be emailed to all

Members accordingly.

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15/18 NEXT MEETING (AGENDA ITEM 8)

The arrangements for the next meeting on Wednesday, 21 November 2018 immediately following the Licensing Committee meeting being held at 10.00am in the Norfolk Room were noted.

The meeting closed at 11.10 am

CHAIRMAN