



Licensing Committee

Minutes of a meeting of the **Licensing Committee** held in the **Warren Room, Lewes House, 32 High Street, Lewes** on **Tuesday, 15 January 2013** at 9.00am

Present:

Councillor P A Howson (Chair)

Councillors C Butler, S Gauntlett, J M Harrison-Hicks, C R O’Keeffe and J Stockdale

Officers Present:

Ms A Blanshard, Committee Officer

Mr G Clark, Licensing Officer

Ms J Fletcher, Solicitor

Mr R Harris, Senior Legal Assistant

Mr I Kedge, Head of Environmental Health

Ms S Lindsey, Assistant Licensing Officer

	Minutes	Action
9	Minutes The Minutes of the meeting held on 28 August 2012 were approved as a correct record and signed by the Chair.	
10	Apologies for Absence/Declaration of Substitute Members Apologies for absence had been received from Councillor G Amy and Councillor R Robertson.	
11	Updating of Lewes District Council’s Gambling Statement of Principles The Committee considered Report No 11/13 regarding amendments to the Gambling Statement of Principles that had been revised following the statutory three year period. The Licensing Officer outlined the contents of the report to the Committee, and explained that The Gambling Act 2005 required Licensing Authorities, including the Council, to prepare and publish, for a three year period, a Statement of Principles for their area which they proposed to apply when exercising their functions under the Act. The current Gambling Statement	

of Principles came into effect on the 1 March 2010. There had been no substantial change in the current legislation and the revised Statement of Principles, contained in Appendix 1 to the report, included only minor and textual amendments.

The Licensing Officer explained that the draft Statement of Principles had been subject to a three month period of statutory consultation as required by legislation. The Council had consulted with all other responsible authorities, the gambling trade, local stakeholders and other interested groups as well as providing an online consultation facility for the public and businesses. The consultation had resulted in one written response which was attached to the report at Appendix 2.

The Licensing Officer then took the Committee through the draft Statement of Principles, drawing attention to each of the proposed changes, highlighted in bold italics in Appendix 1, and responded to questions and suggested textual changes.

The Committee queried why some groups were not included in the list of consultees. The Head of Environmental Health explained that when going through a consultation, target consultees tended to be industry specific. However, on this occasion there had been a public consultation via the website which had allowed parties that were not directly related to the gambling industry to have their say. The Head of Environmental Health agreed that for future consultations, Town and Parish Councils within the District would be included as consultees.

HoEH

The Head of Environmental Health also agreed that a short briefing note or information sheet relating to the Gambling Act would be created and circulated to Town and Parish Councils, for both Clerks and Councillors.

HoEH

The Committee asked whether copies of the enforcement guidelines, compliance protocols and written agreements referred to in section 7, Appendix 1, were available. The Head of Environmental Health explained that the Council as a regulatory authority had an overarching corporate enforcement policy, and that underneath that, each department had their own, all of which were available to view on the Council's website, and that he would show them to any member of the Committee if required.

HoEH

The Committee asked for clarification on section 4, Appendix 1, regarding casinos. As the Statement of Principles stated that the Council had not passed a 'no casino' resolution, the Committee enquired as to what process would be required should the Council wish to pass such a resolution. The Head of Environmental Health provided some detail regarding casino licences and the very tight restrictions around them. He explained that under the current law there was no way for the Council to issue a licence for a casino in the District. However, the casino industry was pushing for changes to Government legislation to lift these restrictions.

The Senior Legal Assistant explained that although changes could not be made to the Statement of Principles without the statutory three month

consultation, there was no requirement to only make amendments every three years. Amendments could be made at anytime, particularly if any laws relating to the Gambling Act were to change. Officers confirmed that this process could be started by raising a Notice of Motion at a Council meeting.

Recommended

- 11.1 That the text...“We have prepared a Statement of Principles which is that...” be deleted from the start of paragraph 2, Section 3, Part C, on page 27 of Report No 11/13; and.
- 11.2 That the text... “(defined as any bridge, road, lane, footway, subway, square, court, alley, or passage whether a thoroughfare or not)” be added after...”Access must be from a street” in the first bullet point in the paragraph titled “Betting Shops”, Section 1, Part B of Appendix 1 on page 16 of the Report No 11/13; and
- 11.3 That the Statement of Principles made under S349 of the Gambling Act as set out in Appendix 1 of Report No 11/13 be recommended to Council for adoption.

12 Date of Next Meeting

Resolved:

- 12.1 That it be noted that the next meeting of the Committee would be called as necessary.

DPES/CO
(to note)

The meeting ended at 9.50am

P A Howson
Chair