

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Licensing Committee held on
Monday, 26 June 2006

PRESENT: RE Barrett
EW Bullman
Mrs A Elsby
Mrs SA Hatton
RB Martlew
DC McCraith
A Riley

Mrs PM Bear
Mrs SM Ellington
R Hall
Mrs HF Kember
RM Matthews
Mrs CAED Murfitt
Mrs DSK Spink MBE

Also in attendance was Councillor RMA Manning, Environmental Health Portfolio Holder.

1. ELECTION OF CHAIRMAN

On the proposal of Councillor Mrs CAED Murfitt, seconded by Councillor Mrs HF Kember, and there being no other nominations, it was unanimously

AGREED that Councillor RE Barrett be elected Chairman of the Committee for the coming year.

2. APPOINTMENT OF VICE-CHAIRMAN

On the proposal of Councillor Mrs A Elsby, seconded by Councillor Mrs HF Kember, and there being no other nominations, it was unanimously

AGREED that Councillor R Hall be elected Vice-Chairman of the Committee for the coming year.

3. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs HM Smith.

4. DECLARATIONS OF INTEREST

None.

5. MINUTES OF LAST MEETING

The Minutes of the meeting held on 23 February 2006 were agreed as a correct record.

Councillor Mrs CAED Murfitt referred to advice given at the meeting held on the 23 February regarding resources in respect of hearings relating to the 2003 Licensing Act. It was confirmed that resources would be allocated from the Revenue Support Grant; notification of the actual amount to be allocated was awaited.

6. GAMBLING ACT POLICY - DRAFT

Members considered the draft Gambling Act 2005 policy and the following queries were raised:

- The definition of the different gambling machines
- Would village halls require a licence to hold bingo sessions
- Would community rooms in Sheltered Housing accommodation be affected if holding bingo sessions
- Negative elements in the policy, eg does not indicate that the Council will help or support an applicant
- Nothing in the policy to say the Council will help applicants
- Would each operator of point-to-point races require a licence
- Re Travelling Fairs, do category D machines only apply in this instance
- Why is there no regard to the licensing objectives when deciding on an application
- Guests at gaming clubs are not presently allowed to play the machines, will this change
- Is there an appeal process if a licence is refused

The responses given were as follows:

- The prize money available is banded with prizes ranging from £10 to an unlimited amount
- Not unless the prize money exceeded £2,000
- No and raffles are subject to different legislation
- The policy was based on a draft issued by LACORS
- Applicants have to first apply to apply to the Gambling Commission to say how they will promote certain areas before applying to the Council; the Council will assume that criteria has been met
- An occasional use per event which covers 96 hours would be required
- The remainder of categories are for temporary use. That paragraph may alter when the regulations come in. An annex will be attached to the policy when it is known what the regulations are
- Is included in the Act
- Not yet known. **MB to ascertain**
- Yes, to the Magistrates Court

Other points raised were noted as follows:

- The Licensing Officer was awaiting a comprehensive list of Faith Groups for consultation purposes
- Members felt there should be representation by the Police at hearings; their attendance would be requested
- Concern was expressed that the Children's Services would be unable to cope with consultation requests. Once a designated person from Children's Services had been appointed, he/she would be invited to attend the Council's training session
- Major bookmakers were preparing their own in-house rules regarding the Act; there was concern that there may be variations across the country
- Account should be taken at hearings concerning how near the gambling premises were to schools
- Endeavours would be made by the officers to reach an agreement with applicants to try to avoid a hearing

In answer to a query whether there would be a large number of applications received as a result of the Act, Members were informed that the main area for applications would be for temporary use notices, eg race nights at village halls. An estimated 50 applications might be received by this authority, compared with the 460 applications received under the 2003 Act.

Having considered the draft policy, the following amendments were made:

- Delete *will especially* at 15.1 on page 16
- Substitute the word *gambling* for *gaming* at 3.4, 4th bullet point on page 21
- Where *South Cambridgeshire District Council* is stated throughout the Policy, substitute for *This Licensing Authority*

Councillor Mrs CAED Murfitt had proof-read the draft policy prior to the meeting and once all typos had been corrected and the above amendments incorporated, it was **AGREED** that the policy be sent to all members of the Licensing Committee.

Subject to the above amendments, Licensing Committee

RECOMMEND to the Environmental Health Portfolio Holder that the draft Gambling Act Licensing Policy document be approved for consultation purposes.

7. **SUB-COMMITTEE STRUCTURE FOR DETERMINING LICENSING HEARINGS UNDER THE LICENSING ACT 2003**

The Licensing Committee **AGREED** to appoint the following Members to Chair hearings under the Licensing Act 2003:

Councillors Mrs A Elsby
R Hall
Mrs SA Hatton
Mrs HF Kember
Mrs CAED Murfitt
A Riley

Four substitutes were also appointed, these were:

Councillors EW Bullman
RB Martlew
RM Matthews
Mrs DSK Spink

It was noted that in-house training would be arranged for the appointed Chairmen.

8. **ADVICE ON MEMBER TRAINING**

Licensing Act 2003

Training in respect of hearings under the Licensing Act 2003 was required for those members new to the Licensing Committee. Councillors Mrs PM Bear, RB Martlew and Mrs DSK Spink were able to attend a training course due to be held on 28 July in Bury St Edmunds; the Licensing Committee **AGREED** that those Councillors should attend.

Gambling Act 2005

It was noted that the Licensing Officer would arrange training for all members of the Licensing Committee during the latter part of the year.

9. DECISION BY THE ENVIRONMENTAL HEALTH PORTFOLIO HOLDER

Following a recommendation from the Licensing Committee, the Environmental Health Portfolio Holder

APPROVED the draft Gambling Act Licensing Policy for consultation purposes.

The Meeting ended at 11.20 a.m.
