

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Licensing Committee and Environmental Services Portfolio Holder meeting held on Monday, 13 July 2009

PRESENT: Councillor RE Barrett – Chairman
Councillor R Hall – Vice-Chairman

Councillors: Mrs VM Barrett Mrs PM Bear
Mrs JM Guest Mrs SA Hatton
RB Martlew RM Matthews
DC McCraith Mrs CAED Murfitt
CR Nightingale JF Williams

Officers: Myles Bebbington Licensing Officer
Maggie Jennings Democratic Services Officer
Fiona McMillan Senior Lawyer and Deputy Monitoring Officer

Councillors Mrs SM Ellington (Environmental Services Portfolio Holder), Mrs DP Roberts (Scrutiny & Overview Monitor) and Mrs HM Smith (Opposition Spokesman and substitute for Councillor Mrs EM Heazell) were in attendance, by invitation .

Apologies for absence were received from Councillors Mrs EM Heazell, MB Loynes and A Riley and Dale Robinson, Corporate Manager, Health & Environmental Services.

5. DECLARATIONS OF INTEREST

None

6. MINUTES OF PREVIOUS MEETING

The Chairman was authorised to sign the minutes of the meetings held on 31 March and 21 May 2009.

7. DUXFORD - STREET TRADING CONSENT - RESOLUTION

At its meeting on 31 March 2009 the Committee agreed to the request by Duxford Parish Council that all the streets in the Parish be designated as Consent Streets. A Notice of Intention was subsequently advertised in the local press with a deadline of 26 June for any representations to be made to the Council. As no objections were received, the Licensing Committee

RESOLVED to designate all streets in the village of Duxford as Consent Streets under the terms of the Local Government (Miscellaneous Provisions) Act 1982.

8. BARRINGTON - REQUEST FOR DESIGNATION OF CONSENT STREETS

Prior to consideration of this item, the Committee were informed by the Democratic Services Officer that Councillor SGM Kindersley, in his capacity as County Councillor for Barrington, supported the recommendation.

The Licensing Officer informed the Committee that two vans had been trading indiscriminately and although they were trading within the specified trading hours, the Parish Council had received complaints from residents about where the vans had been parking.

The Licensing Committee,

AGREED to the request from Barrington Parish Council for all streets in the village to be designated as Consent Streets and proceed to the next stage of the process namely, to place a Notice of Intention in the local press.

9. GAMBLING ACT 2005 - REVISION OF POLICY

Prior to consideration of this item, the Democratic Services Officer informed the Committee that as a result of changes to the Leader's Scheme of Delegation he was, following the consultation process in respect of the Gambling Policy, authorised to consider responses and suggested amendments at his meeting on 12 November and make a recommendation to Council on 26 November 2009 (paragraph 13 of the covering report refers)

Cllr Mrs CAED Murfitt sought clarification from the Licensing Officer on the wording of the last sentence in paragraph 11 of the covering report. In response, the Licensing Officer confirmed that it should read: This includes publishing a notice *in a local newspaper and on the Council's website* of its intention to *adopt a policy*.

The Licensing Officer informed the Committee that contrary to the usual practice of providing a revised previously adopted document showing track changes in the agenda papers, and due to the many government changes regarding the Gambling Policy, he had with the help of the Assistant Licensing Officer, re-written the Policy in its entirety. Members' attention was drawn to the main revisions from the previously agreed Policy, detailed in paragraph 16 of the covering report.

As a result of the ensuing discussion, the following questions were raised in respect of the draft policy with answers in bold type:

- How many gambling premises did SCDC have? **No casinos or bingo halls; 5 bookmakers, 2 occasional use for horse races, ie point-to-point in Horseheath and Cottenham**
- How would access to the premises be affected if someone else owned it? **An adult gambling centre can only have 4 machines that pay out up to £100. Some premises wanted more and split the premises down the middle by, eg, partitioning with plasterboard between the room. The policy now requires a street or public passageway between gambling establishments**
- How would it affect community halls that have bingo games? **They wouldn't be affected if the turnover was less than £2000 over a 7-day period**
- What was the relevance of premises having a separate registration for business rates and whether the premises were owned by the same person? **To counteract sub-dividing the premises**
- How were private clubs accommodated within this policy? **Gambling clubs require a Gambling licence and would have to apply to the District Council for a premises licence**
- A request was made that 'non-believer' groups be added to the consultation list, eg Humanists **Agreed**
- Did the legislation cover on-line gambling? **Any UK based on-line company would be covered but not those with bases outside the UK, however, this was being considered for the next draft of government legislation**
- Contrary to reference in the policy that there was no schedule on risk-based inspections in relation to gambling premises, the Licensing Officer informed the

Committee that the Local Better Regulation Office was working towards a risk-based inspection toolkit for use by all local authorities to enable consistency throughout the country and was due to be piloted later this year, becoming effective in 2010

- Concern was expressed that a gambling licence might be issued without the premises being checked for fire safety. **The `responsible authorities' would be notified of applications**
- It was requested that examples be given of `tracks' in the Policy. **Agreed**
- Was there an appeal process regarding the conditions that might be attached to a licence? **Yes, to a Magistrates Court**

No further issues were raised and the Licensing Committee,

RECOMMENDED to the Environmental Services Portfolio Holder that the revised Gambling Act Licensing Policy document, attached as an appendix to the covering report be approved for formal consultation.

The Licensing Committee expressed a vote of thanks to Tara King, Assistant Licensing Officer for her help in compiling the policy document.

10. **GAMBLING POLICY RECOMMENDATION**

The Environmental Services Portfolio Holder **APPROVED** the revised Gambling Act Licensing Policy document for formal consultation

The Meeting ended at 10.53 a.m.
