

## **Licensing Committee**

**Monday, 21 September 2009**

**7.00 pm**

### **Present:**

Councillor William Dyke (Chairman)

Councillors:     Ronald Bowman  
                    Colin Caller  
                    Harold Craske  
                    John Cubitt  
                    Leslie Hills  
                    Susan Howes  
                    Alex Moore  
                    Derek Sales  
                    Richard Smith  
                    Bryan Sweetland  
                    Andrea Webb

Sarah Kilkie, Assistant Director (Communities)  
C Hills, Licensing Officer  
S Hill, Committee & Elections Manager

### **1. Apologies for absence**

Apologies for absence were received from Councillors Greta Goatley and John Loughlin. Councillor Sue Howes attended as Cllr Loughlin's substitute.

### **2. Minutes of the previous meeting**

The minutes of the meeting held on 29 November 2007 were signed by the Chairman.

### **3. Declarations of Interest**

Councillor Alex Moore stated that he worked for the Rank Group a company whose clients included gambling premises.

### **4. Review of Statement of Licensing Policy under the Gambling Act 2005**

Members were apprised of the proposed methodology to be followed in reviewing Gravesham's Statement of Licensing Policy under the Gambling Act 2005.

Section 349 of the Gambling Act 2005 required the Council to prepare and publish a statement of its Licensing Policy every three years. The Council's current policy was due to expire on 2 January 2010 and it was proposed that the draft policy (as appended to the report) would be the subject of an extensive six week consultation period. The outcome of the consultation along with recommendations will be submitted to the November meeting of the Licensing Committee prior to it being considered at Council on 8 December 2009 and being published on 3 January 2010.

Close study of the revised guidance entitled 'Guidance issued under Section 25 of the Gambling Act 2000' issued by the Gambling Commission in May 2009, shows that there are 3 significant changes relating to:

- Requirements for the splitting of premises
- Introduction of Category B3A machine and an increase in the Number of machines at a bingo premises
- Increase in maximum stakes and prizes

Section 166 of the Gambling Act 2005 allows a licensing authority to resolve not to issue a casino premises licence within its boundaries. The Council had, in December 2006, approved a "no-casinos" resolution and it was proposed that it should do the same in December 2009.

Members acknowledged that gambling premises within Gravesham were very well regulated. They also noted that there will be a significant increase in applications in 2010 as many premises were due to apply for Transfer of Rights.

Minor amendments to the draft policy were agreed to be made prior to consultation.

#### **Resolved that**

1. The contents of the report and Draft Statement of Gambling Policy attached thereto be noted
2. Officer proceed with the review process as outlined.
3. A minimum of two meetings per annum of the Licensing Committee be programmed in the Committee Timetable.

#### **5. Minutes of the Licensing Panel**

The Committee received the minutes of the Licensing Panels held on the following dates:

1 November 2007, 13 November 2007  
8 July 2008, 18 December 2008 x 2  
15/16 January 2009, 3 April 2009, 14 April 2009, 3 August 2009,  
1 September 2009

As a result of the discussions that ensued it was clear that some members, particularly those who had not had the opportunity to serve on a Panel, felt ill-equipped and insufficiently trained to deal with Panel meetings. It was suggested that members might benefit from attending Panel meetings as observers and also that regular training sessions in both Licensing and Gambling Law/procedures should be provided for members at future meetings of the main Licensing Committee.

#### **Resolved that**

1. The minutes be noted
2. Licensing/Gambling Training be provided for members

## 6. Training Session

The Chairman was of the opinion that by reason of special circumstances, namely the need for members to receive training in respect of licensing/gambling matters and the fact that the Licensing Officer was prepared to offer a training session for members, that a short session take place immediately.

The Licensing Officer gave a presentation in respect of Reviews under the Licensing Act 2003.

- What a Review was for
- What happens before a Review
  - How are problems identified,
  - What actions are taken
  - What if nothing Works
- Grounds for bringing a Review
- The Review Application
- Role of the Licensing Officer
- The Hearing
- Evidence
- Defence of Due Diligence
- The Decision
  - Choices available to the Panel
- Other Reviews (Following a Closure Notice and Expedited Reviews)

The Chairman, Councillor W G Dyke, on behalf of all the members present thanked Ms Hills for the presentation and information she had provided them with.

### **Close of meeting**

The meeting ended at. 9pm