

Licensing Committee

Wednesday, 31 January 2007

7.30pm

Present:

Cllr Jean Christie (Chair)

Councillors: Ernest Brook
Raymonde Collins
William Dyke
Kenneth Jones
George Lambton
Peggy Mersh
Patrick McSweeney
Raymond Parker
Peter Rayner
Derek Robinson
Makhan Singh
Richard Smith
Ronald Stanford

Note: Councillors Richard Target was also in attendance

Shirley Whatmough	Head of Democratic Services
Sarah Kilkie	Head of Regulatory Services
Nick Channon	Democratic Services Officer
Christina Hills	Senior Licensing Officer

Also in attendance:

Mr David Bragg, Gambling Commission

20. Apologies

An apology for absence was received from the Vice-Chair, Councillor John Loughlin and Councillor Lee Croxton had been appointed as his substitute.

21. Minutes

The minutes of the meeting held on 22 November 2006 were signed by the Chair.

22. Declarations of Interest

No declarations were made.

23. Presentation by David Bragg from the Gambling Commission

The Chair welcomed David Bragg from the Gambling Commission who had been invited to give a presentation to the Committee. Mr Bragg stated that he was an Inspector with the Gambling Commission and that his background was 30 years service with Kent Police and currently nine years with the Gaming Board.

Mr Bragg's area covered part of London and the Kent side of the M25.

Mr Bragg would be a Compliance Manager with the Gambling Commission from 1 September 2007 when the Gaming Act 2005 would come into effect.

Mr Bragg informed the Committee that he was currently a regulator under the Gaming Act 1968 and he had the right of entry, without a warrant, to inspect all casinos, bingo halls and premises with gaming machines within his area.

Mr Bragg stated that it was a common perception that Casinos were linked with the underworld and criminal activities and were used to launder money. This was not the case and stringent regulations ensured that criminality was kept out of casinos and all customers and casino staff were heavily monitored by CCTV surveillance and audio recording.

All staff employed in casinos needed to be certificated and undergo vigorous Criminal Record Bureau (CRB) checks. The Gambling Commission can revoke a licence at any time and will investigate any complaints made against a casino or a member of a casino's staff. Young persons will not be allowed entry to a casino unless they can prove their age by showing their passport. Also people are not permitted on to the gaming floor if they are under the influence of alcohol.

The Gambling Commission undertake a checking regime to ensure that persons are fit and proper to run a casino and they also have to be interviewed by the Gambling Commission. Mr Bragg stated that casinos and bingo halls were therefore very tightly regulated.

The new Gambling Act will tighten up on the regulations currently in force with the onus being the protection of the customer. Casino staff will be required to monitor how much customers spend to ensure that they do not run up large debts.

In respect of Remote Gambling (Internet Gambling) the Commission have the right to inspect head offices. However if the server running the gambling programme is located outside of the United Kingdom they are outside the Commission's jurisdiction.

Mr Bragg stated that under the new Act the borough council had more of an enforcement role, particularly in respect of the removal of gaming machines from hot food takeaway premises.

The Senior Licensing Officer stated that she was working closely with the Racial Equality Council regarding unlicensed gaming machines in hot food outlets.

Under the Gambling Act after 1 September 2007 proprietors of hot food premises can be given written warning that a machine will be removed and a prosecution will take place.

In conclusion Mr Bragg stated that the Gambling Act 2005 will be well received as it has been built upon the same foundation as the Licensing Act.

Mr Bragg answered questions from Members.

The Chair on behalf of the Committee thanked Mr Bragg for his attendance.

24. Delegation to Officers

The Committee was reminded that the Council had adopted a statement of licensing policy as required under the Gambling Act 2005 at its meeting on 12 December 2006.

The committee was requested to determine which of its functions it will delegate to officers.

Appendix 6 of the licensing policy lists which functions may, under the Gambling Act 2005, be delegated.

Resolved that the Licensing Committee delegates the following powers and duties of the council as licensing authority under the Gambling Act 2005 to the Head of Regulatory Services:-

- (1) to determine application for premises licences
Limitation: where no representations have been received or representations have been withdrawn;
- (2) to determine applications for a variation to a licence
Limitation: where no representations have been received or representations have been withdrawn;
- (3) to determine applications for transfer of a licence
Limitation: where no representations have been received or representations have been withdrawn;
- (4) to determine applications for provisional statements
Limitation: where no representations have been received or representations have been withdrawn;
- (5) to determine applications for club gaming/club machine permits
Limitation: where no objections have been made or objections have been withdrawn;
- (6) to determine applications for other permits
Limitation: 4 machines or less;
- (7) to cancel licensed premises gaming machine permits
Limitation: none;
- (8) to determine temporary use notices
Limitation: where a decision has been made to give a counter-notice to a temporary use notice.

Close of meeting

The meeting ended at 8.47 pm.