

Licensing Committee

Monday, 13 September 2021

7.30 pm

Present:

Cllr Steve Thompson (Chair)
Cllr Jenny Wallace (Vice-Chair)

Councillors: Derek Ashenden
 Helen Ashenden
 John Caller
 Brian Francis
 Baljit Hayre
 Leslie Hoskins
 Jordan Meade
 Tony Rana
 Denise Tiran
 Frank Wardle

Mark Lees Regulatory Services Manager
Emily Lane-Blackwell Senior Licensing Officer
Ben Clarke Committee Services Officer (minutes)

7. Apologies for absence

An apology for absence was received from Cllr Emma Elliott.

8. To sign the minutes of the previous meeting

The minutes of the meeting held on Monday, 14 September 2021 were signed by the Chair.

9. To declare any interests members may have in the items contained on this agenda. When declaring an interest a member must state what their interest is.

Cllr Baljit Hayre and Cllr Steve Thompson declared non-pecuniary interests as they were both Personal Licence Holders.

10. Condolences

The Chair registered the Committees condolences to the friends and family of Mr Meeka Nijjer, the President of Gravesham's LVA, who sadly passed away last year.

11. Review of Gambling Policy 2022-2025

The Committee was presented with a draft of the revised statement of licensing policy under the Gambling Act 2005 and the proposed consultation methodology.

The Senior Licensing Officer advised that section 349 of the Gambling Act 2005 required a Licensing Authority to prepare and publish a Statement of its Licensing Policy every three

years. The majority of the proposed changes made to the revised Gambling Policy were of a minor or administrative nature to reflect changes in the wording of the GLA or for the sake of greater clarity/accuracy.

A section was added to the policy in relation to Small Society Lottery Registrations, which clarified the process the Council would take should a registration be refused or cancelled. That could be found under Appendix 3 of the policy.

It was proposed that the revised policy would come into effect on 31 January 2022 and remain valid for a period of three years, until 30 January 2025, unless it became necessary to make further revisions beforehand following changes to legislation, statutory guidance or local circumstances, for example.

The Committee was informed of the previously agreed 'No Casino Resolution' at Full Council on 18 December 2018 and it was recommended that Members renewed the Council's no-casinos resolution for a further three-year period.

The Senior Licensing Officer advised that a 4-week consultation was proposed, commencing no later than 14 September 2021. Methods of consultation would be via the Council's website and notice board, and by direct email and mail shots.

Members were informed that the report would be brought back to Licensing Committee on 02 November 2021 for further consideration and then presented to Full Council for approval on 07 December 2021 and subsequent publication.

The Committee agreed to the Small Society Lottery guidance being included within the Gambling Policy for 2022-25.

Concern was raised by Members that not enough consideration had been given to the possibility of having a casino and there needed to be a discussion on the positives/negatives of a casino instead of just a formal resolution banning casinos from Gravesham.

In response to Members questions concerning the 'No Casino Resolution', the Senior Licensing Officer and the Regulatory Services Manager explained that:

- As Gravesham had a 'No Casino Resolution' in place for the last three years there had been no applications received for the operation of a casino in Gravesham
- The Gambling Act restricted the amount of casinos allowed in the UK; there could only be eight large and eight small casinos in operation at any one time and they had all been permitted across various towns/cities. As such, if the 'No Casino Resolution' wasn't in effect and an application was received it would still have to be refused due to the maximum limit of casinos having been met
- To allow a small casino to operate in Gravesham would mean that one of the current operators would have to give up their licence and then operators would be invited to apply in Gravesham. It was very unlikely that an operator would give up an existing licence as their casinos were set up and profitable
- The Senior Licensing Officer was not aware of illegal gambling establishments or underground casinos within Gravesham

Cllr Meade requested that the Senior Licensing Officer circulate information to the Committee informing Members of the neighbouring authority's stance on casinos. If there

was a legislative void, then Kent local authorities could apply pressure on the Government together to request amendments to the Gambling Act.

The Chair agreed and asked the Senior Licensing Officer to contact neighbouring local authorities for information regarding their stance on casinos and the resolutions they had in place.

In response to a Members comment asking to consider applications on their merits, the Chair reiterated that applications could not be accepted as the national limit for casinos had been reached; the Council would have to lobby the Government to change the Gambling Act if more casinos were desired.

Following a discussion, the Chair proposed that if Members wanted to have a debate on the prospect of Gravesham allowing casino applications to be submitted then the three political groups should meet outside of the meeting to discuss their views on the issue and then call in the minutes of this meeting to the next Full Council meeting where an in-depth debate could be had with all Members of the Council.

In response to Members questions concerning the remainder of the Policy, the Senior Licensing Officer and Regulatory Services Manager explained that:

- Gaming machines could only be in licensed premises that had a bar; they could not be placed in take aways or in restaurants without a bar. Bars could have two gaming machines in their premises but there were codes of practice that had mandatory conditions, enforced through the Gambling Commission that bars had to abide by. The safeguarding rules for children were covered through those mandatory conditions; an example being that all the gaming machines had to be visible from the bar so that no one under eighteen was able to gamble on them
- Bars could have class D machines in their premises such as the sort found in family amusements centres (coin pushers/arcade games) but bars did not want to cater to children which is why adult gambling machines were only in bars/pubs
- In gambling legislation, the Council was responsible for licensing the premises not the individual so the Council could not mandate that an individual had to do certain courses such as child safeguarding/exploitation to become licensable. In terms of Challenge 21/25, they were alcohol related schemes and did not apply to gambling premises; the equivalent of those schemes would be having requirements for premises to have information on what services/charities were readily available for gambling addicts
- The Kent and Medway Licensing Steering Group had a wide pool of attendees; all Kent Councils were represented as well as Medway Council, typically Licensing Managers and senior officers. Kent Police, Kent Fire & Rescue, public health officials (mainly Medway Public Health), SIA and Trading Standards were also represented
- Local authorities had no control over online gambling as it was entirely overseen by the Gambling Commission; as per a Members suggestion the Council could signpost website users to support groups/charities for gambling addiction and use the website as a method of raising awareness of the potential dangers to excessive gambling. The Committee could support the addition of those signposting documents but it was most likely a corporate decision

Cllr Meade referenced a piece of LGA guidance he had read recently that encouraged Councils to put in safeguarding stipulations in licences that covered gambling premises and put an emphasis on safeguarding protections such as staff being trained to spot signs of

child sexual exploitation. Cllr Meade felt that if other licensable premises were asked to have safeguarding conditions then gambling premises should also be included to further remove the risk of child sexual exploitation.

The Chair asked that Cllr Meade send the LGA guidance to the Senior Licensing Officer, and copy in the Chair, so that it could be reviewed for inclusion in the policy. If it was deemed inappropriate for the Policy, then a broader definition of safeguarding could be included in the policy.

Cllr Meade requested that Kent and Medway's Licensing Steering Group compliance protocol be included as an annex to the policy. The Chair agreed to the request.

Following a discussion regarding the insertion of a clause into the policy, it was agreed that a clause be inserted into the policy saying that the Council expected gambling operators to have services for gambling addiction advertised online/in their premises and in support of this the Council would use the website to signpost people to relevant gambling addiction services/charities. The Senior Licensing Officer would confirm the correct wording of the clause. The Chair advised that the issue could be spoken about in depth, as an agenda item, at a future Licensing Committee meeting.

The Chair requested that Gravesham LVA be included in the list of consultees for the Gambling Policy 2022-25.

Resolved that Members noted the policy consultation process as outlined and asked officers to proceed with the same.

Close of meeting

The meeting ended at 20:08pm.