

# Minutes

of a meeting of the

## Licensing Acts Committee

held on Tuesday 17 September 2013 at 6.00pm  
at the Council Chamber, The Abbey House, Abingdon



Open to the public, including the press

### Present:

Members: Councillors Marilyn Badcock (Chairman), Charlotte Dickson (Vice-Chair), John Amys, Bill Jones, Ron Mansfield, Elizabeth Miles, Val Shaw, Andrew Skinner and Alison Thomson

Non-participating members: Councillors

Officers: Robert Draper, Steve Culliford and Ian Price

Number of members of the public:

### LA.3 Notification of substitutes and apologies for absence

Councillors Eric Batts, Dudley Hoddinott, Gill Morgan, and Catherine Webber had sent their apologies for absence. Councillor Robert Sharp attended as Councillor Eric Batts' substitute.

### LA.4 Minutes

**RESOLVED:** to adopt as a correct record the minutes of the committee meeting held on 15 May 2013 and agree that the chairman signs them.

### LA.5 Declarations of interest

None

### LA.6 Urgent business and chairman's announcements

None

### LA.7 Statements, petitions and questions from the public relating to matters affecting the Licensing Acts Committee

None

## **LA.8 Gambling policy review**

The committee considered the head of legal and democratic services' report that reviewed the gambling policy. The council had to review its policy every three years. The officers had reviewed the policy in line with the latest guidance from the Gambling Commission and had consulted the public on a revised policy.

The council received nine responses to the consultation, most being in favour or having a neutral view of the draft policy. However, most respondents also supported the council retaining its 'no casinos' policy. The policy adopted in 2010 included a 'no casinos' clause due to the rural nature of the Vale with country market towns being inappropriate locations for a casino. The committee considered that the council should retain the 'no casinos' policy for the same reason; large towns or cities were more appropriate locations. Having taken this view, the committee agreed new wording for paragraph 4.9.3 in the policy, and agreed that the 'no casinos' element should be reviewed within three years to bring it into line with the next policy review.

The committee also supported the draft joint gambling policy but suggested an amendment to paragraph 4.10.5 to enforce the limits on the number of gaming machines in betting premises.

### **RESOLVED: to**

- (a) recommend Council to adopt a 'no casino' resolution under section 166 (1) of the Gambling Act 2005 and that paragraph 4.9.3 of the Joint Gambling Policy be amended to read:  
'Section 166 of the Act gives the council the power to pass a 'no casino' resolution, meaning that applications for a casino would not be considered. The council has adopted a 'no casino' resolution on the basis that this rural district with country market towns is an inappropriate place for a casino, that casinos are better located in large towns or cities, and the council should also protect the most vulnerable people from gambling in casinos. This resolution is required to be renewed within three years.'
- (b) recommend Cabinet to recommend Council to:
  - (i) adopt the proposed Joint Gambling Policy, subject to paragraph 4.10.5 being amended to read:  
'The councils may, in accordance with section 181 of the Act, enforce a limit on the number of betting machines...'
  - (ii) authorise the head of legal and democratic services to make minor editorial changes to the Joint Gambling Policy; and
  - (iii) authorise the head of legal and democratic services to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006.

## **LA.9 Chinese lanterns - motion referred from Council**

The committee considered the head of legal and democratic services' report.

At its meeting on 17 July 2013, Council considered a motion from Councillor Robert Sharp, seconded by Councillor Melinda Tilley that 'this Council requests the Licensing Acts

Vale of White Horse District Council – Licensing Acts Committee minutes

Committee to consider restricting the use of Chinese lanterns as a condition for licensed events in the Vale'. Council supported the motion but with the consent of the proposer and seconder, accepted a proposal to include a request that officers should also investigate prohibiting the use of Chinese lanterns on council-owned land.

The committee considered the officer's report setting out the background to this issue. The Chief Fire Officers' Association had called for an urgent national review on the use of floating paper lanterns. The association had video evidence that such a lantern had landed on a property in the West Midlands and caused serious fire damage. The association had called for councils to discourage the use of Chinese lanterns, also known as 'sky lanterns'.

The committee supported the motion approved by Council. The committee agreed to change its statement of licensing policy to provide guidance on the release of Chinese lanterns at outdoor licensed events. However, the committee noted that the council could not impose a blanket ban on the use of such lanterns but would have to consider applying the condition for new outdoor licensable events; the committee agreed a condition to use in such cases. The council could not impose restrictions on the lanterns' use where there were existing licences, but the officers would request event organisers to note the guidance and act responsibly when using Chinese lanterns. The committee supported this approach.

The committee also noted that the council's strategic property team was reviewing the terms and conditions for users or hirers of council-owned property and would be inserting a clause prohibiting the release of Chinese lanterns.

**RESOLVED:** to

- (a) request the head of legal and democratic services to incorporate changes to the Joint Statement of Licensing Policy to provide guidance on the release of sky (Chinese) lanterns at outdoor, licensed events; and
- (b) approve the addition of the following condition on sky lanterns to the licensing pool of conditions:  
'No sky lanterns shall be released from the licensed premises or associated land when licensable activities are being undertaken.'

**Exempt information under section 100A(4) of the Local Government Act 1972**

None

The meeting closed at 6.40 pm