

# Minutes

of a meeting of the

## Licensing Acts Committee

held on Wednesday, 25 November 2015 at 2.00 PM

at the Meeting ROOM 1, 135 EASTERN AVENUE, MILTON PARK, MILTON,  
ABINGDON, OX14 4SB



Open to the public, including the press

### Present:

Members: Councillors Mike Badcock (Chairman), Charlotte Dickson (Vice-Chairman), St John Dickson, Robert Hall, Jenny Hannaby, Dudley Hoddinott, Ben Mabbett, Chris McCarthy, Julia Reynolds and Robert Sharp

Officers: Robert Draper, Liz Hayden and Ron Schrieber

### LA.4 Notification of substitutes and apologies for absence

Apologies for absence were received from Councillors Margaret Crick and Reg Waite.

### LA.5 Minutes

**RESOLVED:** to adopt as a correct record the minutes of the committee meeting held on 20 May 2015 and agree that the chairman signs them.

### LA.6 Declarations of interest

None

### LA.7 Urgent business and chair's announcements

None

### LA.8 Statements, petitions and questions from the public relating to matters affecting the licensing acts committee.

None

### LA.9 Joint statement of licensing policy

The committee considered the head of legal and democratic services' report which set out a new joint statement of licensing policy. The current policy came into effect on 7 January 2011 and was subject to statutory review every five years.

There had been substantial legislative change affecting the Licensing Act 2003 and the current policy was out of date in a number of key areas. The changes were statutory in nature and had already been enacted.

The new statement of licensing policy was far less structured than the previous format. This was to ensure that the policy remained relevant in the light of further proposed changes to the Licensing Act 2003 and its associated legislation and regulations.

There had only been one response to the public consultation. This was from the councils' Environmental Protection team who had no adverse comments on the proposed policy.

In addition to the statutory consultation the councils' sought a legal opinion on the revised policy from James Button and Co, a solicitor specialising in licensing matters. Mr Button undertook an analysis of the proposed policy and recommended a number of detailed changes to improve the document's clarity and integrity.

The committee proposed the following amendments to the joint statement:

- In the glossary of terms, delete the duplicated definitions of "Secretary of State's Guidance" and "SIA".
- For clarification, as well as listing the applications covered by the Licensing Act 2003 and relevant to the statement in the Introduction, repeat it in the foreword.

**RESOLVED:** to recommend to Council to:

(i) adopt the Joint Statement of Licensing Policy, subject to the changes set out above.

(ii) authorise the Head of Legal and Democratic Services to make any additional minor editorial changes to the Joint Statement of Licensing Policy.

(iii) authorise the Head of Legal and Democratic Services to publish the Joint Statement of Licensing Policy in accordance with the Licensing Act 2003.

## **LA.10 Joint gambling policy**

The committee considered the head of legal and democratic services' report which set out proposed amendments to the joint gambling policy. The policy was subject to statutory review every three years with the next review due by 31 January 2016.

There were only two significant changes to the gambling policy both of which would be legal requirements in 2016:

- a) **Local Area Profiles:** this placed a requirement on all local councils to publish information on their areas with regard to geography, population information and economic data. This information was there to allow operators of gambling businesses to complete risk assessments of their operations.
- b) **Operator Risk Assessments:** all operators of gambling businesses must complete a risk assessment of their activities and operations on the local area within which they are based.

There had only been one response to the public consultation. This was from the Association of British Bookmakers (ABB) via their solicitors, Gosschalks. The changes requested by the ABB were minor in nature but did provide some additional clarification without impacting upon the council's policy direction and aims.

The low level of consultation responses demonstrated that the policy could be recommended for adoption subject to the identified responses and minor wording changes set out in the report which had been incorporated into the policy.

**RESOLVED:** to recommend Cabinet to recommend Council to:

- (i) adopt the proposed Joint Gambling Policy.
- (ii) authorise the Head of Legal and Democratic Services to make minor editorial changes to the Joint Gambling Policy.
- (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.

The meeting closed at 2.20 pm