
REPORT OF THE LICENSING COMMITTEE – 20 NOVEMBER 2006

1 CONSULTATION ON DRAFT STATEMENT OF LICENSING PRINCIPLES FOR GAMBLING

- 1.1 This item of business was referred by the Licensing Committee on 20 November 2006 to Full Council with a recommendation that the Council resolves not to issue premises licences in respect of casinos and approves the Statement of Licensing Policy (Gambling Act 2005), subject to the amendments outlined in the appendix to the Minutes of that meeting (appendix 2). A copy of the officer's report is attached at appendix 1, together with a revised copy of the Statement of Licensing Policy (appendix 3), with all the amendments clearly highlighted.
- 1.2 The Committee noted that the final regulations for implementing the Gambling Act 2005 were still to be communicated by the Department for Culture, Media and Sport (DCMS). Appendices to the Council's draft policy setting out general information and guidance for applicants on the process of making applications, fees payable, guidance on making representations and on hearings and reviews would be finalised at such time as the Government regulations were published.
- 1.3 Clarification on issues relating to Members' role under the new legislation and Members' interests would also be finalised once the regulations were published.
- 1.4 It was emphasised that there were only 6 premises within the Rochford District that would require licences under the new legislation, including 5 betting offices and 1 amusement arcade. In addition, the Council would continue to be responsible for the licensing of small lotteries under the new legislation. Furthermore, there were currently 5 takeaway businesses/taxi offices within the Rochford District that held premises licences, the latest of which would expire in 2009, and would not subsequently be renewed.
- 1.5 Some minor amendments to the preface and introduction to the Council's draft Statement had been made to take account of the fact that some of the actions detailed in the earlier draft had now been completed. A similar, minor amendment had been made to the section on door supervisors in the light of recent legal clarification relating to circumstances where door supervisors at casinos and bingo premises were either exempt from the need to be licensed by the Security Industry Authority or not. All such minor amendments are clearly highlighted in appendix 3.
- 1.6 Members, during consideration of the issue of premises licences for casinos, concurred that the criteria for casinos were not relevant for the Rochford District and thus considered it inappropriate for the Council to issue premises licences in respect of casinos. Any decision taken by the Council in relation to

the issuing of premises licences for casinos would have to be reviewed every three years.

- 1.7 Particular reference was made to the fact that there could be no credit facilities at casinos or bingo halls. ATM machines could be made available, but the Licensing Authority could apply conditions on where such machines were located in such a way as to necessitate customers leaving the tables in order to go and obtain cash, thus providing a break in gambling activity.
- 1.8 In considering appendix C to the original officer's report, which summarised responses received to the public consultation, Members concurred with all officer suggestions within this document for no further action to be taken with respect to specific responses received. Members were also in accord with all officer recommendations within appendix C to develop particular appendices to the draft Statement.
- 1.9 Members considered the draft Statement (appendix A to the original officer's report) on a page by page basis and agreed amendments to the wording of some paragraphs. These are detailed in appendix 2.
- 1.10 Members were satisfied that no additional wording would be required for paragraph 4.15 of the draft Statement, as they were of the opinion that the issues were adequately dealt with under the Council's Scheme of Delegations to Officers. This would be further reiterated in the appendices to the final Statement.
- 1.11 It was emphasised that all gaming machines were being re-categorised according to the charges levied for people to play such machines. Category D machines, which cost 10p per go with a maximum win of £5 or a token, were not age restricted and under the new legislation it would be legal for under 18s to play them.
- 1.12 It is proposed that the Council **RESOLVES**
 - (1) That, after the Licensing Committee's consideration of appendix D to the officer's report, the Council resolves not to issue premises licences in respect of casinos.
 - (2) That the Statement of Licensing Policy (Gambling Act 2005) be approved, as set out in appendix 3.
 - (3) That the Head of Environmental Services be authorised to incorporate any inconsequential changes on an ongoing basis, under advice to Members of the Licensing Committee.

Sarah Fowler

Head of Administrative and Member Services

Background Papers:-

None

For further information please contact Sonia Worthington on:-

Tel:- 01702 318141

E-Mail:- sonia.worthington@rochford.gov.uk