

NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND APPEALS COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY
ON MONDAY, 5TH NOVEMBER, 2018 AT 6.30 PM**

MINUTES

Present: *Councillors Michael Muir (Chairman), Val Bryant, Jean Green,
Simon Harwood, Gerald Morris and Lisa Nash*

In Attendance: *Steve Cobb (Licensing Manager), James Ellis (Legal Advisor) and Hilary
Dineen (Acting Committee and Member Services Manager)*

1 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – 26 seconds

Apologies for absence were received from Councillors Gary Grindal, Paul Marment, Mike Rice.

2 MINUTES - 12 MARCH 2018

Audio Recording – Start of Item – 38 seconds

The Licensing Manager updated the Committee on the action taken regarding a previous resolution of the Committee.

RESOLVED: That the Minutes of the Meeting of the Committee held on 12 March 2018 be approved as a true record of the proceedings and be signed by the Chairman.

3 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

4 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – 6 minutes 23 seconds

- (1) The Chairman announced that Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but she asked them to not use flash and to disable any beeps or other sound notifications that emitted from their devices.
- (2) The Chairman announced that, in accordance with Council policy this meeting was being audio recorded;
- (3) The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question. Members declaring a Declarable Interest wishing to exercise a "Councillor Speaking Right" must declare this at the same time as the Interest.

5 PUBLIC PARTICIPATION

Audio Recording – Start of Item – 7 minutes 31 seconds

There were no presentations by members of the public.

6 GAMBLING ACT 2005: STATEMENT OF LICENSING PRINCIPLES 2019-2022

Audio Recording – Start of Item – 7 minutes 37 seconds

The Licensing Manager presented the report entitled Gambling Act 2005: Statement of Licensing Principles 2019-2022. The following appendices were attached to the report:

Appendix A - Proposed Statement of Licensing Principles;
Appendix B - Summary of Responses to Statement of Licensing Principles;
Appendix C - Response to Consultation.

The Licensing Manager expressed concern at the number of Members present to consider this extremely important Policy.

The Chairman agreed to consider the request from Members all future meetings start at 7.30pm.

The following Members contributed to the debate (in order of initial contribution):

Councillor Simon Harwood;
Councillor Gerald Morris;
Councillor Val Bryant;
Councillor Jean Green
Councillor Lisa Nash

Section 4 of the report detailed that no alternative options were considered

The following amendments to the Policy were proposed:

- That clarification be added to Paragraph C3.1 of the Policy regarding Casinos;
- That Local ward councillors should be able sit on a sub-committee determining an application in their ward, or neighbouring ward, if they believe their local knowledge would be beneficial to the decision making process provided their participation is in accordance with the Member's Code of Conduct.

It was proposed, seconded and

RESOLVED:

- (1) That the Licensing Officer be requested to add some clarification to C3.1 of the Policy regarding Casinos;
- (2) That the Licensing Officer add a paragraph at Section E1 that Local ward councillors should be able sit on a sub-committee determining an application in their ward, or neighbouring ward, if they believe their local knowledge would be beneficial to the decision making process provided their participation is in accordance with the Member's Code of Conduct.

RECOMMENDED TO COUNCIL: That the Gambling Act 2005: Statement of Licensing Principles 2019-2022 (as amended by the Licensing and Appeals Committee) be adopted.

REASONS FOR DECISION:

- (1) Licensing authorities are required to publish a policy every three years by virtue of section 349 of the Gambling Act 2005 ("the Act");
- (2) A new policy must be published by 3 January 2019 to comply with this statutory requirement;
- (3) The Policy builds on the effectiveness of the existing policy with minor amendments to reflect changes in legislation, statutory guidance, consultation responses and further clarification on the requirement for local area risk assessments.

7 INFORMATION NOTE: LICENSING ANNUAL REPORT

Audio Recording – Start of Item – 36 minutes 40 seconds

The Licensing Manager presented the Information Note entitled Licensing Annual Report.

The following Members contributed to the debate (in order of initial contribution):

Councillor Gerald Morris;
Councillor Simon Harwood;
Councillor Michael Muir;
Councillor Val Bryant;
Councillor Lisa Nash

It was proposed that the Licensing Officer be requested to write, on behalf of the Committee to the relevant Central Government Department to express concern that the Licensing fees able to be charged do not cover the costs to the Council for administration.

RESOLVED:

- (1) That the Information Note entitled Licensing Annual Report be noted;
- (2) That the Licensing Officer be requested to write, on behalf of the Committee to the relevant Central Government Department to express concern that the Licensing fees able to be charged do not cover the costs to the Council for administration.

REASON FOR DECISIONS: To consider the Information Note entitled Licensing Annual Report.

The meeting closed at 7.27 pm

Chairman