

# Minutes of the Licensing Committee

**23<sup>rd</sup> February, 2007 at 9.30 a.m.**  
**at the Sandwell Council House, Oldbury**

**Present:** Councillor Silvester (Chair);  
Councillors Dr Crumpton, Mrs Edis, Mrs Giles, Mrs A  
Hughes, Mrs James, McHard, Rouf, Sakhi, G Turton, and A  
Underhill.

**Apologies:** Councillors R L Horton, Mrs Macklin and Tagger.

1/07 **Minutes**

**Resolved** that, the minutes of the meetings held on 25<sup>th</sup> May and  
15<sup>th</sup> September, 2006 be confirmed as correct records.

2/07 **Gambling Act 2005 - Implementation and Delegation of Authority to  
Officers**

The Committee received an update on the report, the Gambling Act 2005  
– Delegation of Authority to Officers.

In accordance with the Gambling Act 2005 [the Act], the Council as the  
Licensing Authority would be responsible for issuing various licences,  
permits and notices relating to the use of premises for gambling activities  
within the Sandwell area.

Key implementation dates for the provision of the Act are 21<sup>st</sup> May, 2007  
when the Council as the Licensing Authority would need to be in a  
position to start processing applications and 1<sup>st</sup> September, 2007 when  
the transition periods ends, and the new licences come into effect.

The delegation of authority to officers are provided for by Section 154 of  
the Act however, it was necessary to amend the Licensing Committee's  
terms of reference in order for it to deal with all matters relating to the  
discharge of the functions of the Licensing Authority under the Act and  
any regulations made thereunder, together with any related function, with  
the exception of any function conferred on the Licensing Authority by  
Section 166 (Casino Resolution), Section 212 (Fees) and Section 349  
(Statement of Principles).

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It would also be necessary to amend the Council's scheme of delegation in order to allow officers to carry out their operational duties.

Fees and Charges in the past have been within the remit of the appropriate Cabinet Member, but in respect of the Gambling Act 2005 this was not deemed an executive function. Regulations on fees and charges were yet to be published and it was therefore proposed to include the responsibility of setting fees and charges within the terms and reference of this Licensing Committee.

Members were informed that the matter would be put before Council at its meeting to be held on 6<sup>th</sup> March, 2007 for determination.

**Resolved** that members note the report.

(The meeting ended at 9.50 a.m.)

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