

Minutes of the Licensing Committee

10th July, 2015 at 2.00pm
at the Sandwell Council House, Oldbury

Present: Councillor Allen (Chair);
Councillor Piper (Vice Chair)
Councillors Dr Crumpton, K Davies,
Lewis and Tranter.

Apologies: Councillors Goult, Hadley and Preece.

6/15 **Minutes**

Resolved that the minutes of the meeting held on 5th June 2015, be confirmed as a correct record.

7/15 **The Gambling Act 2005 – Review of Statement of Principles**

Section 349 of the Gambling Act 2005 required the Council, as Licensing Authority, to prepare and publish its own Statement of Principles as to how it intended to carry out its licensing functions under the Act.

The Council's current Statement of Principles was approved by full Council on 4th December, 2012 (Minute No. 123/12 refers).

The Act required the Council, in respect of each three year period, to determine its principles with respect to the exercise of its licensing functions and to publish a statement of those principles on the Council's website before the beginning of the period. The current three year period required the Authority to prepare and publish a policy statement by 3rd January 2016, with it coming into force on 31st January 2016.

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Before determining its principles, the Act specifically required the Licensing Authority to consult the following:-

- the chief officer of police;
- persons representing the interests of those carrying on gambling businesses within Sandwell;
- persons representing the interests of anyone likely to be affected by the exercise of the Council's functions under the Act.

The draft revised Statement of Licensing Policy (Gambling) contained the information that the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 had prescribed should be included within the policy document.

Consultation would be undertaken during July and August 2015 involving statutory bodies, trade organisations, representatives of licence holders and representatives of those likely to be affected, including all ward councillors and Members of Parliament.

Should there be any issues arising from the consultation, a further report would be submitted to Licensing Committee on 4th September, 2015.

The Statement of Principles would be submitted to full Council, at its meeting on 20th October 2015, for approval.

Under the provisions of Section 166 of the Gambling Act 2005, licensing authorities were able to pass a resolution stating that it would not be issuing any new casino premises licences. A resolution not to issue casino premises licences would only affect new casinos and would not affect the ability of existing casinos from continuing to operate as a casino. The Act also stated that any such resolution would lapse within three years, however, the authority would have the ability to pass a new resolution. In December 2012, the Council resolved that new casino premises licences would not be issued.

The Committee recommended that full Council renew the resolution not to issue casino premises licences to new casinos when consideration was given to the revised Statement of Principles.

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Resolved:-

- (1) that, in accordance with the Gambling Act 2005, and subject to any comments received as a result of the consultation process, Council be recommended to approve the revised Statement of Principles, with effect from 31st January 2016;
- (2) that, in connection with (1) above, the Council be recommended to renew the resolution not to issue casino premises licences to new casinos for a further three year period;
- (3) that the Director – Homes and Communities submits a further report in relation to any issues arising as a result of the consultation process;

(The meeting ended at 2.30pm)

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