

EAST HAMPSHIRE DISTRICT COUNCIL

At a meeting of the Licensing Committee held on 24 November 2017

Present

Councillor: R Ayer (Chairman)

Councillors: C Louisson (Vice-Chairman), K Carter, A Glass and A Waterhouse

6 Apologies for Absence

There were apologies for absence from Councillors D Ashcroft, D Brooks Jackson, L Evans, G Hill, M Johnson, B Moulard, A Muldoon, D Phillips, R Saunders and R Standish.

7 Chairman's Announcements

There were no Chairman's announcements.

8 Declarations of Interest

There were no declarations of interest.

9 Confirmation of Minutes

The minutes of the Licensing Committee held on 29 September 2017 and the Sub-Committee held on 1 September and reconvened to 27 October 2017 were agreed and signed as correct records.

10 Gambling Act 2005 - Review of Statement of Principles

Emma Grieve, Senior Environmental Health Officer (Licensing) introduced the report.

A draft version of the Council's Statement of Principles on the Gambling Act 2005 had been presented to the Licensing Committee on the 29th September 2017. At the Committee's request a change was made to Section 3.1 of the Policy to correct the reference to Whitehill and Bordon in both the text and the map. The draft policy then went out to consultation on 4th October until 31st October 2017. The sole response received during the consultation period was from Gosschalks Solicitors, who responded on behalf of the Association of British Bookmakers (ABB). Following their response, amendments were made to the draft revision of the statement. Full track changes of the alterations to the statement were shown in Appendix B of the agenda.

The purpose of the meeting was to present these amendments to the Committee for consideration and approval or alteration. Following the Licensing

Committee, the Statement of Principles would be presented to full Council for approval on 14th December 2017.

Other than corrections made to typographical errors, the changes made were to paragraphs 16.1, paragraph 17.1 and condition 20.1 to 20.8.

Paragraph 16.1 had been redrafted to remove reference to a policy where gambling premises should not be located.

Paragraph 17.1 had been redrafted to clarify that when determining applications, the Licensing Authority would not consider irrelevant matters such as the likelihood of the applicant obtaining planning permission or building regulations approval.

The consultee suggested that Section 20 Conditions on premises licences included reference to the fact that all Gambling Act 2005 licences were subject to mandatory and default conditions which were usually sufficient to ensure operation that was reasonably consistent with the licensing objectives. Such a statement hadn't been included under section 20 because reference to mandatory and default conditions which were set out in regulations and also the ability of Licensing Authorities to attach other conditions to a licence, were already included in section 10.1. It was also recommended that the statement of principles should indicate that it was only where there was evidence of a need to supplement the mandatory and default conditions that additional conditions would be considered. This had been taken into account with an amendment to paragraph 20.2 which now stated that there would be a number of measures the Licensing Authority would consider should there be a need rather than a perceived need. Related to this, Paragraph 10.1 had been amended to state that Licensing authorities were able to exclude default conditions and also attach other conditions. Reference to these conditions being applied where it was believed to be appropriate had been removed.

The Committee was surprised only one response had been received during consultation, however it was felt this was because this reflected the approval of the draft Statement of Principles on gambling. It was suggested it would be helpful for consultees who were happy with the draft document to advise that they had no response.

In reply to a query regarding comments made by Gosschalks Solicitors, it was confirmed that some aspects may have been a standard response, not unique to East Hampshire District Council and comments had also been made to Havant Borough Council who were going through the same process.

The Senior Environmental Health Officer for Licensing advised that she had no objections to the amendments made.

The Licensing Committee considered the revised draft Statement of Principles on the Gambling Act 2005 which had been updated following responses received subsequent to consultation.

RESOLVED that the Licensing Committee recommend the updated Statement of Principles on the Gambling Act 2005 to Council for approval.

The meeting commenced at 10.00 am and concluded at 10.09 am

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Chairman