



## LICENSING AND GAMBLING COMMITTEE

MINUTES OF THE MEETING HELD IN THE COUNCIL CHAMBER, PENALLTA HOUSE  
ON THURSDAY, 29TH NOVEMBER 2018 AT 10.00 A.M.

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PRESENT

Councillor D.W.R. Preece – Chair

Councillors:

J. Bevan, P.J. Bevan, W. David, M. Davies, K. Etheridge, Ms J. Gale, D.C. Harse,  
J. Ridgewell, J.E. Roberts, R. Whiting and W. Williams

Together with:

J. Morgan (Trading Standards, Licensing and Registrars Manager), L. Morgan (Licensing  
Manager), S. Mock (Solicitor), R. Barrett (Committee Services Officer)

### 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D. Cushing, Mrs D. Price and J. Simmonds (Vice-Chair).

### 2 DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

### 3 GAMBLING ACT 2005 - REVIEW OF STATEMENT OF LICENSING POLICY

The Licensing Manager presented the report, which informed Members of the result of consultation carried out to review the Statement of Licensing Policy and sought the views of Members on the proposed amendments to the Policy, prior to its presentation to Council for approval.

Members were advised that in accordance with the Gambling Act 2005, the Licensing Authority must prepare, consult upon and approve a Statement of Licensing Policy that must be published every three years. The current Policy was approved by Council and published in January 2016. The revised Policy must be published by 1st January 2019 in order to come into effect on 31st January 2019.

It was noted that the Policy has been reviewed and a consultation exercise undertaken with relevant bodies, individuals, residents and businesses throughout the borough between 25th

July and 31st August 2019. 4 responses were received and were summarised in Section 4.3 of the report. Officers also outlined the main amendments proposed for the Policy as set out in Section 4.4 of the report, which provide greater clarity on types of gambling premises and the types of conditions that could be imposed on a license, place an onus on applicants/licence holders to carry out DBS staff checks where necessary, provide increased guidance on small society lotteries, and provide advice to applicants/licence holders on conditions and codes of practice concerning local risk assessments.

The Committee were asked to note some minor typographical corrections required to policy references set out in the report (in that paragraph 4.4.2 of the report should refer to Sections 2.11 and 2.12 of the Policy, and paragraph 4.4.3 should refer to Section 2.9 of the Policy) and to the Policy itself (in that Section 2.7.2 should refer to point 2.16 and page 21, whilst Section 2.17 should refer to Annex 4 and not Appendix C).

During the course of the ensuing debate, it was queried whether the wording at Section 2.10 of the Policy (potential requirements for premises to have a door supervisor) should be amended to state “will require” instead of “may require” as a condition of licence for those premises that may attract disorder. Officers explained that there has been no need to impose a condition in this regard to date but that all premises are examined on their own merits and that this section of the Policy will be kept under review.

Discussion took place regarding the undertaking of risk assessments by gambling operators as set out in Section 6 of the Policy, and it was also queried if the document should set out minimum proximity distances between the premises and locations of groups vulnerable to problematic gambling. Officers confirmed that they undertake regular visits to gambling premises to ascertain that all requirements are being complied with, and explained that these inspections are often undertaken in conjunction with representatives from the Gambling Commission. Regarding proximity to other locations, it was explained that it is difficult to specify exact distances within the Policy but that this is an area that will be kept under review. It was also confirmed that the Council’s enforcement team undertakes risk assessed inspections to premises on a 12-24 month cycle and will conduct additional non-routine inspections if any concerns regarding a premises are raised.

A query was raised in regards to lone working and whether a condition could be placed on all gambling establishments to ensure there is more than one staff member present at all times. Officers explained that the majority of premises are owned by large national chains who recognise the importance of adhering to licence requirements but that if concerns are raised, then the Council could seek to apply a condition to a particular premises in this regard.

Discussion took place regarding the proximity of ATM machines to gambling premises in view of player protection controls and Officers explained that the Council is aware of the issue but unable to regulate this area. Members were advised that premises should have their own player protection controls in place and Officers also highlighted some of the agencies that can assist with problem gambling. In response to Members’ queries, clarification was given on the restrictions placed on children entering gambling premises and it was explained that test purchases are carried out by the Council’s enforcement team in this regard. A Member queried the Council’s position in the event of any liability challenge brought about as a result of problem gambling and it was explained that the Council is fully compliant with its responsibilities as set out in the Gambling Act 2005 and is meeting its obligations via the production of the Statement of Licensing Policy. In regards to enforcement obligations, it was explained that the Council offers advice and carries out regular inspections but it is the responsibility of the gambling premises to ensure they are adhering to legislative requirements and the Policy.

Having considered the report fully, it was moved and seconded that the following recommendation be approved. By a show of hands this was unanimously agreed.

RECOMMENDED to Council that subject to the inclusion of the aforementioned corrections, the revised Statement of Licensing Policy as appended to the report be approved.

The meeting closed at 10.27 a.m.