

MINUTES OF THE LICENSING COMMITTEE

15 NOVEMBER 2006 at 7.30 P.M.

Present

Councillor *R.W. Sider* (Chairman)

Councillor *Mrs P. Weston* (Vice-Chairman)

S. Bhadye

R.B. Colison-Crawford

A.P. Hirst

Mrs M. Hyams

J.D. Packman

J.M. Paton

J.D. Pinkerton

Mrs J.E. Ponton

Mrs D. Turner

Apologies: Councillors Mrs P.C. Amos, F. Ayers, F. Davies and Mrs I. Napper

Officers

Michael Graham – Head of Corporate Governance

Lee O'Neil – Head of Environmental Health and Building Control Services

Dawn Morrison – Licensing Manager

Trevor Baker – Senior Committee Manager

348/06 MINUTES

RESOLVED that the minutes of the meeting held on 20 September 2006 be approved as a correct record.

349/06 GAMBLING ACT 2005 – ADOPTION OF STATEMENT OF GAMBLING POLICY 2007 – 2010

The Head of Environmental Health and Building Control Services recalled that in accordance with the provisions of the Gambling Act 2005 the Council had approved a Draft Statement of Principals for 2007 – 2010, for consultation. There was a statutory duty to approve and publish the final Policy by 3 January 2007.

The Council had consulted the Chief Officer of Police, the fire authority, representatives of those carrying on gambling businesses and representatives of those likely to be affected by the exercise of the authority's functions, including residents' groups.

Sixteen responses to the consultation process had been received resulting in some amendments to the draft Policy Statement. Most of them related to improving the document from a plain English point of view.

Changes to this policy might be necessary in the near future in the light of new guidance issued by the Gambling Commission, and the passing of secondary legislation.

Risk implications could not be determined until detailed guidance had been issued by the Gambling Commission.

He advised Members that a consultation draft on fees had been published today. It had not been possible to evaluate this but indicated that 'excellent' authorities would have greater flexibility in setting such fees but these would have to be reasonable and justifiable. Members felt that any response to this consultation should reflect the fact that charges should be set at such levels so as to recover the Council's costs.

Members also expressed concern and discussed the staffing situation, which had been estimated at an additional 25% of a full-time equivalent post, and whether any costs incurred would be recoverable.

Consultees had also been invited to express their views on the Council passing a 'no casinos' resolution.

Of the ten respondents to this question, four had been from organisations and six from local residents.

Three out of the four organisations agreed that a no casino resolution should be passed and five out of six residents had also agreed.

However, such a low response was not considered to be representative of the views of residents in the borough as part of the process which could lead to a no casino resolution. It was suggested therefore that a further consultation exercise be undertaken to specifically gauge public opinion on this issue followed by a further report produced in June 2007 for members to make a decision on the issue.

Members expressed concern that there appeared to be no requirements for consultation in the event that a Casino was proposed adjoining the Council's boundary. They asked Officers to write to adjoining local authorities asking for an exchange of such information and consultation on such proposals within their area which affected the boundary of Spelthorne.

RESOLVED to recommend the Executive that this Committee supports: -

- (a) The adoption of the Statement of Gambling Policy as set out in Appendix A to the report of the Strategic Director (Community) for publication in January 2007;
- (b) The adoption of the proposed list of Delegations as set out in Appendix C of the Policy subject to any changes arising from this evening's discussions being reflected in this recommendation;
- (c) A further consultation exercise to specifically gauge public opinion as to whether the Council should pass a 'no casino' resolution, as set out in the Report of the Strategic Director (Community); and
- (d) That funding for the estimated additional 25% of a full-time equivalent post be found from within existing staffing structures.