

Minutes of the Meeting of the Licensing Committee held on 1 July 2020 at 7.00 pm

Present: Councillors Gary Collins (Chair), Qaisar Abbas (Vice-Chair), John Allen, Alex Anderson, Chris Baker, Tony Fish, Steve Liddiard, Ben Maney, Fraser Massey, Shane Ralph, Joycelyn Redsell, Sue Sammons and David Van Day

Apologies: Councillors Sue Shinnick

In attendance: Paul Adams, Principal Licensing Officer
Kenna-Victoria Healey, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting would be filmed and was being recorded, with the recording to be made available on the Council's website.

17. Minutes

The Minutes of the Licensing Committee meeting held on 05 February 2020 were approved as a true and correct record.

18. Items of Urgent Business

There were no items of urgent business.

19. Declaration of Interests

There were no declarations of interest.

20. Review of the Licensing Act 2003 - Statement of Licensing Policy

The Principal Licensing officer introduced the report explaining the Licensing Act 2003 required the Council as a Licensing Authority to produce a Statement of Licensing Policy. The legislation further required the Council to review, determine and publish its Policy with respect to the exercise of its licensing functions every five years.

He continued to inform the Committee that in compliance with the requirement to review the policy, a draft of the reviewed Statement of Licensing Policy had been prepared and was attached as Appendix 1. As part of the review interested parties would be consulted with including licence holders and their representatives, and the public.

Members heard how the Council as a Licensing Authority was obliged to have a statement of Local Licensing Policy in place. The reviewed policy included legislative changes in the following areas:

- The introduction of the Home Office as a Responsible Authority
- The introduction of the right to work checks
- The updating of the application procedures

The principal licensing officer explained that the amendments to the current policy will be out for public consultation for a minimum of 6 to 8 weeks. He further explained to members that should there be any comments on the policy changes, these will be reflected back to the committee before going on to full council for final approval.

It was queried by Members as to whether the wording in Appendix 4 to the policy would be amended after the completion of Brexit. The Principal Licensing Officer stated that wording could be looked at and maybe amended, perhaps on the online application as these were submitted through the Gov.uk website and not only through the Local Authority website.

Members further queries as to the time restraints in relation to enforcement action when taking into account the four licenses objectives. Officers explained that each case would be looked at on the individual merits and there were further processes linked to the enforcement policy which were also to be taken into account.

During discussions the committee touched on the licensing objective of public safety and enquired as to whether test purchases for underage sales were still being accomplished. It was confirmed that they were, which led to Members seeking the recent data and such events undertaken by the Councils Trading Standards Team.

The Chair of the Committee enquired as to whether it was possible to state the provision for effective CCTV in and around premises, should hold the equipment for facial recognition. The Principal Licensing Officer explained that the application for a premises licence should outline the CCTV requirements, therefore facial recognition CCTV was only required when necessary.

It was raised by Members that a 'pop up' street party was held over the weekend in the borough. Officers were asked how members of the public could report such parties or such events and what were the council's powers for dealing with such situations. Officers explained that although the council were aware of such events, it was the responsibility of the Police to close such situations down. He continued to explain that after the event, it was possible for a review to be undertaken by the Licensing Authority should there have been any licensing activity taken place, such as the sale of alcohol.

RESOLVED that the Licensing Committee:

- 1. Agree for the reviewed statement of Licensing Policy to go out to consultation.**
- 2. That after consultation, relevant responses are reported to the Licensing Committee for consideration.**
- 3. If no relevant responses are received during consultation then for a recommendation to be made to full council for the adoption of the policy.**

21. Review of the Gambling Act 2005 - Statement of Principles

The Principal Licensing Officer introduced the report and in doing so, advised the Committee that the Gambling Act 2005 required the Council as a Licensing Authority to produce a Statement of Principles. The legislation further required the Council to review, determine and publish its Statement of Principle with respect to the exercise of its licensing functions every five years.

He continued to advice in line with the requirement to review the policy, a draft Statement of Principles had been prepared and was attached to the report. As part of this review interested parties would be consulted with including licence holders and their representatives, and the public.

The reviewed policy included the legislative changes in the following areas:

- Changes to the incidental non-commercial lottery made by the Legislative
- Reform (Exempt Lotteries) Order 2016)
- Updates to Travelling fairs, unlicensed (permit) Family entertainment centres
- Changes to the FOBT's in betting shops.
- Inclusion of Area Profile.

The Principal Licensing Officer explained due to the change in betting stake from £100 maximum to £2 maximum for slot machines; which had been documented within the press, it was observed that gambling establishments such as betting shops had taken a hit. He further informed Members due to COVID-19 and the country being in lockdown a number betting shops within the borough had been forced to close.

The Chair of the Committee sought as to whether children being unsupervised in any gambling establishments was a concern for the council, and furthermore whether training on child sexual exploitation was given to owners of such shops. It was explained that all gambling establishments are in courage to undertake relevant training for their staff. He also advised the committee that any complaints relating to such concerns should be referred to the gambling commission.

Members asked for further clarity in relation to the consultation process; ensuring they reached the people within the borough who were of the need to know of such policy update. The Principal Licensing Officer explained the list of consultees included all responsible authorities under the Gambling Act, Members of the Council through the Licensing Committee, betting shops and other premises licences within the borough for sale or supply of alcohol. It was then queried as to whether schools would be involved in the consultation and therefore advising young people of the rules surrounding betting and gambling establishments. The Principal Licensing Officer explained that schools were not currently included, however they could be emailed or wrote to should Members wish this.

Members sought as to whether the council had any powers over the gambling adverts shown for example during football match games on television. It was explained as these were a national adverts, the responsibility lied with the Gambling Commission should there be any complaints.

RESOLVED:

- 1. Agree for the reviewed statement of principles to go out to consultation.**
- 2. That after consultation, relevant responses are reported to the Licensing Committee for consideration.**
- 3. If no relevant responses are received during consultation then for a recommendation to be made to full council for the adoption of the statement of principles.**

The meeting finished at 7.53 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**