



# Rutland County Council

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Minutes of a meeting of the **LICENSING ACT COMMITTEE**, held in the Council Chamber, Catmose, Oakham, at 7.00 p.m. on Tuesday 24<sup>th</sup> October 2006.

PRESENT: Mrs J Rodger (in the Chair)  
Capt V Dighé  
Mr L J Duckham  
Mr P J W Golden  
Mr P Ind  
Wg Cdr R.D.Toy

Officers present:	Mrs H Briggs	Chief Executive
	Mr S Callington	Democratic Services Officer
	Mrs S Plenderleith	Head of Environmental Services
	Mr G Pook	Head of Legal Services
	Mr R Meek	Senior Inspector, Gambling Commission

## Apologies

Mr J T Dale, Mr P W Jones, Mr M A Oxley, Mr C A Parsons.

## **532. MINUTES**

### **RESOLVED**

- i) That the minutes of the meeting of the Licensing Act Committee held on 24<sup>th</sup> October 2005 be confirmed.
- ii) That the minutes of the special meeting of the Licensing Act Committee held on 13<sup>th</sup> June 2006 be confirmed.

## **533. DECLARATIONS OF INTEREST**

There were no declarations of interest in respect of the items on the agenda for this meeting.

## **534. PETITIONS, DEPUTATIONS AND QUESTIONS**

No petitions, deputations or questions had been received.

## **535. QUESTIONS WITH NOTICE FROM MEMBERS**

No questions with notice from Members in accordance with the provisions of Procedure Rule No 219 had been received.

## **536. NOTICES OF MOTION FROM MEMBERS**

No Notices of Motion from Members in accordance with the provisions of Procedure Rule No 220 had been submitted.

### **537. GAMBLING ACT 2005**

Members received a presentation from Mr R Meek, Senior Inspector, Gambling Commission on the responsibilities faced by Local Authorities following the introduction of the Gambling Act 2005.

During his presentation, Mr Meek outlined the reasons for the new 2005 Gambling Act and emphasised that the Act provided a template for regulations, the substance of which were still under discussion.

Referring to the transfer of responsibility for premises licenses from magistrates to the local authority, Mr Meek stated that guidance, similar to that already provided for magistrates, will be published for local authorities. The provisions of the new Act will reflect national decision making regarding operators but the decisions regarding premises licenses will be taken at the local level.

Mr Meek emphasised the three objectives which the authority must take into account when carrying out its various licensing functions, namely to prevent gambling being associated with crime, chances should be fair and equal and the protection of children and the vulnerable. In furtherance of these objectives, the Gambling Commission was seeking a robust gambling strategy that will be rigorously enforced.

It was accepted that there will be the potential for overlap between the responsibilities of the local authority and the Gambling Commission regarding enforcement. On this question of 'who was doing what', consultation is currently taking place and answers will not be known until agreement has been reached between the various interest groups which will include the industry.

Mr Meek referred to the government's current moratorium on the issue of permits which currently provided for eight small casinos, eight large casinos and one resort casino. The decision on where these new casinos will be sited will be taken before Christmas and once opened, there will be a three-year period during which the impact of the new premises will be monitored.

As a result of the moratorium, it was most unlikely that Rutland will be chosen for the site for one of the new casinos.

In view of the fact that it was highly unlikely that the Council will be required to adjudicate on an application for a premises licence for a period of three to five years, Members queried the necessity to include a statement in the licensing policy. In response, Mr Meek pointed out that the Council could introduce its own moratorium through the planning process. In addition, permitted areas for new casinos will be lifted from September 2007 but the government's moratorium would remain.

### **538. GAMBLING ACT POLICY STATEMENT**

Report No.268/2006 from the Director of Community Services was received.

The report informed members of the outcome of the consultation exercise on the draft Statement of Gambling Policy in order that a recommendation could be made to Council on the final wording and approval of the policy.

Members gave consideration to the results of the consultation on the first draft policy, outlined in Appendix 2 to the policy.

Comments received from Bond Pearce LLP on behalf of The Association of British Bookmakers:

- i) It was noted that the reference to paragraph 9.26 of the policy was in error as no such paragraph appeared in the draft policy forwarded to them. It was suggested that the Council follows the LACORS guidance.
- ii) Members considered that the suggested policy with regard to betting machines was too restrictive.
- iii) Paragraph 1.8 (Transitional Arrangements) – Delete last sentence of paragraph 1.8 and replace with ‘transitional arrangements will conform with the appropriate guidance at the time’.
- iv) Paragraph 2.5: ignore – the point is covered in paragraph 2.2.

Members then gave consideration to the question of whether to include a statement in the Council’s policy that no permits for casinos will be issued for premises in Rutland.

Following discussion, it was

#### **RECOMMENDED**

- i) That Council approves the Statement of Gambling Policy set out in the attachment to Report No 268/2006, subject to paragraph 1.8 being amended by the deletion of the last sentence and its replacement by ‘transitional arrangements will conform with the appropriate guidance at the time’, and the new address of the Gambling Commission being substituted in paragraph 9.
- ii) That Council agrees that at this point in time no policy on applications for casino permits for premises in Rutland will be included in the Council’s Statement of Gambling Policy but this will be reviewed in one to two years’ time in the light of further regulations and guidance and experience gained as a result of the implementation of the Gambling Act 2005.

#### **539. LICENSING ACT 2003**

Report No.269/2006 from the Director of Community Services which informed Members of current activity with regard to the Licensing Act 2003, was received.

#### **RESOLVED**

That the contents of Report No.269/2006 be noted.

The Chairman closed the meeting at 8.40 p.m.