

## STATUTORY LICENSING COMMITTEE

Minutes of a meeting held on 15<sup>th</sup> January, 2019.

Present: Councillor V.P. Driscoll (Chairman); Councillor Mrs. J.E. Charles (Vice-Chairman); Councillors R. Crowley, Mrs. P. Drake, O. Griffiths, Dr. I.J. Johnson, K.P. Mahoney, Mrs. K.F. McCaffer, Mrs. J.M. Norman, L.O. Rowlands, J.W. Thomas, Mrs. M.R. Wilkinson and Ms. M. Wright.

### 655 APOLOGIES FOR ABSENCE -

These were received from Councillors G.A. Cox and Mrs. A. Moore.

### 656 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 22<sup>nd</sup> October, 2018 be approved as a correct record.

### 657 DECLARATIONS OF INTEREST -

Councillor Dr. I.J. Johnson declared an interest in that he was a member of Barry Town United and Cadoxton Barry Football Club that organised not for profits small society lotteries and on advice from the Monitoring Officer he wished to declare a personal interest which did not require him to vacate the meeting and therefore was permitted to speak and vote on the matter.

### 658 GAMBLING ACT 2005 STATEMENT OF PRINCIPLES 2019-2022 (DEH) -

The Operational Manager for Neighbourhood Services presented the report to advise the Committee of the responses received from the consultation undertaken in respect of the Gambling Act 2005 Statement of Principles.

On 22<sup>nd</sup> October, 2018, the draft Statement of Principles was reported to the Committee and Members were advised that the Statement was subject to a statutory consultation between 25<sup>th</sup> October, 2018 and 19<sup>th</sup> December, 2018. Consultation had taken place as outlined in the report and included statutory consultees, Elected Members and Community Councils. Notice of consultation was also sent to the Children's Commissioner for Wales as requested by the Committee.

The Officer advised that the Gambling Commission was set up under the Gambling Act 2005 to regulate commercial gambling in Great Britain in partnership with Licensing Authorities. The Licensing Authority was responsible for issuing premises licences; issuing permits which allowed low stakes gambling in venues which were not primarily for gambling, for example pubs; for enabling societies to hold small lotteries; for ensuring compliance and enforcement of the Gambling Act 2005 locally.

Furthermore, the Act placed a duty on the Council to develop a Statement of Principles that promoted the three Licensing Objectives:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited.

The approved Statement of Principles would also set out how the Licensing Authority would exercise its functions and provide information to the public and the gambling sector alike.

Details of the responses received during the aforementioned consultation period were attached at Appendix A to the report and the Officer confirmed there were no responses from the public consultation; however, generic responses were received from two organisations. Having assessed the responses, the majority of issues were addressed within the proposed Statement of Principles but one organisation identified the potential for promotional material (such as window advertising, leaflets, etc) to have an impact on encouraging young people to enter premises when they were not legally entitled to do so. It was therefore recommended that operators take this factor into account when carrying out local risk assessments for the premises.

Therefore, the proposed amendment was included at Part B Section 1 of the draft Statement which related to risk assessments as follows:

- The impact of any promotional material associated with the premises and whether this could encourage the use of the premises by children or young people if they are not legally allowed to do so.

In conclusion, the Officer advised that the approval of the Statement, attached at Appendix B to the report, was a Full Council function, and if the Committee was minded to approve the amendment to the Statement, the recommendation was to refer the draft Statement of Principles to Cabinet for comment and then to Full Council for approval on 27<sup>th</sup> February, 2019. Following consultation and approval by Council, notice of publication of the new Policy would be given in advance of the effective date of 28<sup>th</sup> March, 2019.

RESOLVED -

(1) T H A T the amendment to the draft Statement of Principles as set out in paragraph 9 of the Officer's report be approved.

(2) T H A T the amended Statement of Principles be referred to Cabinet on 4<sup>th</sup> February, 2019 for comment and then to Full Council for approval on 27<sup>th</sup> February, 2019.

Reason for decisions

(1&2) To comply with the requirements to publish a Statement of Principles relating to the Authority's Gambling Policy.