

Minutes of a meeting of the **COMMITTEE OF THE LICENSING AUTHORITY** held in the Council Chamber, Priory Road, Spalding, Lincolnshire, PE11 2XE, on Thursday, 16 September 2021 at 5.00 pm.

**PRESENT**

J Tyrrell (Chairman)  
P A Redgate (Vice-Chairman)

A C Beal  
F Biggadike  
H J W Bingham

A Casson  
A C Cronin  
G P Scalese

A R Woolf  
C N Worth

In Attendance: The Head of Public Protection, the Licensing Officer and the Democratic Services Assistant.

Apologies for absence were received from or on behalf of Councillors M D Booth, J L King and G T D Rudkin

**1. DECLARATION OF INTERESTS**

There were none

**2. MINUTES**

Consideration was given to the minutes of the meeting held on 5 November 2020.

**AGREED:**

That the minutes be signed as a correct record.

**3. GAMBLING ACT POLICY (STATEMENT OF PRINCIPLES)**

Consideration was given to the report of the Head of Public Protection which considered the proposed amendments to the Gambling Policy (Statement of Principles) and recommended approval to undertake consultation.

The Head of Public Protection introduced the report and highlighted the following points:

- The Gambling Policy (Statement of Principles) was the policy that the Council uses to administer gambling licences that the Council is responsible for as the Licensing Authority.
- Legal requirement to review the policy at least every 3 years.
- Minor amendments had been made to the policy for members to consider in order to keep the policy up to date.
- A 6 week consultation process would begin on 27 September and the Council would formally and directly engage with responsible authorities, e.g. Environmental Health, HMRC and the Police, and also current gambling licence holders.

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- The Policy would also be available on the website for the public to submit comments.
- The consultation would end on 5 November and the final version of the Policy would come back to the Committee for approval on 11 November.
- The Policy would then be brought forward to Full Council for approval on 24 November subject to Committee approval.
- The Gambling Commission was the overarching authority responsible for operator licences issued to businesses carrying out gambling activities.
- The Licensing Authority (the Council) is responsible for non-remote gambling licences in the district such as betting shops, bingo halls, adult gaming centres, family gaming centres, casinos and racecourses.
- The Licensing Authority sets out the Gambling Policy, considers applications for gambling licences, reviews and revokes premises licences, issue permits for gambling and inspect gambling premises.
- There are 3 Licensing Objectives to consider in relation to gambling:
  - 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 by gambling.

Members asked whether current applications would need to be determined under the current policy and if an application for a licence would still be considered if the relevant planning application had been refused.

- The Head of Public Protection confirmed that any applications submitted prior to the publication of the new Policy in January 2022 would be considered under the current Policy and that Planning and Licensing applications are considered as separate applications.

The Licensing Officer set out the recommendations for existing policy amendments:

- Number of Gambling Authorisations
  - The updated policy would detail licence numbers for 2021 which would show a reduction in numbers from those detailed in the current policy following the closure of some businesses due to Covid.
- General Principles
  - The wording in this section would be reinforced and a paragraph would be added to state that moral objections to gambling would not be accepted when considering a gambling licence application.
- Unlicensed Family Entertainment Centre Gaming Machine Permits and Prize Gaming Permits
  - A basic DBS check would need to be submitted for all directors where the applicant is a Company if they did not hold an operating licence with the Gambling Commission.
- Local Risk Assessments

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- When considering an application or a variation of a licence the Authority would require the applicant to provide a Local Risk Assessment.
- Local Area Profile
  - There was a recommendation from the Gambling Commission for the Authority to complete a Local Area profile to address concerns around the Licensing Objectives and this profile would then be used by applicants to help with producing their Local Risk Assessment. The Authority currently does not have a Local Area Profile as it is not a Legal requirement to do so but this would remain under review.
- List of Consultees
  - The list had been expanded to include:
    - Relevant Licensing Consultants and Legal Advisers in private practice
    - Betting premises licence holders
    - Public Health Directorate, Lincolnshire County Council
    - Spalding Pubwatch

The following points were raised by Members:

- Would betting premises licence holders be likely to object to other applications for betting shops in the area?
  - Officers responded that objections had not been received from betting premises licence holders in the past when they had been consulted with.
- What was the definition of a lower category machine with lower stakes and prizes that could be used by under 18's and doesn't require a premises licence to be in place?
  - Officers responded that these machines were typically grabber and coin pusher machines, but specific limits were in place for the maximum money that could come out of the machine for how much money was put in.
- Would fairgrounds need a licence for grabber or slot machines?
  - Officers responded that the fairground would require an operator's licence from the Gambling Commission.
- How are remote gambling licences handled?
  - Officers confirmed that these type of licences were managed by the Gambling Commission. The Council as the Licensing Authority is only responsible for non-gambling licences.

The Head of Public Protection concluded the presentation of the policy by reaffirming the following points:

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- That the objective of the Statement of Principles, as set out by the Gambling commission was to provide a statement of intent to provide gambling functions.
- It would invite operators to consider local issues and set out how they would contribute to improving these issues.
- It was not possible to restrict numbers of gambling licences that the Authority gave out, but the Authority should aim to permit the use of premises for gambling, subject to the legislation, guidance, statement of principles and licensing objectives in place.
- Planning and Licensing applications were separate applications and would be considered as such.

**AGREED:**

- 1) That the Committee approves the proposed amendments to the Gambling Policy (Statement of principles) as shown at Appendix A of the report; and
- 2) Approval is given undertake a consultation exercise as required under the Gambling Act 2005.

4. **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

There were none.

(The meeting ended at 5.26 pm)

(End of minutes)