

Licensing Committee

Held at Ryedale House, Malton
on Thursday 24 September 2009

Present

Councillors Mrs L Cowling, Mrs De Wend Fenton, Hemesley (Vice-Chair, in the Chair),
Ms Warriner and Woodward

In Attendance

Mrs F Brown, Mrs L Carter, Mrs M Jackson, P Long, S Richmond and J Rudd

Minutes

17 Apologies for absence

Apologies for absence were received from Councillors Mrs Arnold, Mrs Frank,
Mrs Keal and Hope.

18 Minutes

The minutes of a meeting of the Licensing Committee held on 23 July 2009
were presented.

Resolved

That the minutes of a meeting of the Licensing Committee held on
23 July 2009 be approved and signed by the Chairman as a
correct record.

19 Minutes of meetings of the Licensing Sub Committee held on 11 August 2009 and 15 September 2009

The minutes of meetings of the Licensing Sub Committee held on 11 August
2009 and 15 September 2009 were submitted.

Resolved

That the minutes of meetings of the Licensing Sub Committee
held on 11 August 2009 and 15 September 2009 as submitted
be endorsed.

20 Urgent Business

The Chairman reported that there were no items of urgent business to be considered.

21 **Declarations of Interest**

No declarations of interest were received.

PART 'A' - Matters dealt with under delegated powers or matters determined by Committee

22 **The Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates)(Miscellaneous Amendments) Regulations 2009**

The Head of Environment submitted a report, which informed Members of the changes introduced by the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 ("The Order), the new decisions which were to be introduced and to recommend changes to the Scheme of Delegation to allow the changes to be fully implemented.

The Head of Environment reported that the new minor variations procedure would provide a simplified and more expedient process for dealing with minor variations. At the same time it would provide the safeguard of the licensing authority ensuring that none of the variations proposed could have an adverse effect on the promotion of the licensing objectives.

Resolved

That the Head of Environmental Services includes the decision to grant or reject an application under Section 41(A) and 86(A) of the Licensing Act 2003 to be included within the area of responsibility of the Licensing Officer (or in their absence the Principal Environmental Health Officer) and in the case of rejection in consultation with the Council Solicitor.

PART 'B' - Matters referred to Council

23 **Gambling Act 2005 - Draft Statement of Principles**

The Head of Environment submitted a report, which informed Members of the consultation undertaken in relation to the Council's draft Statement of Principles in relation to the Gambling Act 2005 and which sought Members' views prior to adoption by Council.

The draft Statement of Principles was formally published for consultation following the recommendation of this Committee on 11 June 2009. This allowed the Cabinet Office recommended consultation period of twelve weeks. All statutory undertakers had received a full copy of the draft Statement of Policy, and notification of the Statement had been given to all Members, Parish and town councils, all relevant service unit managers and all libraries. A copy had also been made available on the Council's website. All relevant premise and specific bodies requesting information had been advised of the Statement and its availability. A full list of consultees was appended to the report. Despite widespread consultation, no comments had been received. It was therefore recommended that the Statement of Principles as submitted to the Committee on 11 June 2009 be submitted for adoption by the Council at its meeting on 5 November 2009.

The Statement of Principles was a draft document suggesting the Council's proposals for ensuring a balanced approach towards the licensing of gambling premises. The Statement had been based on the requirements of the Act, recently revised Gambling Commission Guidance to Licensing Authorities and the template for Local Authority Coordinators of Regulatory Services (LACORS). It was intended as a basis for discussion. Nothing in the draft was to be taken as given and all matters within it were for debate and could be subject to change that reflected comments made through the consultation process. Members' views on any aspect of the draft Statement of Principles were welcomed.

Resolved

That the draft Gambling Act 2005 - Statement of Principles be recommended for adoption by Council at its meeting on 5 November 2009.