

GATESHEAD METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE MEETING

Tuesday, 22 May 2018

PRESENT: Councillor K Dodds (Chair)

Councillor(s): M Charlton, D Duggan, B Goldsworthy,
R Mullen, M Ord, D Bradford, Gibson, H Kelly and
K McClurey

APOLOGIES: Councillor(s): W Dick, J Kielty, B Oliphant, N Weatherley
and J Green

LC47 CONSTITUTION

RESOLVED - That the constitution of the Committee and the appointment of the
Chair and Vice-Chair for the municipal year 2018/19 were noted.

LC48 MINUTES

RESOLVED - That the minutes of the meeting held on 12 December 2017
were approved as a correct record.

LC49 HEARING AND REVIEWS BEFORE SUB-COMMITTEES

The Committee received a report detailing the Hearings and Reviews before the
sub-committee between 28 November 2017 and 30 April 2018.

RESOLVED - that the information be noted.

LC50 APPEALS AND PROSECUTIONS

The Committee received a report detailing licensing-related appeals and
prosecutions between 28 November 2017 and 4 May 2018.

RESOLVED - that the information be noted.

**LC51 LICENCES, NOTIFICATIONS, PERMITS AND REGISTRATIONS ISSUED UNDER
THE GAMBLING ACT 2005**

The Committee received a report detailing licences, notifications, permits and
registrations issued under the Gambling Act 2005 between 1 November 2017 and
30 April 2018.

RESOLVED - That the information be noted

LC52 LICENCES AND CERTIFICATES ISSUED UNDER THE LICENSING ACT 2003

The Committee received a report detailing the number of Licence and Certificates issued under delegated powers between 1 November 2017 and 30 April 2018.

RESOLVED - that the information be noted.

LC53 OTHER APPLICATIONS AND NOTIFICATIONS PROCESSED UNDER THE LICENSING ACT 2003

The Committee received a report detailing other applications and notifications processed under the Licensing Act 2003.

RESOLVED - that the information be noted.

LC54 GUIDANCE AND LEGISLATION UPDATE

The Committee received a report informing them of recent amendments to legislation and guidance affecting the Licensing and Gambling Acts.

The amendments to the Licensing Act 2003 introduced by the Police and Crime Act 2017 to place cumulative impact polices on a statutory footing, as reported to the last Full Licensing Committee meeting, were brought into force on 1 April 2018.

The Committee were advised that on 24 April 2018 the Home Office amended its statutory guidance, as follows-

- Reference is now made to the Regulators' Code as relevant guidance for Licensing Authorities to follow
- Reference to clubs being exempt from police closure powers has been removed
- In respect of Temporary Event Notices, additional guidance has been given regarding the location of premises, limits on numbers, and information to be kept on the Council's register
- Additional guidance in respect of plans to be submitted with applications, and in respect of advertising applications.
- Paragraph 9.12 of the guidance has been amended to remove the expectation that Licensing Authorities will accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives.
- Additional guidance is given regarding dispensing with hearings where all parties agree it is not necessary, and on the requirement to give reasons

when time limits are extended and when appeals are compromised out of court.

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

RESOLVED - that the information be noted.

LC55 UPDATE ON THE OSC REVIEW ON THE IMPACT OF GAMBLING ON THE BOROUGH

The Committee received an update report on the OSC Review on the Impact of Gambling on the Borough, which was the Communities and Place OSC review topic during 2016/17.

The final recommendations that came out of the review were:

- 1) The Council should use every opportunity to contribute to the national debate about the harms that can be caused by irresponsible and problem gambling.
- 2) The Council should continue to develop its productive working relationship with the Gambling Commission.
- 3) The Council should contribute to the continuing debate and proposed consultations on the harms associated with fixed odds betting terminals.
- 4) The Gambling Commission's introduction of Local Area Risk profiles represents a new opportunity for Gateshead Council to think more deeply about the protection of vulnerable people from gambling-related harm. The Council should develop Local Area Risk Profiles for the borough.
- 5) Gateshead Council as a licensing authority should examine the range of data available locally and evaluate how this can be used in Local Area Risk Profiles.
- 6) Gateshead Council as a licensing authority should also begin to consider what data and evidence is missing and establish close working links with other services within the Council and with partner agencies to develop a better knowledge base and a better range of data.
- 7) That further update reports be provided to the OSC on a regular basis.

The Committee also received an update on progress made with the recommendations:

- A meeting between the Gambling Commission and Gateshead Council took place on 17 October 2017 as part of the Commission's ongoing engagement plan with local authorities. The focus of the meeting was on Gateshead Council's approach to gambling matters including inspections and enforcement, what sort of issues the Elected members are concerned about, and the work plan for next year – in particular about the review of statement

of principles (ready for 2019). A further informal meeting took place on 7 February 2018 at the LGA Licensing Conference in London.

- The Gambling Commission also attended the meeting of the North East Strategic Licensing Group (NESLG) chaired by Elaine Rudman on 10 April 2018. Rob Burkitt (Lead – Shared Regulation and Better Regulation) and Mel Potter (Compliance Manager) provided advice and guidance to all of the 12 licensing authorities in the region about the required review of our Gambling Statement of Principles.
- Gateshead Council responded to the Government's Consultation on Proposals for Changes to Gaming Machines and Social Responsibility Measures in January 2018. Central to the consultation was the issue of the current maximum stakes of £100 on Fixed Odds Betting Terminals (FOBTs) which many argue are linked to gambling related harm. Gateshead Council supported the widespread view expressed in the call for evidence for a reduction in stake limits for FOBTs to £2. The Gambling Commission published its recommendations on 19 March 2018 proposing a maximum stake of £30 or below for these machines. The Government has agreed to implement the maximum stake of £2 and formal agreement on this is currently awaited
- Plans are underway for the review of the Council's Gambling Statement of Licensing Principles. The new statement must be in place by January 2019. A programme of drafting, consultation and reporting is currently being planned.
- Gateshead Council's Director of Public Health has expressed an interest in participating in the review of the Statement of Principles with a view to firmly embedding public health in Gateshead's approach to the licensing and enforcement of gambling activities in the borough. The Gambling Commission have again offered to come and talk to Gateshead and other public health teams that have expressed a similar interest and Gateshead is going to host a meeting in the next couple of months.
- Newcastle University approached the Council last year looking for projects for their post graduate planners. Following discussion they began a project in October involving research around gambling in Gateshead based on the framework presented in Geofutures work commissioned in 2015 by Westminster and Manchester Councils to explore what area-based vulnerability to gambling related harm look like. They presented their final report on 8 January 2018 and consideration is currently being given to a further project building on this work.

RESOLVED - that the information be noted.

Chair.....