

# NORTHAMPTON BOROUGH COUNCIL

## LICENSING COMMITTEE

Tuesday, 15 September 2015

**PRESENT:** Councillor Sargeant (Chair); Councillors Choudary, Culbard, Duffy, Eales and Malpas

### 1. APOLOGIES

Apologies were received from Councillor Hill and Councillor Walker.

### 2. MINUTES

The minutes of the meetings held on the 17<sup>th</sup> March 2015, 7<sup>th</sup> April 2015, and 12<sup>th</sup> June 2015 were agreed and signed by the Chair.

### 3. DEPUTATIONS / PUBLIC ADDRESSES

None.

### 4. DECLARATIONS OF INTEREST

None.

### 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

None.

### 6. DRAFT STATEMENT OF GAMBLING PRINCIPLES

The Senior Licensing Officer outlined the circumstances as set out in the report. Members were recommended to consider the statement of principles and approve for consultation with the intention of returning to this Committee in early December for approval prior to adoption by Full Council on 25<sup>th</sup> January 2016. A six week consultation is required at the end of which all comments will be assessed and incorporated where necessary.

In response to a question from Councillor Eales regarding the difference between the new and old policy the Senior Licensing Officer advised social responsibility would be a factor and the Committee would have the authority to make objections under planning. The three licensing objectives outlined in 3.1.2 in the report would remain the same.

The Senior Licensing Officer commented that the government have rejected maximum stake and maximum fees on FOBTs (Fixed Odds Betting Terminals) and the Committee have no ability to change it. Councillor Eales confirmed that in the absence of legislation the Committee have no capacity to make amendments. The introduction of a by law could allow this amendment to be possible. The Licensing Solicitor agreed to research and report back to Committee.

Councillor Malpas commented that electronic gambling machines are reducing the number of employees needed at betting shops and are more cost effective. He posed the question to the Committee whether any evidence suggests a correlation between periods of austerity and an increase in betting shops.

In response to a question from Councillor Choudary regarding the revocation of licences the

Senior Licensing Officer confirmed that all independent betting shops have closed except one in the Semilong area. We have also seen three large bookmaker offices close down in the last 12 months.

Councillor Culbard and Councillor Malpas suggested that all registered mainstream religions should be added to the list of Consultees on the Statement of Principles Annex 3. The Senior Licensing Officer advised this could be considered during the consultation period.

**RESOLVED:**

That the statement of gambling principles be considered and approved for consultation.

**7. DRAFT STATEMENT OF LICENSING POLICY**

The Senior Licensing Officer submitted the report as set out in the agenda. The report recommended that the Committee approve that the draft statement of Licensing Policy be subject of a full consultation, reporting back to this Committee in December or early January 2016 with the intention to recommend the adoption of it by the Full Council on 25<sup>th</sup> January 2016. In accordance with Section 5 Licensing Act 2003, the Licensing Authority is required to adopt a Statement of Licensing Policy every five years. The Council's current Statement of Licensing Policy was adopted in January 2011 and requires fresh adoption prior to February 2016.

The Senior Licensing Officer advised that failure to review, consult and publish the Statement of Licensing Policy every five years would be unlawful and that the Authority must consult fully with a wide range of stakeholders for a period of 12 weeks. The report stated that if the Committee approve the consultation it will commence the following day 16<sup>th</sup> September, ending 9<sup>th</sup> December.

The Senior Licensing Officer commented that Council in conjunction with Planning, Building control and Town Centre policy need to determine what premises are required but concrete justifications must be given. The policy document will not state where the Council cannot have premises as there is insufficient evidence to justify it.

In response to a question from Councillor Malpas regarding premises with outside areas in close proximity to residential areas the Senior Licensing Officer advised it would not be in the blanket policy. The Licensing Solicitor commented that the policy cannot state premises with outside areas must close by a certain time however the policy can state that the Licensing authority will pay close attention to such areas.

In response to a question from Councillor Culbard regarding license refusals for premises with outside areas the Senior Licensing Officer advised only if the licensing objectives are undermined then can this be considered.

**RESOLVED:**

That the committee considered the proposed Statement of Licensing Policy and approved it for the purpose of consultation.

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The meeting concluded at 18.36

Signature \_\_\_\_\_

Date \_\_\_\_\_