

## **SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE**

Thursday 19 October, 2006 at 6.00 p.m.  
in the Council Chamber, The Council House, Dudley

### **PRESENT:-**

Councillor Ryder (Chairman)  
Councillor Taylor (Vice Chairman)  
Councillors Mrs Ameson, Mrs Aston, Blood, Bradney, Mrs Coulter,  
Donegan, Mrs Dunn, Finch, Rogers, and Tomkinson.

### **Officers**

Assistant Director (Legal and Democratic Services), Licensing Officer  
and Mr. J.Jablonski (all Directorate of Law and Property).

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14. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of  
Councillors Ms Craigie, Mottram and Woodall.

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15. **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the  
Members' Code of Conduct.

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16. **MINUTES**

### **RESOLVED**

That the minutes of the Special Meeting of the Committee held on  
21<sup>st</sup> August, 2006, be approved as a correct record and signed.

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17. **GAMBLING POLICY – OUTCOME OF CONSULTATION EXERCISE**

A report of the Director of Law and Property was submitted on the  
responses received to the consultation on the Council's draft Gambling  
Policy.

The Assistant Director (Legal and Democratic Services) gave a presentation on the Gambling Act, 2005, making reference to the main functions of the Council under the Act; the Statement of Principles, including the timetable for publication; the transitional phase, and in this regard it was noted that the period for acceptance of applications had been changed from 31<sup>st</sup> January, 2007 to 30<sup>th</sup> April, 2007 but that the end date of the transitional phase, 31<sup>st</sup> August, 2007 had not changed, together with details of the comments received during the consultation phase, as indicated in the report submitted. A copy of the presentation was circulated at the meeting.

## RESOLVED

(1) That, arising from the consideration given to the responses received, arising from the consultation held on the Council's draft Gambling Policy as set out in the report submitted and as outlined in the presentation given, the Council's draft Gambling Policy, attached as Appendix 1 to the report submitted, be amended as follows and submitted to the Cabinet and the Council for approval:-

(a) That the third paragraph on page 4 of the draft Policy be amended to read

"When making decisions in this regard the Council will give due weight to any comments made by the Police and or by local residents or traders".

(b) The inclusion of the text on alcohol-licensed premises contained in the Lacors template attached as Appendix 2 to the report submitted.

(c) The addition of the following paragraph in relation to Door Supervision:-

"There is no evidence that the operation of betting offices has required door supervisors in order to ensure the protection of the public. The authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate".

- (d) The addition of the following paragraph in respect of betting machines:-

“While the Authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This Authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this Authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter”.

- (e) That the following paragraph be added to assist with enforcement issues:-

“The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who would be a senior individual, and whom the Authority would contact first should any complaints, queries or issues arise”.

- (f) The inclusion of wording in the draft Policy to reflect the position that betting offices do not permit under eighteens into premises and operate extremely effective self - exclusion policies in respect of vulnerable people.

- (g) The addition of the following paragraphs:-

“Voluntary organisations exist to assist vulnerable people with alcohol and drug misuse as well as providing treatment to gamblers who often are experiencing severe financial difficulties as a result of their addiction.

The Council recognises the valuable work that these organisations undertake and the importance of maintaining such provision”.

- (h) That the third paragraph on page 3 of the draft Policy under the heading "Preventing gambling from being a source of crime and disorder" be amended to read:-
- "If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with high frequency levels of crime and organised crime, the Council will in consultation with the police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. This could include a requirement for door supervisors".
- (2) That , subject to resolution (1) above, in addition to informing the British Beer and Pub Association of the acceptance of their comments made, as referred to in resolution1(b) above ,the Director of Law and Property also be requested to inform the Association ,in respect of gaming machines:-
- (a) that a procedure for applications for more than two machines would be produced on publication of regulations and application forms; and
  - (b) that, following consideration, the Council would not be changing its current policy, which was consistent with its Liquor Licensing Policy, regarding the requirement for a hearing before a sub-committee of this Committee to hear any applications for more than two machines.
- (3) That ,subject to resolution (1) above, in addition to informing the Association of British Book Makers of the acceptance of their comments made as referred to in resolutions (1) (c to (f) above, the Director of Law and Property also be requested to inform the Association that no action would be taken on their request that the Gambling Policy positively encourages the re-siting of betting offices within the same locality in order to enhance the quality of the facility.
- (4) That the Director of Law and Property be requested to write to the Bishop of Dudley, in response to his letter attached as Appendix 3 of the report submitted, noting his comments and setting out the reasons why no further action either need not or could not be taken in respect of the comments made.

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The meeting ended at 7.20 pm.

CHAIRMAN

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