

LICENSING AND SAFETY COMMITTEE

Thursday 13th April 2006 at 6.00 pm
in Committee Room 3, The Council House, Dudley

PRESENT:-

Councillor Ryder (Chairman)
Councillors Mrs Ameson, Bradney, Mrs Coulter, Ms Craigie, Donegan,
Mrs Dunn, Finch, Mottram, Tomkinson, Woodall and Wright.

Officers

Director of Law and Property
Assistant Director (Legal and Democratic Services)
Licensing Officer
Mrs J Holland (Directorate of Law and Property).

13 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillors Blood, Ms Craigie, Mrs Dunn, Mottram, Hart and Taylor.

14 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 26th
May 2005, be approved as a correct record and signed.

15 UPDATE ON LIQUOR LICENSING

The Chairman thanked all Officers involved in the introduction of the
Liquor Licensing Legislation which had resulted in very few appeals
against Sub-Committee decisions.

The Assistant Director of Legal and Democratic Services (Directorate of
Law and Property) updated the Committee on the cases heard to date,
including appeals made to the Magistrates' Court. He also reported on
the number of appeals that were resolved by negotiation and appraised
the Committee with regard to a recent review of a Premises Licence,
stating that the review had been at the request of West Midlands Police
and the West Midlands Fire Service. He informed the Committee it was
the first major review of a licence granted under the new legislation.

The Committee discussed the issue of “cumulative impact” in relation to licensed premises situated within a short distance of each other. A recent High Court case was cited where the High Court had ruled that the local authority had the right to restrict hours for the sale of alcohol in areas where they had a special policy dealing with cumulative impact.

The Assistant Director informed the Committee that it was planned to hold one Sub Committee a week during the forthcoming Municipal Year, but that extra Sub-Committees might be convened if necessary.

RESOLVED

That the information received in the update and the presentation by the Director of Law and Property and the Assistant Director of Legal and Democratic Services, be noted.

INTRODUCTION TO THE GAMBLING BILL

The Assistant Director (Legal and Democratic Services) introduced the contents of the Gambling Act 2005, the fundamental licensing objectives of the Act, the role of The Gambling Commission, and the conditions governing the issue of a Premises Licence for the purpose of gambling. He also explained that it was the Secretary of State’s responsibility to make regulations that would classify casinos as “regional”, “large”, “small” or below the minimum size to be classed as a licensed casino.

He also explained the responsibility of the local authority for the licensing of gambling premises, granting the required permissions for lower stake gaming machines and to register society lotteries below certain prescribed thresholds. He stated that the local authority would be responsible for upholding the licensing objectives, would need to publish a three-year Licensing Policy in consultation with the Police, Fire Service and other agencies and interested parties covering the Dudley area, in accordance with the Gambling Commission Guidance. The local authority would also hear applications for premises licences from those already holding relevant operating licenses and would also regulate Members’ clubs, club gaming and machine permits.

The Director of Law and Property informed the Committee of the process that needed to be followed when an application was submitted for consideration. He also outlined the relevant Planning Permissions that would be required and the processes in respect of the licensing of Lotteries, Bingo Halls, etc.

RESOLVED

That the Director of Law and Property and the Assistant Director of Legal and Democratic Services, be thanked for their informative presentation and that the presentation and the information contained therein, be noted.

The meeting ended at 7.00 pm.

CHAIRMAN