

LICENSING AND REGULATION COMMITTEE

8 October 2015

Attendance:

Councillors:

Mather (Chairman) (P)

Bodtger

Burns (P)

Green (P)

Huxstep

Izard (P)

Johnston (P)

Laming (P)

Lipscomb (P)

Mason (P)

Newman-McKie (P)

Thacker (P)

Twelftree (P)

Wright

Deputy Member:

Councillor Southgate (Standing Deputy for Councillor Huxstep)

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 2 July 2015, be approved and adopted.

2. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

3. **GAMBLING ACT - STATEMENT OF PRINCIPLES (POLICY) –
CONSULTATION DRAFT**

(Report LR453 refers)

The Committee noted that Appendix 3 Addendum (comments received following publication of the Report) had not been made available for publication with the statutory deadline. The Chairman agreed to accept Appendix 3 Addendum onto the agenda as a matter requiring urgent consideration to enable their contents to be considered alongside the Report.

The Licensing Manager commented on the further representation received during the consultation period from the Campaign for Fairer Gambling, as set out in Appendix 3 Addendum. It was stated that the Authority had no evidence of issues that would lead to a recommendation to lower the limit from £2 per spin for Fixed Odds Betting Terminals (FOBTs/B2 classified gaming machines). The use of these Terminals was heavily regulated and operators would, as part of their risk assessment, consider the welfare of users, for

example by assessing their patterns of behaviour and intervening as required. There was also a low crime record from Hampshire Constabulary for licensed gambling premises in the district. The Licensing Manager added that the comment on the commissioning of test purchasing of premises and staff employed was a practice that the Council would wish to extend as resources allowed.

The Committee discussed the issues arising from definitions, in relation to gambling applications, of close to proximity of schools/churches/parades of shops and high concentration of residential properties etc. The Licensing Manager stated that these issues would be addressed by the applicant as part of their accompanying risk assessment would be brought to Committee for decision in cases where a judgement was required on the merits of the application.

Following debate, the Committee agreed that no additional changes should be made to the Policy in view of the comments received.

RECOMMENDED:

THAT THE DRAFT STATEMENT OF PRINCIPLES ATTACHED AT APPENDIX 1 TO REPORT LR453 BE APPROVED FOR ADOPTION BY THE COUNCIL AT ITS MEETING OF 4 NOVEMBER 2015

4. **REVIEW OF PRIVATE HIRE OPERATOR LICENCE CONDITIONS]**
(Report LR455 refers)

The Committee considered an updated copy of Appendix 1 to the Report which showed in track changes the proposed amendments to the Private Hire Operator's Licence Conditions, which had been omitted from the original published Report. The Licensing Officer brought to the attention of Members that condition 21 should be removed as it was no longer applicable due to the change in legislation.

In reply to a Member's question, the Licensing Manager explained that new condition 13 would apply to Operators who sub-contracted to another Private Hire Operator outside of the City boundary, for example, as was occasionally the case of Operators in Denmead who may sub contract to an operator in Fareham Borough Council's district.

RESOLVED:

1. That subject to the removal of condition 21, the amended Private Hire Operator's Licence Conditions at Appendix 1 be agreed and approved for consultation with the taxi and private hire trade.

2. That where comments are received following consultation, that these are considered by Members at the Licensing and Regulation Committee on 14 January 2016.

3. That if no comments are received following consultation, Members delegate to the Head of Environmental Health and Licensing authority to implement the amended Private Hire Operator's Licence Conditions within a reasonable time

5. **REVIEW OF STATEMENT OF LICENSING POLICY WITH RESPECT TO HACKNEY AND PRIVATE HIRE VEHICLES, DRIVERS AND PRIVATE HIRE OPERATORS**
(Report LR454 refers)

The Committee considered an updated copy of Appendix 1 to the Report which showed in track changes the proposed amendments to the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operator, which had been omitted from the original published Report.

Following debate, it was agreed to amend paragraph 8.10 b to replace the word 'less' with 'fewer'.

RESOLVED:

1 That subject to replacing the word 'less' with 'fewer' in paragraph 8.10 b, the amended version of the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators be approved for consultation with the taxi and private hire trade.

2 That if changes are made, and no comments are received following consultation, Members delegate to the Head of Environmental Health and Licensing authority to implement the amended Policy within a reasonable time.

6. **MINUTES OF LICENSING SUB-COMMITTEE HELD 29 JUNE 2015**
(Report LR452 refers)

RESOLVED:

That the minutes of the Licensing Sub-Committee held 29 June 2015 be received (attached as Appendix A to the minutes).

The meeting commenced at 6.30pm and concluded at 7.30pm.

Chairman