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GENERAL PURPOSES COMMITTEE

Date: Thursday, 11 July 2019

Time: 11.00am

Location: Smimkent Room. Daneshill House, Danestrete

Contact: Ian Gourlay (01438) 242703

Members: Councillors: L Chester (Chair), M McKay (Vice-Chair), D Bainbridge, S Barr, J Brown, M Downing, J Hanafin, L Harrington, R Henry, G Lawrence, J Lloyd, A McGuinness, Rossati and G Snell

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 5 JUNE 2019

To approve as a correct record the Minutes of the meeting of the General Purposes Committee held on 5 June 2019.

Pages 3 – 6

3. PROCEDURE

To note the procedure to be followed at the meeting.

Pages 7 – 8

4. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent.

5. EXCLUSION OF PRESS AND PUBLIC

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.

2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

6. REVIEW OF A DUAL (HACKNEY CARRIAGE / PRIVATE HIRE) DRIVER LICENCE - MR H.J.

To review the taxi dual driver licence held by Mr H J.

Pages 9 - 15

7. URGENT PART II BUSINESS

To consider any Part II business considered by the Chair as urgent.

Agenda Published 3 July 2019

STEVENAGE BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE MINUTES

Date: Wednesday, 5 June 2019

Time: 6.00pm

Place: Shimkent Room, Daneshill House, Danestrete

Present: Councillors: Laurie Chester (Chair), Maureen McKay (Vice-Chair), Doug Bainbridge, Sandra Barr, Michael Downing, Liz Harrington, Richard Henry, Graham Lawrence, John Lloyd and Graham Snell.

Start / End Start Time: 6.00pm
Time: End Time: 7.01pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Jim Brown, Jody Hanafin, Andy McGuinness and Lou Rossati.

There were no declarations of interest.

2 **ELECTION OF VICE-CHAIR**

It was **RESOLVED** that Councillor Maureen McKay be elected as Vice-Chair of the Committee for the 2019/20 Municipal Year.

3 **MINUTES - 18 DECEMBER 2017**

It was **RESOLVED** that the Minutes of the meeting of the Committee held on 18 December 2017 are approved as a correct record and signed by the Chair.

4 **TERMS OF REFERENCE**

It was **RESOLVED** that the Terms of Reference for the Committee, as approved at the Annual Council meeting held on 22 May 2019, are noted.

5 **GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES**

The Committee considered a report in respect of the proposed draft Gambling Act 2005 Statement of Principles 2019-22. The existing Statement had been adopted by the Council in December 2015 and was therefore due for a review.

The Senior Environmental Health and Licensing Manager advised that the Statement of Principles laid out the general approach the Council would take when carrying out its regulatory role under the Gambling Act and promoting the three licensing objectives:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Senior Environmental Health and Licensing Manager stated that the Act specified that Local Authorities should “aim to permit” gambling, provided it was in accordance with the Code of Practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives, and in accordance with the Statement of Principles. The Policy sought to strike a balance between the interests of licence holders, applicants and residents in the promotion of the licensing objectives defined by the Act.

The Senior Environmental Health and Licensing Manager outlined the major changes to the Statement (which was attached as Appendix A to the report). There were no changes to the intent or direction of the existing Statement, although it had been updated to reflect that fact that all industry operators had to undertake local area risk assessments to explore the risks that gambling venues posed to the licensing objectives, including the protection of young and vulnerable people. The Local Area Profile, which the draft policy committed the Council to provide, would act as a guide which gambling operators could use when undertaking and preparing their local premises risk assessments.

The Senior Environmental Health and Licensing Manager referred to the public consultation on the Statement of Principles, carried out in March and April 2019, and drew attention to the two consultation responses set out in Appendices B and C to the report. The consultation responses were generally supportive of the Statement, but both made a number of suggestions for revisions. Officers were disinclined to accept these revisions, for the reasons set out in Paragraphs 3.13 to 3.16 of the report.

The Senior Environmental Health and Licensing Manager, assisted by the Commercial and Licensing Manager, answered a number of questions raised by Members, as follows:

- The principles regarding the location of gambling premises had not changed, although the requirement for Risk Assessments would now be embedded in the Council’s Statement of Principles;
- In respect of monitoring of gambling premises, the Gambling Commission had ultimate responsibility and carried out periodic “test purchases” and, if required, could use evidence supplied by the Police; regular inspections of premises were also carried out by the Council, acting as the Local Licensing Authority;
- The Local Licensing Authority would be reliant on Police evidence and/or reports from the Adult and Children Safeguarding Board should any safeguarding issues be identified in relation to the operation of gambling premises;
- There was no limit on the number of premises that could operate in the Borough. There were currently 42 licensed premises and 49 small society lotteries registered;

- It was confirmed that GamCare (one of the organisations which had responded to the public consultation exercise on the Statement of Principles) was partly funded by contributions from gambling operators;
- Consultation with local residents had been targeted through the Council's website;
- It was noted that a recent change in rules regarding B2 category (ie. fixed odds) gaming machines, taking effect from 1 April 2019, had reduced the maximum stake from £100 to £2; and
- In terms of the level of fees and charges, it was confirmed that the Service was required to be cost neutral, and operated on a cost recovery basis.

The following comments and amendments to the proposed Statement of Principles were made by Members:

- The Committee was concerned with the wording of introductory Paragraph A1.4 of the proposed Statement of Principles, which outlined some of the socio-economic factors in respect of the town. It was considered that, as there was no evidential link between this paragraph and gambling in the Borough, it was agreed that this paragraph be removed from the document;
- The Committee acknowledged that new Licence Holders would be required to submit local Risk Assessments in association with their licence applications. At the request of Members, Officers undertook to investigate whether or not it would be permissible to require existing Licence Holders to submit such Risk Assessments for their premises (possibly by sourcing Best Practice from other licensing authorities);
- Local Area Profile – Officers confirmed that it was the intention to develop such a profile during the life of the proposed Statement of Principles (2019 – 22), including socio-economic factors, in order to act as a guide which gambling operators could use when undertaking and preparing their local premises risk assessments; and
- Members requested Officers to provide them with details regarding a proposed promotional event on the Gambling Act to be held later in June 2019.

It was **RESOLVED**:

1. That the proposed Stevenage Borough Council Gambling Act draft Statement of Principles 2019-2022, attached at Appendix A to the report, and as amended, be supported.
2. That the Executive be requested to agree the Stevenage Borough Council Gambling Act draft Statement of Principles for onward recommendation to Council.

6 URGENT PART I BUSINESS

None.

7 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88.
2. That, having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

8 **URGENT PART II BUSINESS**

None.

CHAIR

STEVENAGE BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

CONSIDERATION OF APPLICATIONS IN RESPECT OF REGULATORY MATTERS – PROCEDURE

The procedure detailed below will be followed.

1. The Committee Administrator will introduce the applicant (and representative) to the Committee.
2. The Licensing Officer will report on the facts of the case calling any appropriate witnesses.
3. The applicant (and/or representative) may then ask questions of the Licensing Officer and witnesses.
4. With the Chair's permission Members of the Committee may then ask questions of the Licensing Officer.
5. The applicant (and/or representative) may then state his/her case, calling any witnesses they wish. All who speak may be asked questions by the Licensing Officer.
6. With the Chair's permission Members of the Committee may then ask questions of the applicant.
7. The Licensing Officer is then invited to make a closing speech.
8. The applicant (and/or representative) is then invited to make a closing speech.
9. The applicant (and representative) and the Licensing Officer then retire for the Committee to consider the matter and make its decision. In the event that the Committee wishes to seek clarification from one or other of the parties, all parties will be invited to return to the meeting.
10. At the conclusion of its deliberations, the Committee will EITHER invite all parties to return to the meeting to deliver its decision OR inform all parties of its decision in writing as soon as possible after the meeting.
11. The Committee Administrator and Council's Solicitor (if present) will be present throughout the meeting and may ask questions at any time to assist the Committee.

NB ALL PARTIES MAY REQUEST CLARIFICATION OF ANY POINT AT ANY TIME IN THE PROCEEDINGS

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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