

# AGENDA

## Licensing Committee

**Wednesday, 21 January 2015 AT 14:15**

**In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG**

### **Apologies for Absence**

To receive apologies for absence and notification of substitutions.

### **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

### **Public and Press**

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

### **Minutes of Previous Meeting**

To agree the minutes of the meeting held on 8 October 2014.  
[Copy Minutes in Minute Book 41(1)].

## PART A

**To be considered when the Public and Press are present**

## A.1 LICENSING ACT 2003 - UPDATE

**3 - 6**

The Licensing Manager to provide an update on the Licensing Act 2003.

(Copy Report GD.09/15 herewith)

## A.2 GAMBLING ACT 2005 - UPDATE

**7 - 10**

The Licensing Manager to provide an update on the Gambling Act 2005.

(Copy Report GD.10/15 herewith)

## PART B

**To be considered when the Public and Press are excluded from the meeting**

- NIL -

### **Members of the Licensing Committee**

**Conservative** – Bowman S, Layden, Morton, Mrs Parsons, Collier (sub), Nedved (sub), Mrs Prest (sub)

**Labour** – Bell (Chairman), Cape, Ms Franklin (Vice Chairman), Scarborough, Mrs Stevenson, Mrs Warwick, Wilson, Boaden (sub), Dodd (sub), Stothard (sub)

**Independent** - Betton, Graham (sub)

**Enquiries, requests for reports, background papers,  
etc to Lead Committee Clerk: Rachel Rooney – 817039**

# Report to Licensing Committee

Agenda  
Item:

**A.1**

Meeting Date: 21 January 2015  
Portfolio: Finance, Governance and Resources  
Key Decision: Not Applicable:  
Within Policy and Budget Framework NO  
Public / Private Public

Title: LICENSING ACT 2003 - UPDATE  
Report of: Director of Governance  
Report Number: GD 9/15

## Purpose / Summary:

This report gives an update on the Council's current position regarding applications under the Licensing Act 2003.

## Recommendations:

Members are requested to note the information.

## Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

This report is presented to give an update on the Council's current position under the Licensing Act 2003.

## **1 Background**

- 1.1 The Licensing Act 2003 took effect on 24<sup>th</sup> November 2005, from which date this Council administered all licences issued.
- 1.2 This report summarises the current situation with regard to licences issued under the Act and explains recent changes in the legislation.

## **2 Licence figures – as at 7 January 2015**

### **2.1 Personal Licences**

Previous Report - 1459

Current Licences – 1498

Total licences surrendered/revoked - 15

### **2.2 Premises Licences**

With alcohol

Previous Report - 398

Current Licences – 394

Total licences surrendered/revoked - 126

Without alcohol

Previous Report - 83

Current Licences – 81

Total licences surrendered/revoked - 33

### **2.3 Club Premises Certificate**

With alcohol

Previous Report - 22

Current Licences – 22

Total licences surrendered/revoked – 5

Without alcohol

Previous Report - 0

Current Licences – 0

## 2.4 Temporary Event Notices

Year	No. Received	No. Refused
2006	199	5
2007	261	3
2008	267	2
2009	203	12
2010	243	5
2011	276	6
2012	247	4
2013	200	3
2014	200	2
2015 to date	6	

## 2.5 Current applications – Includes new, change of DPS, variation of hours, transfers etc.

Pending applications – 14

## 3 Current Issues

### 3.1 Personal Alcohol Licences

3.2 The Licensing Act 2003 states that the sale of alcohol must be authorised by a Personal Licence Holder. This licence was issued either under 'grandfather rights' or by the applicant passing a relevant course and disclosure check. The licence lasts for 10 years.

3.3 In 2014 the Government consulted on abolishing personal licences altogether. There was strong opposition from both the trade and licensing authorities and the Government decided to retain them, however they would last indefinitely rather than 10 years. The appropriate legislation has not yet been made and the first 10 year licence renewals are due in February 2015. Interim guidance has been issued by the Government for those licences due for renewal before the new legislation becomes law. This interim procedure has created additional work without any ability to charge a fee.

## **4 RECOMMENDATIONS**

Members are requested to note this report.

**Contact Officer:            Jim Messenger**

**Ext:    7025**

**Appendices                None**  
**attached to report:**

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

### **CORPORATE IMPLICATIONS/RISKS:**

**Chief Executive's – None**

**Community Engagement – None**

**Economic Development – None**

**Governance – None**

**Local Environment – None**

**Resources – None**

# Report to Licensing Committee

Agenda  
Item:

**A.2**

Meeting Date: 21 January 2015  
Portfolio: Finance, Governance and Resources  
Key Decision: Not Applicable:  
Within Policy and Budget Framework NO  
Public / Private Public

Title: GAMBLING ACT 2005 - UPDATE  
Report of: Director of Governance  
Report Number: GD 10/15

## Purpose / Summary:

Local Authorities assumed responsibility for issuing premises licences under the Gambling Act 2005 on 1<sup>st</sup> September 2007. This report gives an update on the current position regarding applications made under this legislation.

## Recommendations:

Members are requested to note the information.

## Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

This report is presented to give an update on the Council's current position under the Gambling Act 2005.

## 1.0 **BACKGROUND**

- 1.1 The Gambling Act 2005 took effect on 1<sup>st</sup> September 2007, from which date this Council assumed responsibility for administering premises licences.
- 1.2 The main thrust of the legislation was that Local Authorities took over the responsibility for licensing gambling premises from the Licensing Justices. The Gambling Commission has responsibility for licensing operators and personal licence holders.

## 2.0 **LICENCE FIGURES - as at 7 January 2015**

### 2.1 **Adult Gaming Centres**

Previous Report	0
Current Licences	0
Surrendered/revoked	5

### 2.2 **Betting Premises (other than track)**

Previous Report	17
Current Licences	17
Surrendered/revoked	5

### 2.3 **Betting Premises (Track)**

Previous Report	2
Current Licences	2
Surrendered/revoked	0

### 2.4 **Bingo Premises**

Previous Report	3
Current Licences	3
Surrendered/revoked	0



## 2.5 **Unlicensed Family Entertainment Centre**

Previous Report	2
Current Licences	2
Surrendered/revoked	0

## 3.0 **OTHER LICENCES**

### 3.1 **Club Gaming Permit**

These are granted to member's clubs to permit specifically the playing of chemin de fer and pontoon (not blackjack) and to charge higher participation fees. The permit also allows the use of a variety of gaming machines including category B3.

Previous Report	8
Current Report	8
Surrendered/revoked	0

### 3.2 **Club Machine Permit**

Granted to Member's clubs to permit the use of gaming machines (as above) only.

Previous Report	6
Current Report	6
Surrendered/revoked	5

### 3.3 **Alcohol Premises - Gaming Machine Permits/Notifications**

These are granted to alcohol licensed premises. Under the Gambling Act premises must give a notification of 2 machines or less, or a Licensed Premises Gaming Machine Permit for 3 or more machines, both of which last indefinitely (with certain conditions).

Notifications	83
LPGMP	17

### 3.4 **Small Society Lottery Registration**

Small Society Lottery Registrations are issued to charities or sports clubs who wish to raise money for their organisation where there is no private gain.

Previous Report	200
Current Registrations	196

### 4.0 **CURRENT ISSUES**

- 4.1 As ongoing enforcement, officers are visiting local gambling premises to meet managers and answer any queries under the legislation. We are also carrying out joint inspections with the Compliance Manager from the Gambling Commission.

### 5.0 **RECOMMENDATIONS**

Members are requested to note this report.

<b>Contact Officer:</b>	<b>Jim Messenger</b>	<b>Ext: 7025</b>
<b>Appendices attached to report:</b>	<b>None</b>	

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

#### **CORPORATE IMPLICATIONS/RISKS:**

**Chief Executive's – None**

**Community Engagement – None**

**Economic Development – None**

**Governance – None**

**Local Environment – None**

**Resources – None**