

AGENDA

Licensing Committee

**Wednesday, 29 May 2013 AT 15:06
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG**

**OR ON THE RISING OF THE REGULATORY PANEL, WHICHEVER IS THE
LATER**

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.

Minutes of Previous Meetings

To approve the minutes of the meeting held on 17 April 2013 [Copy Minutes in Minute Book Volume 39(6)]

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.25/13 herewith)

A.2 Gambling Act 2005 Update

7 - 10

The Licensing Manager to provide an update on the Gambling Act 2005.
(Copy Report GD.26/13 herewith)

PART B

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

- NIL -

Enquiries to Committee Clerk: Rachel Rooney (01228 817039)

Report to Licensing Committee

Agenda
Item:

A.1

Meeting Date: 29 May 2013
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 31/13

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 24th 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 17 May 2013

2.1 Personal Licences

Previous Report - 1322

Current Licences – 1336

Total licences surrendered/revoked - 11

2.2 Premises Licences

With alcohol

Previous Report - 390

Current Licences – 392

Total licences surrendered - 91

Without alcohol

Previous Report - 89

Current Licences – 89

Total licences surrendered - 24

2.3 Club Premises Certificate

With alcohol

Previous Report - 22

Current Licences – 22

Total licences surrendered – 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 to date	73	1

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

Pending applications – 14

3 Current Issues

3.1 Licensing Act 2003 - Fees

Currently all fees under the Licensing Act are fixed by Central Government. They are reviewing this to ensure that Licensing Authorities recover the full cost of administering the licensing function. Further information is expected in the next few months and will be reported to this committee.

3.2 Relaxation of legislation for Regulated Entertainment

The Government are currently considering reducing the burden on premises who wish to carry out Regulated Entertainment. This could include increasing the minimum number of participants to 500 before the activity is required to be licensed. Further information is expected in the next few months which will be reported to this committee.

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: 29 May 2013
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 31/13

Purpose / Summary:

Local Authorities assumed responsibility for issuing premises licences under the Gambling Act 2005 on 1st 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 1st 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 17 May 2013**

2.1 **Adult Gaming Centres**

Previous Report	0
Current Licences	0
Surrendered	5

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

Previous Report	21
Current Licences	21
Surrendered	1

2.3 **Betting Premises (Track)**

Previous Report	2
Current Licences	2

2.4 **Bingo Premises**

Previous Report	3
Current Licences	3

2.5 **Unlicensed Family Entertainment Centre**

Previous Report	2
Current Licences	2

3.0 **OTHER LICENCES**

3.1 **Club Gaming Permit**

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

3.2 **Club Machine Permit**

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

Previous Report	7
Current Report	7
Cancelled	4

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	84
LPGMP	15

3.5 **Small Lottery Licences**

These permits have been the responsibility of local authorities for many years and come under the new legislation with effect 1st September 2007. They are usually issued to charities or sports clubs where there is no private gain.

Previous Report	195
Current Registrations	195

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 inspections, with the Compliance Manager from the Gambling Commission.

5 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