

**MINUTES OF AN EXTRAORDINARY MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON WEDNESDAY 19 AUGUST 2009 FROM 7PM TO 7:35PM**

Present:- Pauline Helliard-Symons (Chairman), Gerald A Cockroft, Mike Gore, Kirsten Miller, Malcolm Storry, Claire Stretton, Pam Stubbs (arrived 7.20pm) and Bob Wyatt

*Also present:- Julia O'Brien, Principal Environmental Health Officer
Madeleine Shopland, Senior Democratic Services Officer*

PART I

13. MINUTES

The Minutes of the Extraordinary meeting of the Committee held on 20 May 2009 were noted.

14. APOLOGIES

Apologies for absence were submitted from Councillors Bowring, Bradley, Gilder, Patman and Rahmouni.

15. DECLARATIONS OF INTEREST

There were no public questions received.

16. PUBLIC QUESTION TIME

There were no public questions received.

17. MEMBER QUESTION TIME

There were no Member questions received.

18. GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES REVIEW

The Committee examined a report which detailed the reviewed Statement of Principals prior to the consultation period. Members were reminded that the Licensing Authority was obliged to renew its statement of principles triennially and that the statement of principles must be published by 31 January 2010. The Committee would reconsider the statement of principles once it had been through the consultation process.

The Principal Environmental Health Officer outlined the amendments made to the current statement based on Guidance issued by the Gambling Commission and the Statement of Principles template produced by the Local Authority Coordinators of Regulatory Services.

- The page numbering of the document would be updated.
- Any reference to Wokingham District Council would be amended to read Wokingham Borough Council. (page 4, 5, 6, 21)
- It was noted that more detail on who could be an interested party had been added to reflect the code of practice. Members felt that the section describing in detail what was meant by an 'Interested Party' should be moved to under the Interested Parties subheading or under the brief description of an interested party (page 7).
- When the Licensing Authority was required to act and when the Gambling Commission was required to act was clarified in the section concerning Enforcement.
- That the word 'to' be added to the second paragraph (page 10).

- The Committee agreed that it should be clarified that the Licensing Authority are not involved in licensing over the internet (page 10).
- A Member questioned whether the Committee was involved in fee setting and was informed that Members had set the fee levels three years ago and that these had not been amended by officers. It was likely that Members would be consulted should any changes be deemed necessary.
- The reference to the Gambling Commission guidance has been updated to reflect that it was now its third edition. (page 12)
- The information relating to the issues licensing authorities should be aware of when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non gambling) purposes had been updated to reflect the latest guidance (page 13).
- Clarification had been given on what was meant by premises 'ready for gambling' (page 14).
- A section relating to planning had been added (page 15).
- The section concerning door supervisors had been increased (page 18). The Committee noted that it was not compulsory for door supervisors to be SIA registered.
- More information had been provided on when applicants should apply for provisional statements.
- Some Members questioned whether some conditions were more appropriate to planning and were notified that conditions could include issues such as signage, access and where machines were sited.
- The Principal Environmental Health Officer indicated that prize gaming encompassed lotteries and raffles.

RESOLVED:- That the content of the draft statement of principles be confirmed prior to the statutory consultation exercise subject to minor amendments.

19. VERBAL HEARINGS UPDATE

Members noted that twenty one School Transport Appeals had taken place since the last meeting of the Committee. The Committee were informed that seventeen appeals had been refused, three had been allowed and one deferred. The Committee also noted that a driver appeal had taken place since the last update was received and that the appeal had been allowed.

RESOLVED: - That the verbal update be noted.

20. ANY OTHER BUSINESS

It was noted that the Committee would receive an update on any food premises visits and health and safety visits at future meetings.

The Principal Environmental Health Officer agreed to investigate whether street trading consents could be granted for longer than a 12 month period.

These are the Minutes of a meeting of the Licensing and Appeals Committee

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