

**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON 23 JUNE 2021 FROM 7.00 PM TO 7.52 PM**

Committee Members Present

Councillors: Chris Bowring, Parry Batth, Rachel Burgess, Peter Dennis, Lindsay Ferris, Michael Firmager, Paul Fishwick, Sarah Kerr, Barrie Patman (Chairman), Jackie Rance, Ian Shenton, Rachelle Shepherd-DuBey, Bill Soane and Shahid Younis (Vice-Chairman)

Committee Members in Attendance

Councillor: Abdul Loyes

Officers Present

Luciane Bowker, Democratic & Electoral Services Specialist
Moira Fraser, Policy and Governance Officer
Julia O'Brien, Principle Officer Compliance and Enforcement

1. APOLOGIES

There were no apologies for absence.

2. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 9 March 2021 were confirmed as a correct record and signed by the Chairman.

3. DECLARATION OF INTEREST

There were no declarations of interest.

4. PUBLIC QUESTION TIME

There were no public questions.

5. MEMBER QUESTION TIME

There were no Member questions.

6. DRAFT STATEMENT OF GAMBLING PRINCIPLES

The Draft Statement of Gambling Principles report was presented by David Lucas, Legal Consultant.

David Lucas made the following points:

- Appendix A which contained the list of consultees was missing from the report, this would be rectified and inserted in the report;
- Section 1.6 – Interested Parties, was updated, in particular in relation to business interests;
- In relation to 1.9 Local risk assessments, it was recommended that local area profiles are not included as it was not a statutory requirement and it was onerous to keep it up to date;
- Additional information was added to 2.5 Licensing conditions, in particular in relation to door supervisors at gambling premises;
- A description of gambling facilities available for each type of premises was included in the policy;
- It was suggested that the reference of no casino resolution be taken out. There was no possibility of having a casino in the area because the Gambling Act did not allow it.

There were only a total of 16 casinos areas allowed in the whole of the UK, and those casinos areas had already been determined and it did not include Wokingham;

- A section on small society lotteries was included as a new one;
- The scheme of delegation was extended and updated.

During the discussion of the item the following comments were made:

- Councillor Kerr asked how the consultation was going to be promoted. She also asked for confirmation of who would be consulted, she was concerned that there was no mention of members of the public and elected Members in the consultee's list;
- Councillor Kerr stated that the policy was difficult to find on the website, and asked that this be made more easily accessible for the public;
- Councillor Kerr was of the opinion that the Scheme of Delegations was not very clear and that the previous version was better laid out;
- Councillor Kerr expressed concern in relation to the change in Section 1.6 Interested parties. She stated that elected Members sometimes acted as representatives to interested parties and it was unhelpful that the draft stated that evidence of identity was going to be requested (differing from the current policy which explicitly allowed democratically elected councillors to make representations without evidence of being asked);
- Councillor Kerr expressed concern in relation to 1.7 Information exchange in that it omitted information about people's details being made public;
- David Lucas stated that the Act provided a list of statutory consultees, as listed in the report. However, this could be extended by the local authority;
- Moira Fraser, Policy and Governance Officer stated that she would investigate a way to make the policy more accessible on the website. In relation to the consultation, she stated that this was going to be advertised on the newspaper and the listed consultees would be contacted in writing. There would be a link to the consultation on the PPP and Wokingham's website. She agreed to extend the consultation as directed by the Committee;
- David Lucas agreed to amend appendix C to make it more user friendly;
- In relation to 1.6 Interested parties, David Lucas stated that the wording meant that it was at the discretion of the local authority to ask for evidence or not, it was not mandatory. However, he agreed to amend it at the Committee's request;
- In relation to 1.7 Information exchange, David Lucas agreed to include wording to make it clearer about contact details being made public;
- Councillor Burgess asked if any risks had been identified in the last three years, and she referenced the three core gambling aims;
- David Lucas stated that the gambling aims had not changed and remained the foundation for the drafting of the policy;
- David Lucas stated that the draft policy had been drawn up with the intention of promoting the core aims, within the constraints of the legislation;
- Councillor Fishwick was interested to know what the impact of casinos closure and the lack of a casino resolution was in the policy;
- David Lucas stated that all the designated areas had undergone a complex convoluted bidding process to acquire the casino licence. He stated that a no casino resolution could be taken at any point in the future, however he believed that there was no need to include it in the policy now;
- For clarification, David Lucas stated that not all 16 areas had operational casinos;
- Councillor Patman stated that historically, there had never been any attempt to have a casino in this area, mainly due to its proximity to Reading;

- Councillor Firmager stated that the policy could be reviewed at any point in time if necessary. He was interested to know what was the mechanism for review;
- David Lucas stated that a review process would be exactly the same as the one being undertaken now, it would start with a submission to Licensing and Appeals Committee, a consultation and final approval by Council;
- Councillor Ferris asked what would happen if residents were not happy with the number of bookmakers in a particular area;
- David Lucas stated that the local authority had to operate within the constraints of the Act. Any objections to new premises or variations had to be based on the three objectives, so it was difficult to limit the number of bookmakers based on the Gambling Act. The number of bookmakers on the high street had started to decline as a result of changes introduced a couple of years ago;
- Councillor Younis stated that the consultation process should be improved, both in relation to the communication of it and the list of consultees;
- Moira Fraser stated that the consultation would run for 12 weeks and that every effort would be made to publicise the consultation.

Councillor Kerr proposed to amend the wording of recommendation number three to read:

3. That the parties as set out in paragraph 9 and appendix A of the report, as well as elected Members and the wider public be consulted.

The proposal was seconded by Councillor Fishwick and upon being put to the vote was supported by the Committee.

The Chairman asked that the amendments discussed during the meeting be included in the revised draft.

RESOLVED That:

- 1) The amendments proposed by Members during discussions be included in the revised draft;
- 2) The draft revised Statement of Gambling Principles prepared under Section 349 of the Gambling Act 2005 as appended to the report be approved for consultation;
- 3) The Public Protection Manager is authorised to proceed with formal consultation for the 12 week period between 7 July 2021 and 29 September 2021;
- 4) The parties as set out in paragraph 9 and Appendix A of the report, as well as elected Members and the wider public be consulted; and
- 5) Any comments on the revised Statement be brought to the 20 October 2021 Licensing and Appeals Committee meeting for discussion prior to the report being formally presented for adoption at the 18 November 2021 Council meeting.

7. HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES CONSULTATION RESPONSES REPORT

Moira Fraser, Policy and Governance Officer presented the Hackney Carriage and Private Hire Licence Fees Consultation Responses report.

Moira Fraser stated that the report was in response to a request at the last meeting to find out what support had already been given to the taxi trade in relation to the pandemic. The Committee had requested this information in order to make an informed decision in respect to any further subsidies.

Councillor Burgess stated that it was now known that 98 taxi drivers had received a Covid related grant. This represented less than a third of total number of taxi drivers. She continued to support the view that there should be no increase in fees this year due to the difficulties that had been faced during the period. She pointed out that this subsidy would not be material to the Council's budget but it would certainly be material to taxi drivers.

Councillor Burgess proposed that fees for private hire vehicles and hackney carriage vehicles be held at 2021 levels. She was seconded by Councillor Kerr.

Councillor Kerr expressed concern that the report lacked the detail requested by the Committee.

Councillor Ferris stated that taxi drivers had seen a significant reduction in their income, and not all taxi drivers had received a grant. He felt it was inappropriate to increase the fees at this time.

Councillor Kerr proposed to refund the fees to those that had already paid them.

Councillor Bowring was interested to know the cost of this proposal. Julia O'Brien, Principal Officer Compliance and Enforcement state that the figure would be around £9k.

Upon being put the vote Members voted in favour of Councillor Burgess' proposal.

RESOLVED That: The fees for private hire vehicles and hackney carriage vehicles will be held at 2021 levels and any fees already paid will be refunded.

8. FORWARD PLAN

The Forward Plan for the Committee was considered and Members were invited to comment.

Members asked to be kept informed on the plans for the exit process from the PPP.

Councillor Bowring stated that the Committee was autonomous from the PPP and that it agreed its own policies independently from the other local authorities.