

## LICENSING COMMITTEE

18 September 2018

### Present:

Councillor Keith Owen (Chair)

Councillors Sheldon, Begley, Branston, Foale, Hannan, D Henson, Holland, Newby, Sills and Wright

### Apologies:

Councillors Mitchell

### Also present:

Environmental Health and Licensing Manager, Litigation Solicitor, Principal Licensing Officer and Democratic Services Officer

### 15 **Minutes**

The minutes of the meeting held on 29 May 2018 were taken as read and signed by the Chair as a correct record.

### 16 **Declarations of Interest**

No declarations of interest were made by Members.

### 17 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

**RESOLVED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

#### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

### 18 **Proposal to introduce an updated Gambling Act 2005 Statement of Licensing Policy**

The Principal Licensing Officer presented the report that detailed the responses to the 12 week consultation of the proposed updated Gambling Act 2005 Statement of Licensing Policy. The policy had been previously presented to the Licensing Committee at the meeting held on 29th May 2018. He explained that the existing policy came into effect in January 2016 and that there was a legal requirement to review policy statements every three years. The draft policy had been updated to reflect the changes made, in accordance with the national guidance for adoption by January 2019.

He explained that the Licensing Team had undertaken a 12-week consultation with a range of stakeholders including Public Health Devon, licence holders, gambling support providers, and statutory consultees, which comments in relation to the consultation exercise had been received.

In response to questions from Members, the Environmental Health and Licensing Manager and the Principal Licensing Officer explained that:-

- There was no available register to check applicants information with information provided from other authorities, but a proposed register for taxi drivers was being addressed;
- The form for checking applicants was specific in the information it requested, but the authority had an excellent working relationship with the gambling commission and could liaise with them to make additional checks on applicants. However without a national register, making checks was a difficult task;
- It would be good practice to share information such as refused applicants with other areas, which local authorities across the country were collaborating with and liaising with central government to form a register.

The Chair proposed and the Licensing Committee supported having greater checks made to applicants and to have these recommended to central government by Exeter City Council.

**Recommended** that the Gambling Act 2005 Statement of Licensing Policy be approved and that Executive and Council requested to support and adopt the Policy.

#### 19 **Side Loading / Rear Loading Wheelchair accessible vehicles**

The Environmental Health and Licensing Manager presented a verbal update report on side and rear loading wheelchair accessible vehicles. He explained that as the officer with constitutional responsibility it was for him to present a report to the Licensing Committee, but there had been operational and resource issues, which had delayed the report. There were also legal and public safety aspects to consider and explore further.

He explained to Members that the existing policy had been approved by the Licensing Committee 15 March 2015, following a consultation, which had received a lot of representations at that time. He stated additional work was required on amending the policy and it would be brought back to the Licensing Committee at a future date.

The Chair and Deputy Chair commented on a recent site visit to observe side loading and rear loading wheelchair accessible vehicles and received feedback from users, which would be included in the final report to amend the policy. They highlighted that the visit was very informative and indicated amending the policy would not be straightforward with the issues raised. All legal issues would also be included in the report when it would be brought to the Licensing Committee.

Members noted that there may be further issues, based on changes to vehicle designs and technology, which were continually be changed. The Licensing Committee recognised the resource issues the Licensing team faced and thanked them for their hard work,

The Licensing Committee noted the report.

The meeting commenced at 5.30 pm and closed at 5.45 pm

Chair