

Licensing Committee
18 June 2024

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held on Tuesday 18 June 2024 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, AL8 6AE

PRESENT: Councillors J.Weston (Chairman)
H.Goldwater (Vice-Chairman)

J.Cragg, D.Jones, B.Sarson, R.Trigg, A.Chesterman,
L.Gilbert, I.Walsh, K.Bonkur, A.Skottowe and
S.Bonfante

OFFICIALS K Payne, Licensing Team Leader
PRESENT: S.McDaid, Executive Director (Resident Services and Climate Change)
R.Misir, Senior Democratic Services Officer

At the start of the meeting, the Executive Director, Resident Services and Climate Change, gave a short presentation which provided an overview about the purpose of the Committee. It is a statutory committee and legislation requires all local authorities to have a committee to hear applications in relation to the Gambling Act and the Licensing Act. It operates in line with the Constitution and is cross-party with its Chair and Vice Chair being selected at Annual Council. It has a pool of 10 – 15 members (this year there are 12 members). The Committee predominantly deals with considering and reviewing policies and makes recommendations on whether to approve them to Cabinet and Full Council. Issues the Committee would consider included reviewing and approving the Gambling Act policy and Licensing Act policy; the latter had been through a public consultation and would be considered at the next meeting. The Committee would also look at other policies such as the street trading policy and would look at some applications for other licences eg Hackney Carriages, particularly when there was an objection.

The Committee delegated some of its decision making to the Alcohol and Regulated Entertainment sub-committee and those meetings, which were convened as required, had a membership of 3 drawn from the Licensing Committee membership. Sub-committee meetings considered applications in relation to the Gambling Act or Licensing Act, such as reviews of licences called in by the police or Environmental Health, temporary event notices when objections had not been withdrawn, and objections to premises licences.

A member asked how members of the sub-committee were selected. Officers advised availability was taken into account and noted these meetings tended to take place during the daytime, often to facilitate the attendance of the licenced trade.

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16. APOLOGIES & SUBSTITUTIONS

An apology for absence was received from Councillor Jane Quinton.

The following substitution was made in accordance with Council Procedure Rules:

Councillor Sandreni Bonfante for Councillor Jane Quinton.

17. MINUTES

The minutes of the meeting held on 26 February 2024 were confirmed as a correct record.

18. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 6

There were no items of urgent business.

19. DECLARATIONS OF INTERESTS BY MEMBERS

There were no declarations of interest.

20. GAMBLING ACT POLICY

The Licensing Team Leader introduced the report. Section 349 of the Gambling Act 2005 required all licensing authorities to prepare and publish a statement of the principles that they proposed to apply in exercising their functions under the Act during the three-year period to which the policy applied; in this instance, the next period was from January 2025 to January 2028. The statement must be produced following consultation, which was deliberately wide to enable licensing authorities to consult with anyone who might be affected by or otherwise have an interest in the Licensing Authority Statement of Policy. The list of those who would be consulted was set out at Appendix B of the report and people would be encouraged to share the details with any interested parties.

The policy had been reviewed and updated to reflect changes made to the Gambling Commission's guidance to licensing authorities which was last published in April 2021 and updated in April 2023, and a White Paper was due at some point in the future. The policy could be reviewed at any point in its lifetime so it could be revisited if there were to be major changes. The changes made to the current policy included additions, amendments and items removed from the updated guidance which were shown in red text in the draft policy

The Welwyn Hatfield Statement of Licensing Policy aimed to set out in general terms what policy decisions the Council had taken to achieve the objectives of the Gambling Act and the policy set out the matters operators were expected to take into account when producing their risk assessments.

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Officers had produced a local area profile which set out local risks as map overlays in a GIS format which included the position of cashpoints, schools etc. The maps were appendices to the local area profile; they were a standalone document to be read alongside the Gambling Statement and were meant to assist applicants wishing to site a gambling premises.

Once adopted, the policy statement would form part of the decision making process when determining applications for premises licences in respect of casinos, bingo betting, adult gaming centres and family entertainment centres. The policy would also be used by courts if they were asked to consider an appeal against a committee decision.

The policy statement followed a prescribed statutory format and would incorporate views from the consultation exercise. It was proposed that the consultation would run from 24 June 2024 to 13 September 2024 and any proposed changes would be brought back to the committee for approval.

RESOLVED

The Committee approved the policy to go out for public consultation.

Meeting ended at 7.42 pm