

**North East Derbyshire District Council**

**Licensing and Gambling Acts Committee**

**20 June 2019**

<b>Membership of the Licensing and Gambling Acts Sub-Committee 2019-20</b>
--

**Report of the Monitoring Officer**

This report is public

**Purpose of the Report**

- To set out the membership of the Licensing and Gambling Acts Sub Committee meetings for the 2019/20 Municipal year.

**1 Report Details**

- 1.1 The Council has agreed to new governance arrangements for discharging its' licensing responsibilities. The Licensing and Gambling Acts Committee forms part of these arrangements. The functions of the Licensing and Gambling Acts Committee include:
- Considering all licensing matters related to the Licensing Act 2003 and the Gambling Act 2005;
  - Recommending to Council statements of Licensing Policy under the both the Licensing Act 2003 and the Gambling Act 2005;
  - Making any minor changes and updates to the Statements of Licensing Policy under the both the Licensing Act 2003 and the Gambling Act 2005 that are required following the adoptions by Council of both statements;
  - Recommending to Council to resolve whether to issue a Casino Licence.
- 1.2 Specific aspects of the Committee's responsibilities will be discharged by the Licensing and Gambling Acts Sub Committees. In particular, they will consider:
- Consider all matters which cannot be delegated to officers concerning the discharge by the Council of its licensing functions under the Licensing Act 2003;
  - Determine applications for a personal licence where there are relevant unspent convictions;
  - Review premises licences or club premises certificates; other than minor variations
  - Decide on whether to object when the local authority is the consultee and not the relevant authority considering the application;
  - Determine on police or environmental health objections to a temporary event notice.

- Considering all matters which cannot be delegated to officers concerning the discharge by the Council of its licensing functions under the Gambling Act 2005, including:
  - (a) Applications for a premises licence where representations have been received and not withdrawn.
  - (b) Applications for variation to a licence where representations have been received and not withdrawn.
  - (c) Applications for a transfer of a licence where representations have been received from the Gambling Commission.
  - (d) Applications for a provisional statement where representations have been received and not withdrawn.
  - (e) Reviewing a premises licence.
  - (f) Applications for a club gaming/club machine permits where objections have been received and not withdrawn.
  - (g) Cancellation of club gaming/club machine permits.

1.3 Sub Committee meetings will be arranged by the Monitoring Officer on an as and when required basis and will usually take place upon the conclusion of a General Licensing Sub Committee meeting. Each Sub Committee will consist of the same five members who had served on the previous General Licensing Sub Committee. A quorum of three Members of the Sub Committee will be required for the meeting to be held. The Chair for the meeting will be determined by the Members present at the meeting.

1.4 The scheduled dates and membership for potential Licensing and Gambling Acts Sub Committees are set out below:

<b>Date of potential Licensing and Gambling Acts Sub-Committee (all meetings to commence at the conclusion of the General Licensing Act Sub Committee)</b>	<b>Members for the Sub-Committee Meeting</b>
Thursday 6 June 2019	Welton, Emmens, Huckerby, Reader, Holmes
Thursday 4 July 2019	Antcliff, P Bone, P Wright, Kerry Pickering
Thursday 1 August 2019	Liggett, Roe, Welton, Windley, Stone
Thursday 5 September 2019	Emmens, Antcliff, Huckerby, Reader, Holmes
Thursday 3 October 2019	Welton, Roe, P Wright, Kerry, Pickering
Thursday 7 November 2019	Emmens, Huckerby, P Bone, Windley, Kerry
Thursday 5 December 2019	Welton, Liggett, P Wright, Reader, Holmes
Thursday 9 January 2020	Antcliff, P Bone, Huckerby, Pickering, Stone
Thursday 13 February 2020	Liggett, Roe, Welton, Windley, Kerry
Thursday 19 March 2020	Emmens, Antcliff, Huckerby, Kerry, Pickering
Thursday, 23 April 2020	Welton, Emmens, Huckerby, Reader, Holmes

- 1.5 Members and officers will be informed if any of the General Licensing Sub-Committee Meetings are required or if any additional, unscheduled, meetings have to be arranged. This information will also be published on the Council's web site. The Monitoring Officer will determine the membership for any additional Sub-Committee meetings, as appropriate.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The proposed approach will provide greater clarity for Members of the Licensing and Gambling Acts Committee about when they may be required to attend Sub-Committee meetings. Those Members who are required to attend specific Licensing and Gambling Acts Sub Committees will have more time to prepare for them, which in turn will help to improve the operation of this important part of the Council's governance arrangements.

## **3 Consultation and Equality Impact**

- 3.1 None Specific

## **4 Alternative Options and Reasons for Rejection**

- 4.1 The approach of canvassing Members on an ad-hoc basis to serve at specific Licensing and Gambling Acts Sub Committee meetings was considered but rejected. The proposed approach will continue the practice adopted in 2018-19, which helped to improve the opportunity for Members to prepare and participate in Licensing Sub-Committee meetings. By giving them greater notice of Licensing and Gambling Acts Sub-Committee meetings which they could be required to attend, they will be able to avoid diary clashes and so be better able to participate in them.

## **5 Implications**

### **5.1 Finance and Risk Implications**

- 5.1.1 None

### **5.2 Legal Implications including Data Protection**

- 5.2.1 None

### **5.3 Human Resources Implications**

- 5.3.1 None

## **6 Recommendations**

- 6.1 That the Committee considers and amends as appropriate the membership and schedule of dates for the potential Licensing and Gambling Acts Sub Committee meetings to be held in the 2019-20 municipal year;

- 6.2 That Committee notes that this schedule of potential Licensing and Gambling Acts Sub Committee meetings is subject to change by the Monitoring Officer.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes/No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## 8 Document Information

Appendix No	Title
NONE	
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
NONE	
Report Author	Contact Number
Nicola Calver Governance Manager	01246 217753