

Minutes

LICENSING COMMITTEE

13 April 2017

Meeting held at Committee Room 6 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Dominic Gilham (Chairman), David Yarrow (Vice-Chairman), Lynne Allen, Teji Barnes, Jazz Dhillon, Janet Gardner, Patricia Jackson, John Morse and Brian Stead</p> <p>LBH Officers Present: Mark Braddock (Democratic Services), Ian Meens (Regulatory Services), Nicole Cameron (Legal Services)</p> <p>Also Present: Jim Reynolds (Gambling Commission), Sgt. Karl Spour and Acting Sgt. Ian Wares (Metropolitan Police Service)</p>
28.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Roy Chamdal.</p>
29.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>No declarations of interest were declared by Members present.</p>
30.	<p>TO AGREE THE MINUTES OF THE MEETING HELD ON 10 JANUARY 2017 (<i>Agenda Item 3</i>)</p> <p>Minor changes were made to the resolutions of the Committee in the minutes of the meeting held on 10 January 2017. The minutes were then confirmed as a correct record.</p>
31.	<p>TO CONFIRM THE ITEMS OF BUSINESS IN PART 1 WILL BE CONSIDERED IN PUBLIC AND ANY ITEMS PART 2, IN PRIVATE (<i>Agenda Item 4</i>)</p> <p>It was confirmed that all matters would be considered in public.</p>
32.	<p>PRESENTATION FROM THE GAMBLING COMMISSION (<i>Agenda Item 5</i>)</p> <p>Mr Jim Reynolds, Compliance Manager from the Gambling Commission, attended the meeting to give an overview to Members on the controls for gaming machines, technical safeguards in place, recent trends relating to the gaming industry statistics. Of particular note, Mr Reynolds informed Members that:</p> <ul style="list-style-type: none">• There were clear differences between the regulated fixed odd betting terminals or gaming machines and “skill-based” machines that did not include an element of ‘chance’ and were not covered under the Gambling Act.

- That games are tested in labs to ensure they comply with any game rules provided to the player, and how even art-work was also closely monitored to ensure compliance.
- That the distribution of prizes should always be random in the case of random games and that security arrangements are required by the Gambling Commission to prevent software tampering and fraud.
- That from the most recent published statistics, the total number of gaming machines available within Great Britain was 167,839 representing a gross cabling yield of £2.5 billion.
- That there were 8,709 betting shops in Great Britain, and recent trends indicated that this number was falling slightly.

During the discussion on the matters raised, Committee Members made the following comments and observations:

- How stakes and prizes operated for crane grab machines, which were category D in nature. This was later clarified after the meeting as follows:
 - *10p stake can have a maximum prize of £5 cash or £5 cash + £3 non cash*
 - *30p stake can have a maximum non-monetary prize to a value of £8.*
 - *They can have the stake increased to £1 when the prize, which must be a physical object, can go up to a value £50.*
- The proliferation of betting and gambling shops in certain town centre areas and how such premises were restricted to a maximum of 4 fixed odd betting terminals.
- The checks put in place when machines are in-situ to make sure they were operating correctly and how operating licenses required this, including the use of internet connection to test the software by suppliers.
- The graphics on 'skills-based' machines and how they increasingly looked like regulated gaming machines.
- Work by the All-Party Parliamentary Group into Fixed Odd Betting Terminals.

Following the presentation, Members thanked Mr Reynolds for his attendance and insight into the work and important role of the Gambling Commission.

RESOLVED:

That officers circulating the Gambling Commissions latest figures in the coming months.

33. ALCOHOL RELATED PROBLEMS, HAYES TOWN & REDUCING THE STRENGTH UPDATE (Agenda Item 6)

Members received an update report 'Reducing the Strength' and street drinking, particularly in Hayes Town. Mr Ian Meens, outlined the work that had been taking place with the Police in a joined-up way to educate and enforce the sale of alcohol by off-licences.

It was noted by Sgt. Karl Spour, that the Police took a comprehensive enforcement approach to off-licences based upon intelligence, which included illegal workers, drug paraphernalia being sold and targeting the most prolific street drinkers using the Borough-wide Public Space Protection Orders.

Committee Members expressed a sense of the difficulties around this subject, as street drinkers would move from premises to premises and buy one can at a time. A discussion took place around how best to mark alcohol being drink on the street, in order to determine which specific premises had sold them, however, the general view, was that this would be extremely difficult to work in practice and that visible enforcement would be more effective. Members' suggested involving the Hayes Town Partnership more in such efforts.

RESOLVED:

That the Committee:

- 1. Note the information within the report and provided by those present at the meeting;**
- 2. Agree a progress update on the matter from the Council and Police at its October 2017 meeting.**

34. **STREET TRADING HEARING PROTOCOL** (*Agenda Item 7*)

It was noted that officers had reviewed the existing hearing procedures in order to ensure that no conflict existed with the recently revised policies for Street Trading and Markets. Having been presented to the Committee in 2016, the procedures had since gone out for the required public consultation and no representations or comments were made.

Considering the updated protocol, the Committee made the following observations:

- Para. 2.1. should be made clearer around the timescales for making decisions on a license following representations;
- The notice period, on receipt of the notice of hearing, should be 48 hours rather than 5 days;
- The protocol should be clearer around speaking rights;
- The diagram of the committee room layout should be updated;
- On section 13.1 on appeals, reference to the word "may" should be "will".

It was agreed that officers would re-word the protocol and check whether any additional consultation was required before bringing it back to the Committee for approval.

RESOLVED:

That officers be requested to provide further amendments to the protocol, before bringing it back to the Committee for final approval.

35. **STREET TRADING POLICY** (*Agenda Item 8*)

Members were informed that licensing officers were considering a minor review of the current Street Trading Policy to get the Committee's early steer before taking any changes forward with the Cabinet portfolio holder.

It was considered that some of the wording could be tightened up in particular about

shop frontage, objections to licences, designated streets and both permanent and temporary licences. As such, Members' requested that more details be provided at the July Committee meeting.

RESOLVED:

That the Committee request officers provide a further update to the July 2017 meeting on proposed changes.

36. **LEGISLATIVE UPDATE** (*Agenda Item 9*)

The Licensing Committee were advised on amendments to the Licensing Act 2003 brought about by the Policing and Crime Act 2017 and the Immigration Act 2016. In particular, Members noted changes to make the interim steps process more manageable, the extended definition of alcohol to include its vapourised state along with further restrictions and checks on personal license applications to those that have the right to live and work in the UK and revocation of licenses for certain convictions.

RECOMMENDATIONS:

That the Committee:

- 1. Will undertake further consideration of whether new powers related to the suspension or revocation of Personal Licences will be exercised by means of Sub-Committee hearing or by means of an application on paper;**
- 2. Note that consequential amendments to the Council's Licensing Policy and Sub-Committee Hearing Protocol will be tabled at future meetings.**

37. **HOUSE OF LORDS SELECT COMMITTEE ON THE LICENSING ACT 2003 - UPDATE** (*Agenda Item 10*)

Members of the Committee had a comprehensive discussion following publication of some far-reaching recommendations from the House of Lords' Select Committee review into the Licensing Act 2003.

There was overwhelming concern from Members present to some of the findings, in particular the recommendation that licensing functions should in future be undertaken by Planning Committees.

Members noted that the Lords' report was still only suggestive at this stage, but agreed to keep a watching brief on the Government's response.

RESOLVED:

That the Committee:

- 1. Notes the report from the House of Lords Select Committee.**
- 2. Agrees that Members' be kept updated on proceeding and any upcoming consultations.**

38. **DRAFT FORWARD PLANNER 2017/18 MY** (*Agenda Item 11*)

Members reviewed upcoming business to the Committee.

RESOLVED:

That the Committee:

- 1. Note the Forward Planner.**
- 2. Add a joint Police/Council update on “reducing the strength” be added to the October meeting.**

39. RATIFICATION OF SUB-COMMITTEE MINUTES *(Agenda Item 12)*

Relevant Members of the Committee agreed the minutes of a previous Licensing Sub-Committee hearing as a correct record and the Committee then ratified the minutes of the meeting.

RESOLVED:

- 1) That the Committee note the decisions of the Licensing Sub-Committees since the last Licensing Committee meeting and;**
- 2) That the Committee, and Members present at the following Sub-Committees, approve the following minutes as a correct record:**
 - a) 20 January 2017 (Part 1)**
 - b) 20 March 2017 (Part 1)**
 - c) 23 March 2017 (Part 1)**

The meeting, which commenced at 10.00 am, closed at 12.01 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please Contact Mark Braddock in Democratic Services on Email: democratic@hillington.gov.uk. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.