

# Agenda Item 3

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## LICENSING COMMITTEE

13 JULY 2021

(7.15 pm - 7.43 pm)

PRESENT Councillors Councillor Nick Draper (in the Chair),  
Councillor David Simpson, Councillor Pauline Cowper,  
Councillor Nigel Benbow, Councillor Mary Curtin,  
Councillor Oonagh Moulton, Councillor Stephen Alambritis,  
Councillor John Dehaney and Councillor Russell Makin

ALSO PRESENT Amy Dumitrescu (Interim Democracy Services Manager) and  
Krishna Chapriban (Democratic Services Officer)

ATTENDING

REMOTELY Councillor Paul Kohler

ALSO

ATTENDING Guy Bishop (Senior Lawyer - Litigation and Licensing), Caroline  
REMOTELY Sharkey (Licensing Manager)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Janice Howard and Stan Anderson

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

They were no declarations of interest

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 28 January 2021 were agreed as an accurate record

### 4 REPORT ON THE DRAFT THREE YEARLY REVIEW OF THE COUNCIL'S STATEMENT OF POLICY AND PRINCIPLES UNDER THE GAMBLING ACT 2005 (Agenda Item 4)

The Licensing Manager presented the report, highlighting the changes within the revised statement of principles and answered questions from the Committee. Section 349 of Gambling Act 2005 required the Licensing Authorities before each successive period of three years to prepare and publish a statement of the principles that could be proposed and applied when the functions under the Gambling Act during that period are exercised.

The next successive period would begin on 31<sup>st</sup> January 2022. The statement of principles, if approved, would be adopted as of 31<sup>st</sup> December 2021 and must be

published on the Licensing Authority's website and will also be made available for inspection by the public, four weeks in advance of the date it comes into effect. In addition, the Licensing Authority would publish a notice on the Councils website and a public Notice at the Civic offices.

There were no substantial changes expected to the current statement of principles, however the Licensing Manager confirmed it had been reviewed and strengthened in the number of areas when applications are determined under the Gambling Act. A review on the process that determined applications under the Gambling Act and proposed changes have been detailed under paragraphs 3.3 to 3.10 of the report. If adopted, the new Statement of Principles would commence from 2022 until 2025. This would enable the Council to further scrutinise applications prior to their determination including in relation to gaming machines. *(Post meeting note: The appendices to the report were not available to the committee at the meeting however were circulated following the meeting.)*

A further paper would be brought to the committee in October detailing feedback received from the consultation and if approved would then be referred to Full Council to approve in November 2021. The responsible Authorities would all also be consulted.

In response to questions from members, The Licensing Manager advised that the other Boroughs within the Regulatory Services Partnership also had a no casino policy within their statement of principles and members were supportive of retaining this policy in Merton.

In response to further questions, the Licensing Manager advised that a local area profile had been developed and would also be consulted on and applicants would have to have regard to this prior to submitting any applications to the Licensing Authority.

In relation to enforcement, enforcement compliance visits would be undertaken to check risk documents and to inspect gaming machines locations and the information displayed on them as part of these compliance visits as well as following up on any intelligence received through complaints.

RESOLVED that the Committee:

- A. Approved the Draft Statement of Policy and Principles under the Gambling Act 2005 set out in Appendix A for consultation
- B. Approved the proposal to consult on the re-stating of a 'No Casino' resolution under section 166 of the Gambling Act 2005
- C. Approved the proposed arrangements for consultation on the Draft Statement of Policy and Principles under the Gambling Act 2005 as laid out in paragraphs 3.19 – 3.21.