

## LICENSING COMMITTEE

Councillor David Goodwin (Chairman)

\* The Deputy Mayor, Councillor Dennis Booth (Vice-Chairman)

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|------------------------------|--------------------------------------|
| * Councillor Tim Anderson    | The Mayor, Councillor Marsha Moseley |
| * Councillor Gillian Harwood | * Councillor Maddy Redpath           |
| Councillor Nigel Manning     | * Councillor Will Salmon             |
| * Councillor Ted Mayne       | Councillor James Steel               |
| Councillor Ann McShee        | Councillor Keith Witham              |
| Councillor Bob McShee        | * Councillor Catherine Young         |
| * Councillor Masuk Miah      |                                      |

\*Present

### L1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors David Goodwin, Ann McShee, Bob McShee, Nigel Manning, The Mayor, Councillor Marsha Moseley and James Steel. An apology was also received from Councillor Keith Witham who was in attendance to observe the meeting. Owing to being a new member of the Committee, training needed to be arranged in order for him to participate as a Licensing Committee member which was in progress.

The Deputy Mayor, Councillor Dennis Booth chaired the meeting in his capacity as Vice-Chairman.

### L2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest declared.

### L3 MINUTES

The minutes of the Licensing Committee held on 24 March 2021 were approved and signed by the Chairman.

The Committee queried whether the Police and Crime Commission (PCC) had agreed to fund the cost of installing CCTV units into taxi cabs. The Senior Specialist for Licensing and Community Safety confirmed that funding may not after all be secured via the PCC, but that funding was still being sought and updates would be given when known.

### L4 ANNOUNCEMENTS

The Chairman wished to thank Bridget Peplow in her capacity as Lawyer for the Licensing Committee for all of her advice and hard work over the years. All of the Committee wished her all the best in her retirement.

### L5 LICENSING OF SEX ESTABLISHMENTS: STATEMENT OF LICENSING POLICY 2022-25

The Committee noted that the Council was the Licensing Authority for regulating sexual entertainment venues in Guildford. Guildford currently did not have any such venues, however the policy for regulating sexual entertainment venue was subject to review every three years and was required should somebody come forward with an application. No changes were

envisaged to be made to the policy and therefore the Committee was asked to approve that the policy went for public consultation, for a period of 6 weeks, after which it would be submitted for approval by the Committee later this year.

The Committee discussed the policy and asked for clarification as to whether the Licensing Team were aware of venues operating sexual entertainment venues without a licence and how that was effectively monitored with the Police.

The Senior Specialist for Licensing and Community Safety confirmed that the Licensing Authority worked closely with the Police in monitoring venues activities with routine checks undertaken. Pubwatch was another means through which venues were monitored. The Police and Licensing Authority shared information and worked closely together.

The Committee having considered the report;

RESOLVED to approve the draft Licensing of Sex Establishments Policy 2022-2025 for public consultation and instruct officers to carry out the consultation over a 6-week period.

#### **L6 GAMBLING ACT 2005: STATEMENT OF PRINCIPLES 2022-25**

The Committee noted that the Gambling Act 2005 required the Council as licensing authority to prepare and publish a Statement of Principles every three years. The existing Statement of Principles was published in January 2019 and was due for renewal by January 2022. The current statement was comprehensively reviewed in 2018 to reflect updated Guidance published by the Gambling Commission (5<sup>th</sup> Edition September 2015) and to include a Local Area Profile for Guildford. There had not been any further update in Guidance from the Commission since the publication. As such, there were no changes proposed to the current policy. The Committee was therefore asked to approve the Gambling Act 2005: Statement of Principles for consultation for a 12-week period after which it would be considered by the Licensing Committee for approval later this year.

The Committee discussed the Statement of Principles and asked whether it included gaming activities. The Senior Specialist for Licensing and Community Safety confirmed that betting shops, casinos, bingo halls were all covered under the Act, but Guildford did not have any casinos or bingo halls. The Committee was interested to know if the Act covered the regulation of children using online gaming sites that were age prohibited. It was confirmed that the regulation of online gaming sites fell under the remit of the Gambling Commission and was not something controlled by the Licensing Authority.

The Committee queried what sort of training staff had in gambling venues to detect potentially vulnerable or under-age people using the machines. Did the Licensing Authority enforce that and how was it regulated. Also, whether conditions could be applied to gambling premises to ensure that fixed odds betting machines were installed which decreased the risk of people losing excessive sums of money.

The Senior Specialist for Licensing and Community Safety confirmed that under the Gambling Act when setting up a betting premises, before applying for a licence for the premises, an operator's licence needed to be applied for with the Gambling Commission. They had the responsibility to ensure that operators were deemed fit to adhere to the appropriate safeguarding measures. Reports from the Gambling Commission had identified cases where operators had failed to abide by the safeguarding measures and in turn would receive a significant fine. There were always conditions attached to how betting premises were run as well as being detailed in the policy. The Senior Specialist for Licensing and Community Safety confirmed that he was not aware of any operator whose activities were concerning so to trigger a Test Purchase and that there were only 8-9 betting shops in Guildford in total. With regard to

fixed odds betting machines, the number and type of machines permitted in any one shop was legislated for and ranged from Category A-D type machines.

The Committee having considered the report:

RESOLVED to approve the draft Gambling Act 2005 Statement of Principles 2022-25 for public consultation and instruct officers to carry out the consultation over a 12-week period.

**L7 LICENSING COMMITTEE WORK PROGRAMME**

The Committee discussed its work programme and was glad to see Purple Flag and Best Bar None listed. Owing to the limited number of items on the work programme, it was queried as to whether pavement licences could be added for consideration at a future meeting to assess their success.

The Senior Specialist for Licensing and Community Safety confirmed that the pavement licensing policy was ending in September 2021 with an extension provisionally applied until September 2022. The legislation had not yet been enacted but was likely to happen. After September 2022, the issuing of pavement licences fell to Surrey County Council and planning permission had to be applied for which involved a 28-day consultation period and the fees would be higher than the fee capped at £100 under the Business and Planning Act.

The meeting finished at 8.00 pm

Signed .....

Date .....

Chairman