

LICENSING COMMITTEE

30 NOVEMBER 2021

Present: Councillor Mackie(Chairperson)
Councillors Sattar, Derbyshire, Ford, Kelloway, Lancaster and Wood

1 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Goddard and Jacobsen.

2 : DECLARATIONS OF INTEREST

No declarations of interest were received.

3 : MINUTES

The minutes of the meetings held on 1 September 2020 and 10 September 2020 were approved by the Committee as a correct record.

4 : REVIEW OF STATEMENT OF GAMBLING ACT POLICY

The Committee received a report seeking approval to renew the authority's Statement of Gambling Licensing Policy following a statutory consultation.

Members were advised that under the Gambling Act 2005 Licensing Authorities have to publish a statement of Licensing Policy which sets out the principles that it proposes to apply when exercising its functions. The policy must be determined for a 3-year period. The current policy was adopted and published in January 2019. The Gambling Commission provides guidance to local authorities and this guidance has been relied upon in reviewing the existing policy.

A public consultation exercise was undertaken and views on the policy were requested. The Statement of Gambling Licensing Policy was revised to reflect some of the comments received. Details of the comments received and the amendments made as a result of the consultation exercise were set out in the report.

The Committee debated the revised document. Members raised concerns regarding the removal of a bullet point in section 5.3 of the policy that aimed to provide additional consideration to the protection to vulnerable adults when risk assessments for Gambling Premises are undertaken. Members formed a view that this particular section should remain in the Policy.

RESOLVED – That the amended Statement of Gambling Licensing Policy be approved for ratification by Council, subject to the retention of the following bullet point in Section 5.3 – Risk Assessments – Gambling Premises:

“Gambling trends that may mirror days for financial payments such as pay days or benefit payments”

5 : AUTHORISATION OF OFFICERS AND DELEGATIONS

The Committee received a report seeking the Committee's approval to update officer authorisation and delegations as a result of changes in post designations within Cardiff Council and Shared Regulatory Services in order to ensure that officers have the appropriate formal authorisation to act on the Council's behalf.

In the interests of effective performance it was proposed to delegate the responsibility for authorising officers to administer the requirements of the Licensing Act 2003 and Gambling Act 2005, and the instituting of legal proceedings under those Acts to the following officers:

- Assistant Director - Street Scene
- Head of Shared Regulatory Services
- Operational Manager - Neighbourhood Services

The officers would be authorised to approve and refuse Temporary Event Notices; to issue, refuse, suspend Licences, registrations, certificates, permits and notices; to institute legal proceedings; to implement the relevant provisions in respect of offences or other requirements; pursuant to any of the rules, regulations and/or Orders made under the Licensing Act 2003 and the Gambling Act 2005 as amended. The legislation sets out those circumstances where officers may not undertake decisions.

RESOLVED – That the Committee authorises the Assistant Director (Street Scene), the Head of Shared Regulatory Services and the Operational Manager (Neighbourhood Services) to act under, and to authorise officers to administer, the requirements of the Licensing Act 2003 and Gambling Act 2005 as identified in paragraph 2.2 of the report and to institute any necessary legal proceedings.

6 : URGENT ITEMS (IF ANY)

No urgent items were received.

The meeting terminated at 10.30 am