

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of a Meeting of the Licensing & Enforcement Committee**

**Held at Knowle, Sidmouth on Monday, 12 June 2006**

**Present:**

Councillors:

Mrs C E Drew (Chairman)  
Mrs F Newth (Vice Chairman)

D J Cox  
M J L Green  
Mrs M L Hardy

Mrs A E Liverton  
J A Knight  
Mrs P A Stott

**Apologies:**

Councillors:

Mrs P A Graham  
B Nicholson  
T G Reeves

The meeting started at 9.30 am and finished at 10.20 am.

**\*1 Minutes**

The minutes of the meeting of the Licensing & Enforcement Committee held on 27 February 2006, were confirmed and signed as a true record.

**\*2 Quarterly progress report on Licensing Act 2003 Implementation**

Consideration was given to the report of the Head of Legal and Member Services giving an up date on the District Council's progress regarding the implementation of the Licensing Act 2003 and the new responsibilities placed on the authority.

Members noted that the number of hearings had reduced, mainly as a result of mediation work from the Licensing Officers. There were no outstanding appeals and the Head of Legal & Member Services reported on the Guildford Wetherspoons case, which was a judicial review of a licensing authority decision based on a cumulative impact policy. Members noted that Wetherspoons had lost the judicial review of the case which meant that licensing authorities could take into account their adopted saturation/cumulative impact policies, including restricting opening hours.

Members noted that the number of licences still to be issued had been reduced greatly. It was anticipated that those remaining would be issued shortly.

**RESOLVED** that the report be noted;

**\*3 Gambling Act 2005 – Draft ‘Statement of Principles’ and the role of the District Council**

The Committee considered the report of the Licensing Manager which summarised a request for approval of a draft ‘Statement of Principles (Policy)’ for public consultation and outlined the implications of the Gambling Act 2005 on the District Council.

\*3 **Gambling Act 2005 – Draft ‘Statement of Principles’ and the role of the District Council**(Cont)

Members noted that the District Council would deal with premises only and the level of fees was yet to be agreed. It was anticipated that the Gambling Act 2005 would cause a lower level of work and licences issued, for the local authority than the Licensing Act 2003, although it was based on the same principles. Training for members would be arranged.

**RECOMMENDED**

- 1) that the report be noted;
- 2) that the draft ‘Statement of Licensing Policy’ be approved for public consultation, subject to the Head of Legal and Member Services being able to make any changes necessary before the policy goes out to consultation to take into account any further guidance and/or regulations.

\*4 **Applications for Gaming Machine Permits in Premises Licensed to sell alcohol**

Consideration was given to the report of the Licensing Manager summarising the Council’s position in relation to the granting of permits for gaming machines in premises licensed to sell alcohol in the district. The report also sought approval for a policy that where more than two machines were sought, the applicant should make their case to one of the Licensing Sub –committees and guidelines for dealing with those cases..

**RESOLVED**

- 1) that the applicants for more than two Amusement with prizes machines in premises licensed for the sale of alcohol be required to appear before a Licensing Sub Committee to make their case for seeking a permit for more than two machines;
- 2) that the guidelines as set out in paragraphs 1.3.2 to 1.3.7 of the report be adopted to deal with applications for more than two Amusement with Prizes machines in premises licensed for the sale of alcohol.

Chairman ..... Date .....