



LONDON BOROUGH OF BRENT

MINUTES OF THE ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE Monday 26 October 2015 at 7.00 pm

PRESENT: Councillor Long (Vice Chair in the Chair) and Councillors Aden, Bradley, Eniola, Harrison, Hector, Hylton, Kansagra, Khan, Long, McLeish and Shahzad

Apologies for absence were received from: Councillors Chohan, Naheerathan and Ms Shaw

1. **Declarations of interests**

None declared.

2. **Minutes of the last meeting - 26 May 2015**

RESOLVED:

That the minutes of the meeting held on 26 May 2015 be approved as a record of the meeting.

3. **Matters arising**

None.

4. **Statement of gambling principles**

Yogini Patel (Senior Regulatory Services Manager) introduced the report. She informed members that Brent, as a *Licensing Authority* under the Gambling Act 2005 (the Act), was required to prepare and publish a Statement of Principles (the Statement). The Statement set out the Authority's policy for dealing with applications and regulating gambling premises within the borough. The Act also required Brent Council, as a Licensing Authority, to keep the Statement under review from time to time and in so doing, to adhere to regulations and have regard to the Gambling Commission's Guidance.

She continued that the Statement was required to have regard to and, be consistent with the following three objectives of the Act:

Prevention of gambling from being a source of crime and disorder;

Ensuring that gambling was conducted in a fair and open way; and

Protection of children and other vulnerable persons from harm or exploitation.

During debate, Councillor Bradley enquired about the effect on crime rates in areas where was a significant number of gambling premises and what would happen in areas of high density gambling premises. Questions were also asked about judicial

review and in reference to the appendix to the report, Kansagra suggested the re-insertion of the paragraph relating to judicial review.

In responding to the above, the Senior Regulatory Services Manager advised that the Authority could not consider moral objections, planning status of premises and the level of demand or saturation of gambling premises when dealing with an application. She added that gambling operators had set up a watch group which analysed premises based crime and assessed what the operators could do about vulnerability. She also advised that the appeal procedures set out in the Act were deemed sufficient and that aggrieved persons were allowed to appeal to the Magistrates' Courts. She continued that a new database was in place which would enable automatic notification to ward members. Members heard that the Authority was required to publish the revised Statement for four weeks and make it available for public inspection prior to its coming into effect on 31 January 2016.

RESOLVED:-

that the draft revised Statement of Gambling Principles (31 January 2016 – 31 January 2019) be approved for consideration by Cabinet on 16 November 2015 and prior to final approval by Full Council on 23 November 2015.

5. **New Statement of licensing policy**

The Committee considered a report on the New Statement of Licensing Policy (Policy). The Council was required under the Licensing Act 2003 ('the Act') to determine and publish a Statement of Licensing Policy ('Policy'), at least once every 5 years, setting out its policies with respect to the exercise of its licensing functions. The current Policy which came into effect on 7 January 2011 would expire on 6 January 2016.

Yogini Patel (Senior Regulatory Services Manager) outlined the evidence-based approach adopted during the review of the current Policy involving the seven town centres within the Borough and included stakeholders, crime reports, health issues and licensed premises. She drew members' attention to the draft Policy attached at Appendix 1 (with track changes), highlighting additional proposed changes and improvements to the Policy aimed at making it legally and factually up to date, accurate and clear.

During discussions of the changes to the Policy, Councillor Bradley suggested an immediate consideration of the need for a cumulative impact policy and a three yearly (rather than five) reviews. It was added that such a policy could reward and penalise and allow the Authority to address issues such as signage to warn street drinkers. A member also enquired as to whether it was possible to spend some of the licensing fees to promote enforcement and signage.

In response, Yogini Patel stated that as any legislative changes would be brought before members enabling them to review issues of concern, it was not advisable to review the policy every three years. She added that the need for a cumulative impact policy would form part of next year's review of the policy. Looqman Desai (Senior Solicitor, Governance) added that members could request an earlier review at any time, if it was felt necessary. He advised members that as the consultation period would end on 30 October 2015, the draft Policy could be subject to further

changes before it was reported to Council for approval. He continued that the Council's General Fund was the only source of funding to promote enforcement as the licensing fees covered administration costs.

RESOLVED:-

- (i) that the comments made on the draft Policy be noted;
- (ii) that it be noted that the public consultation period would end on 30 October 2015 and that the draft Policy may be the subject of change before it is reported to Full Council for approval;
- (iii) that the intention to carry out a further review of the Council's Policy next year with the aim of formulating practical policies which respond to local issues, assist decision making and facilitate the achievement of the Council's objectives and vision be noted.

6. Any other urgent business

Sub-Committee membership changes.

Sub-Committee (A)

- (i) Replace Councillor Hector with Councillor Harrison

Sub-Committee (B)

- (i) Delete Councillor Davidson and insert Councillor Shaw as a substitute member.
- (ii) Replace Councillor Harrison with Councillor Hector

The meeting closed at 8.15 pm

J LONG
Chair