

Licensing Committee (Miscellaneous)

Tuesday 13 April 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.

Councillor Lock, Vice Chair.

Councillors Delbridge, M Foster, Mrs Nelder, Mrs Nicholson and Mrs Stephens.

Apologies for absence: Councillors Bowie, Mrs Dolan, Drean, Gordon, Kerswell, Rennie and Reynolds

The meeting started at 10.00 am and finished at 10.30 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

31. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

32. MINUTES

It was resolved that the following minutes be approved as a correct record:

2 February 2010	Licensing Committee Miscellaneous
19 January 2010	Licensing Sub Committee
26 January 2010	Licensing Sub Committee
2 March 2010	Licensing Sub Committee
12 March 2010	Licensing Sub Committee
16 March 2010	Licensing Sub Committee

33. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

34. SAFETY AT SPORTS GROUND - SCHEME OF DELEGATION

The Head of Development Management provided the Committee with an update upon the proposed scheme of delegation for sports ground safety.

The Committee was informed that –

- (i) the proposal sought to change the scheme of delegation from the Community Services directorate to the Development and Regeneration directorate because of the Council's recent restructure;

Resolved that –

- (1) the Licensing Committee authorise the scheme of delegation as set out in Appendix A of the report and delegate the officer's responsibilities to the Director for Development and Regeneration.
- (2) an annual report be submitted to the Licensing Committee (Miscellaneous) to update Members on sports ground safety.

35. **REVIEW OF FEES PAYABLE UNDER THE GAMBLING ACT 2005 AND THE GAMBLING (PREMISES LICENSING FEES) (ENGLAND AND WALES) REGULATIONS 2007**

The Principal Environmental Health Officer provided the Committee with an update on the review of fees payable under the Gambling Act 2005 and the Gambling (Premises Licensing Fees) (England and Wales) Regulations 2007.

The Committee was informed that –

- (i) in 2008 the Licensing Committee (Miscellaneous) set gambling fees at the maximum amount available to them as set by Government guidelines;
- (ii) Government regulations set a maximum amount for gambling fees;
- (iii) the minimum income expected from gambling fees was £60,000;
- (iv) Plymouth City Council had added test purchasing of gambling premises to their work programme in order to assure premises were abiding by gambling act guidelines;
- (v) Government had not stipulated whether current maximum costs for gambling fees would be increased;

In response to questions raised it was reported that –

- (vi) officers would correspond with licensees in Plymouth in order to aid their understanding of gambling act regulations;
- (vii) local lotteries were covered by the gambling act;
- (viii) guidance upon gambling policies would be provided to licensees before test purchase operations took place; this would give prior warning that test purchases were to take place;

Resolved that –

- (1) the fees for gambling premises licenses remain at the maximum levels as specified in the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 as set out in Appendix A of the report;
- (2) an annual fees and activities report be submitted to the Licensing Committee (Miscellaneous)

36. **PLYMOUTH ALBION SAFETY CERTIFICATE FOR EAST AND WEST STANDS**

The Head of Development Management provided the Committee with an update on Plymouth Albion Safety Certificate for East and West stands.

The Committee was informed that –

- (i) Plymouth Albion East and West stands had been designated as regulated stands and progress had been made towards being fully compliant with the safety certificate requirements;
- (ii) the original decision of the Committee was for the final decision for the issue of the Safety Certificate to be delegated to the Licensing Sub Committee (Miscellaneous) however this deadline was not met; to enable the matter to be resolved during the period of Council elections it was requested that the Licensing Committee (Miscellaneous) delegate authority to the Assistant Director for Development (Planning Services) to consider the application and issue the safety certificate to Plymouth Albion;

In response to questions raised it was reported that –

- (iii) the North stand did not fall within the criteria for a safety certificate however it was covered by health and safety legislation;
- (iv) a safety advisory group had been established for Plymouth Albion to discuss safety issues;
- (v) there were fail safe provisions in the Sports Safety Act in which Council could issue a full prohibition notice if there were real safety concerns;
- (vi) the fire brigade and police attended the safety advisory group.

Resolved that –

The Licensing Committee (Miscellaneous) delegate to the Assistant Director for Development (Planning Services) authority to consider the application and issue the Safety Certificate for the Plymouth Albion east and west stands and officers report to the Licensing Sub Committee on progress made on this matter and any issues that may arise.

37. **EXEMPT BUSINESS**

There were no items of exempt business.