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SOUTHAMPTON CITY COUNCIL  
LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 5 November 2012

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Present:

Members of the Council

Councillors Cunio (Chair), Parnell, Mrs Blatchford, B Harris, Vassiliou, Lewzey, Lloyd and Tucker

Apologies

Councillors Harris and Fitzgerald

5. **ELECTION OF VICE CHAIR**

**RESOLVED** that Councillor Lewzey be elected as Vice-Chair for the remainder of the 2012/13 municipal year.

6. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED** that the minutes of the meeting held on 14<sup>th</sup> June 2012 be approved and signed as a correct record. (Copy of the minutes appended to the agenda and circulated with the signed minutes).

7. **TRIENNIAL REVIEW OF GAMBLING ACT 2005 POLICY - CONSULTATION**

The Committee considered the report of the Head of Legal, HR and Democratic Services providing a consultation draft on the revised Gambling Policy for comment, which would then be reported back to Council at the meeting on 14<sup>th</sup> November 2012. (Copy of the report circulated with the agenda and appended to the signed minutes).

The following was noted:-

- the Policy (Statement of Licensing Principles – SLP) was a draft and administrative/typographical errors would be amended prior to submitting to Council;
- the majority of the SLP flowed from statutory guidance and included greater detail as to how the Council would approach any application process in relation to a Large Casino. There were 2 stages to the process ie Stage 1 “The Regulatory Test” to determine whether the applicant was a fit and proper operator and Stage 2 the “Greatest Benefit Test” where an Advisory Panel would be set up to assist in the evaluation process and where the operating schedule and conditions would be negotiated ;
- external/separate smoking areas that were provided with gaming machines would be covered by all the conditions which were embedded in the premises licence;

- casinos were professionally and responsibly operated with food being a substantial part of their business and it was doubtful whether a marketing strategy would be aimed at students, who in any event were adults;
- the competition would be a transparent process, in the public domain except for the confidential, commercially sensitive issues;
- the Licensing Committee's decision on an applicant was final with no right of appeal, although it could be potentially judicially reviewed ;
- the indicative time scale for the competition would be as follows:-
  - the competition criteria on the process would be agreed at full Council in January 2013;
  - after consultation it would then be formally adopted at the March 2013 Council meeting and the competition would then formally commence shortly afterwards;
  - stage 2 would be the lengthy process where the details of the bids were assessed in detail and terms negotiated and
  - the Licensing Committee would make the final decision; and
- the application to submit a bid to the Casino Advisory Panel to grant a large casino in Southampton had been agreed by the Council in 2005 and the Council as Licensing Authority had not passed a "no casino" resolution under Section 166 of the Gambling Act 2005, but was aware that it had the power to do so; members who had not been part of that vote would not be affected or have an interest to declare if they sat on the Licensing Committee that made the final decision in relation to the casino operator.

## **RESOLVED**

- (i) that the Committee considered and commented on the draft revised Gambling Act Policy; and
- (ii) that Sections 15.65, 15.67 and 15.68 of the SLP be amended to read that the Licensing Committee would consider all the applications and determine the application and not the Licensing (Licensing and Gambling) Sub-Committee.