

Licensing Committee5 July 2006
(9.30am to 11.20am)

Present: Councillor Liddle (Chair), Councillors Blencowe, Boyce, Dixon, Downham, Hymans, C Rosenstiel, Slatter, Stuart, Upstone

FOR ADOPTION BY THE COUNCIL**06/M/06 Introduction of the New Gambling Act 2005: Statement of Principles**

The Council was to take on new licensing responsibilities when the New Gambling Act 2005 was brought into effect in September 2007. The officers' report covered the requirement to produce a Statement of Principles and the need for the Licensing Committee to delegate authority to officers and the Licensing Sub-Committees. Prior to the processing of applications, each Council was required to produce, adopt and publish a Statement of Principles, stating how it would administer its duties under the Act. The statement must be drafted and consulted on prior to its adoption by the Council. All comments received as a result of consultation must be considered.

The Licensing Officer drew attention to the consultation proposed. The authority was required to consult with the police, persons representing the interests of people carrying on gambling businesses in the area and persons likely to be affected by the exercise of the authority's functions under the act. It was proposed to consult as widely as possible with the parties recommended in the Gambling Commissions guidance, including the police, holders of premises licences, responsible authorities and any other people likely to be affected, for example the Cambridge Licensing Forum and community organisations. Officers would also attend area committees and invite public comment.

The statement reflected the fact that the Council had not applied for a regional/large/small casino, nor had it passed a 'no casino' resolution, but that it had the power to do so. Should the Council decide to pass such a resolution, then the statement would need to be updated to reflect this. Any such decision would need to be made by the Council. There was no requirement for the Council to consider a 'no casino' resolution, but members would wish to consider comments from public consultation before taking a view.

The Council would be asked to adopt the final Statement of Principles before 31 December 2006.

The Committee noted that for Prize Gaming Permits, the statement has been drafted to reflect general issues considered to be most relevant. These are comparable with a number of other authorities. Members had the ability to exercise discretion in the formulation of this section of the statement.

Members raised a number of issues covered in the report and the draft Statement of Principles amongst them:

- Minor lotteries such as raffle tickets,
- Consultation with groups representing those recovering from gambling addiction and other vulnerable people.
- Guidance for the public to enable them to comment effectively during the consultation process.

- The need for changes in the statement to clarify the text and improve the grammar in some places (which have been addressed and incorporated in the attached draft).
- While the national guidance on the new Act and legislation defined the categories of children and young people, care should be taken that the final statement ensured protection for both of these vulnerable groups.

The Council is **recommended** to proceed with the public consultation on the draft Statement of Principles attached as Appendix A of the officers' report.

Note: *Appendices to the Officers' Report*

Appendix A: The draft Statement of Principles

Appendix B: List of Consultees (to be drawn in due course)

Appendix C:

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FOR THE INFORMATION OF THE COUNCIL**06/m/07 Minutes**

The minutes of the meeting of the special meeting held on 25 May 2006 were confirmed as a correct record. Members noted that the membership of Subcommittees had changed following consultation with members. (The provisional dates for meetings of the Subcommittees for the remainder of the year were set out in the attached paper.

06/m/08 Apologies

Cllr McPherson

06/m/09 Declarations of Interest

None

06/m/10 Hackney Carriage Fare Review 2006/07

The Officers' report set out proposals to amend the current Hackney Carriage charges in response to a request by the Cambridge Licensed Taxi Owners Association (CLTOA).

The CLTOA had requested consideration of a 3.7% increase in the distance and time tariff and the introduction of an additional tariff to start daily at midnight.

The officers' report referred to the decision made by the Committee on 14 July 2005 to base future fare reviews on the percentage increase agreed for Hackney Carriage fares in London and that only the distance and time elements should reflect the increase. The increase in London fares this year was 3.7%.

The officers said that, in relation to the additional tariff requested, there was no evidence of any unmet demand in the City and that late night queues for taxis had been reduced significantly following the changes introduced by the Licensing Act 2003.

Members considered the need for a more thorough review of hackney carriage fares taking into account a wider range of factors including:

- comparison with other authorities,
- the fare structure in the context of the County transport strategy,
- other public transport costs,
- comments from Hackney Carriage operators not represented by the CLTOA,
- the value for money provided by the trade and
- the user view.

Officers reminded the Committee of its decision in 2005 following a thorough review and the specific current request by the CLTOA. The request for an additional tariff had not been supported by any evidence.

Resolved

1. To increase the distance and time tariff by 3.7%, as requested, in accordance with the decision of the Committee on 14 July 2005, that any future increase would only be in respect of these elements based on the annual percentage review for London.
2. To increase the distance and time tariffs from 11 September 2006. (Appendix B to the report showed the revised hackney carriage fares for 2006/07.)
3. To take no action on the Cambridge Licensed Taxi Owners Association's request for an additional tariff effective from midnight as insufficient evidence of unmet need had been provided.

06/m/11 Duties of the Licensing Committee

Following the Annual Council Meeting on 25 May 2006, at which it had reappointed sub-committees of three to decide on Licensing Act 2003 applications, the Committee needed to decide how to make licensing decisions other than those under the Licensing Act 2003 and the Gambling Act 2005. This included the scope for combining two three-member sub-committees when it was appropriate for more than three members to determine an application.

Before the two previous licensing committees had been amalgamated, most of the non-2003 Act applications had been considered by the full committee of six members. A sub-committee of three members, taken from the six, had made decisions on matters concerning individual taxi licensing issues. Members of these Committees and Subcommittees had more or less been comprised of the same group of members.

Members considered a number of options and following a proposal by Cllr C Rosenstiel, based on option 3 on the agenda,

Resolved, by 8 votes to 2, that

1. The full Licensing Committee makes all decisions on policy matters within its remit.
2. The decisions on individual cases and applications, including individual taxi licensing applications, be considered by one of the Sub-committees appointed on 25 May 2006 meeting in turn.