

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Regulatory Sub Committee held at Committee Room 1, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Tuesday 29 September 2015 at 1.00 pm

Present:

Councillors: CR Butler, DW Greenow and PJ McCaull

20. ELECTION OF CHAIRMAN

Councillor DW Greenow was elected as Chairman for the Regulatory Sub-Committee hearing.

21. DECLARATIONS OF INTEREST

There were no declarations of interest made.

22. EXCLUSION OF PUBLIC AND PRESS

RESOLVED: That under section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below.

1 Information relating to any individual.

2 Information which is likely to reveal the identity of an individual.

23. APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE H888 OUTSIDE STANDARD CONDITION 11.5

SUMMARY OF THE PROCEEDINGS OF EXEMPT INFORMATION

Members of the Council's Regulatory Sub-Committee considered the above appeal, full details of which were read before the Members in their agenda and the background papers.

In making their decision the Members heard from the applicant and Claire Corfield, representing the Licensing Authority.

After carefully considering those matters brought before them, the Sub-Committee were of the opinion that the application be allowed as follows.

RESOLVED:

1) That the decision of the Sub-Committee that the application be allowed.

2) That the applicant is advised to work closely with the Licensing Authority and to seek advice from them on future licence renewals.

Committee confirmed that a written copy of the decision would be issued to the applicant by the Licensing Authority

24. **APPLICATION FOR VARIATION OF A LICENSED PREMISES GAMING MACHINE PERMIT FROM 3 TO 4 IN RESPECT OF 'THE GRANDSTAND, GRANDSTAND ROAD, HEREFORD. HR4 9NH' - SECTION 283 GAMBLING ACT 200**

Members of the Licensing Panel of the Council's Regulatory Committee considered the application of which appeared before the Members in their agenda and the background papers.

In making their decision the Members heard from Fred Spriggs, representing the Licensing Authority.

He confirmed that the applicant had been contacted with a request to provide clear plans for the premises and that requested plans had not been provided.

He also confirmed that the applicant had been made aware of the hearing and had confirmed that he would not be attending.

The Licensing Committee retired to make their decision.

Subsequently the Committee's Legal Adviser read out the decision.

Decision: It is the decision of the Regulatory Sub-Committee that the application is refused.

The following reasons given:

The Committee has been referred to the Gambling Commission Code of Practice for Gaming Machines et al dated August 2014 and in particular, paragraph 2.1 which specifies that gaming machines must be suitably located to ensure their proper supervision and that such arrangements are in force. Further, that any gaming machines are not in close proximity to banking machines.

The Committee must also be content with reference to Code provision 3.1 to safeguard children and young people from engaging in underage gambling.

The Committee is not satisfied either as to the location of the new machine applied for or that other requirements have been met having had no evidence put before it to allow it to make a decision save for a site plan which it considers inadequate for its purpose.

The Committee notes the Gambling Act 2005 schedule 13 paragraph 4 which limits its options either granting or refusing any such application within narrow parameters. It is therefore that refusal is the only appropriate option for it to take.

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