

# Chichester District Council

## Alcohol and Entertainment Licensing Committee

1<sup>st</sup> November 2021

Consultation responses to the Council's Draft Statement of Licensing Policy under the Licensing Act 2003 (2022-2027) & Draft Statement of Policy under the Gambling Act 2005 (2022-2025)

### 1. Contacts

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### 2. Executive Summary

To provide a brief overview of the responses received during the consultation period in respect of the Council's Draft Statement of Licensing Policy under the Licensing Act 2003 and Draft Statement of Policy under the Gambling Act 2005.

### 3. Recommendation

- 3.1 Members are asked to note that a limited number of responses were received during the consultation period in respect of both the Draft Statement of Licensing Policy under the Licensing Act 2003 and Draft Statement of Policy under the Gambling Act 2005, and that subsequent minor amendments to both policies have now been made.**

### 4. Background

- 4.1 Separate revised draft policies were presented to and considered by Members of the Alcohol and Entertainment Licensing Committee at its meeting on the 24<sup>th</sup> June 2021.
- 4.2 Members approved both draft policies for public consultation. The consultation period in respect of both policies ran for a period of 10 consecutive weeks commencing on the 28<sup>th</sup> June 2021 and concluding at the end of the 5<sup>th</sup> September 2021. Consultation was undertaken widely with a variety of stakeholders including all holders of a current authorisation, representatives of the trade, Responsible Authorities e.g. Sussex Police, West Sussex Fire & Rescue Service, Gambling Commission, Environmental Protection Team and various other potentially interested parties.

### 5. Outcomes to be Achieved

- 5.1 Provide Members with a general overview of the responses received and consideration of these.

## **6. Proposal**

- 6.1 Provided below is a short summary of the consultation responses received and subsequent minor amendments made to each policy:

### **Licensing Act 2003**

- 6.2 A total of five responses were received. Only one of which was a direct comment on the revised policy from Mr David Hyland, Community Engagement Manager at Chichester District Council, who commented that the '*West Sussex Local Safeguarding Children Board*' had changed its name to '*West Sussex Safeguarding Children Partnership*'. He also commented that neither the Board, or now the Partnership, were or are part of West Sussex County Council and that they were deliberately set up to be a separate entity.
- 6.3 In view of the above, Paragraph 9.10 has been updated to reflect the current and correct name and to remove the inference that the Partnership is 'at' West Sussex County Council. Further references to the Partnership at Appendix 1 and Appendix 5 of the policy have also been updated.

### **Gambling Act 2005**

- 6.4 A total of four responses were received of which two were simply to acknowledge receipt of the consultation. The two remaining responses were from Ms Holly Yandall, Public Health Lead for Substance Misuse at West Sussex County Council and Ms Natalie Simpson, Company Secretary at GambleAware. Encouragingly neither response was critical of the proposed policy, however they did make some suggestions as to referencing support services that are available to help people who are having difficulty controlling their gambling. Having considered both responses, additional text has been incorporated at paragraph 2.11.
- 6.5 We also became aware during the consultation period that the Gambling Commission has issued revised statutory guidance to Licensing Authorities. However, the Gambling Commission have stated that '*We consider it unlikely that the changes made will need any major alterations to your Statement*' and helpfully provided a summary of the key changes. Officers have worked through the summary of changes and compared it to our proposed revised policy and no subsequent changes to our proposed policy are deemed necessary.
- 6.6 In view of the comment made in respect of the Licensing Act 2003 Statement of Licensing Policy changing the previously named '*West Sussex Local Safeguarding Children Board*' to '*West Sussex Safeguarding Children Partnership*', we have naturally updated all references within the revised policy.

## **7. Alternatives Considered**

- 7.1 No alternatives were considered appropriate in view of the statutory requirement for this Licensing Authority to have in place the relevant licensing policies.
- 7.2 It is important to remind Members that when this Committee originally approved the policies for consultation, approval was also given for the following '*That authority is delegated to the Director of Growth and Place to consider, in consultation with the*

*Cabinet Member for Housing, Communications, Licensing and Events, any representations arising from consultations. Provided any representations received do not require substantial amendments to either draft Policy' and to subsequently recommend approval of both policies by Cabinet on 2 November 2021 and ultimately adoption by Council on 23 November 2021. Such consultation between the Director of Growth and Place and the Cabinet Member for Housing, Communications, Licensing & Events has taken place.*

## **8. Resource and Legal Implications**

8.1 No resource or legal implications raised by this report.

## **9. Consultation**

9.1 No consultation is required as a result of this report.

## **10. Community Impact and Corporate Risks**

10.1 There are no community impact and/or corporate risks raised by this report.

## **11. Other Implications**

|   | Yes | No |
|---|-----|----|
| <b>Crime and Disorder</b>                         |     | X  |
| <b>Biodiversity and Climate Change Mitigation</b> |     | X  |
| <b>Human Rights and Equality Impact</b>           |     | X  |
| <b>Safeguarding and Early Help</b>                |     | X  |
| <b>General Data Protection Regulations (GDPR)</b> |     | X  |
| <b>Health and Wellbeing</b>                       |     | X  |
| <b>Other</b> (please specify)                     |     | X  |

## **12. Appendices**

12.1 None

## **13. Background Papers**

13.1 Home Office - Revised Guidance issued under Section 182 of the Licensing Act 2003 - April 2018.

13.2 Gambling Commission Guidance to Licensing Authorities published 1<sup>st</sup> April 2021 and last updated 13<sup>th</sup> May 2021.