

Overview, Scrutiny & Policy Development Committee

1 June 2015

Present: Councillor S Graham (Chair)
Councillors J Allan, A Austin, B Burdis, P Earley, M Hall,
N Huscroft, C Johnson, P McIntyre and M Rankin

School Governor Representatives
Mrs J Little
Mrs M Ord

Church Representatives
Rev Vine

OV01/06/15 Apologies

Apologies for absence were received from Cllrs S Day, Janet Hunter, D McGarr, A McMullen and J O'Shea.

OV02/06/15 Substitute Members

There were no substitute members

OV03/06/15 Declarations of Interest

There were no declarations of interest reported.

OV04/06/15 Minutes

Resolved that the minute of the meetings held on 30 March 2015 be confirmed.

OV05/06/15 Gambling Act 2005 Draft Statement of Licensing Policy (Gambling)

The Committee received a report and was asked to consider the draft Statement of Licensing Policy (Gambling). It heard that the revised policy needed to be published by the Authority and be in force by 31 January 2016 and would replace the existing one that came into force on the 13 January 2013.

Consultation commenced on the 18 May 2015 and would continue for a 12 week period ending on the 10 August 2015.

Appended to the report was the report to Cabinet 11 May 2015 and the draft Statement of Licensing Policy (Gambling).

The main change to the policy was the inclusion of Chapter 4 that detailed the new legislative requirement for applications for Premise Licenses or variations to an existing Licence to prepare and submit a Local Risk Assessment.

The Local Risk Assessment would include the polices, procedures and control measures that would be implemented to mitigate any risks that might be caused by gambling activities undertaken at the licensed premises.

The draft Statement of Licensing Policy (Gambling) is part of the Authorities Policy Framework and following the completion of the consultations the final proposals would be presented to the Committee at its meeting schedule 5 October, Cabinet 9 October and then Full Council on the 19 November 2015.

It was suggested that a section be included into the policy to explicitly inform what aspects of gambling was not under the control of the Authority with respect to the Statement of Licensing Policy (Gambling).

It was asked that the Committee be provided information to what restrictions were in place to stop the use of online gambling sites being carried out through the use of Council ICT equipment. This was in relation to the use by all employee and members of the public.

It was asked what powers were available to the Council to restrict the increase of Premise Licensed establishments to safeguard residents in North Tyneside.

It heard that the Premise Licences would be issued by the Council on account of its responsibility under the licensing and regulatory functions. It heard that its Licensing Committee had no powers to regulate the number of Gambling Establishments and that consideration to any regulation of this type would be at the Councils Planning Committee.

The Committee asked that it be investigated if all Planning applications for Gambling Establishments could be considered at Planning Committee and not delegated to officers for determination.

With regards to the inclusion of the Local Risk Assessments – Charter 4 of the policy, it was requested and agreed that a report be submitted to the Overview, Scrutiny & Policy Development Committee at its meeting July 2016 with information to the checks and monitoring of the Local Risk Assessments of any applications/variations to premise licenses.

In relation to Section 5 – Consultation of the policy, information in relation to the organisations with responsibility for young people that would be involved in the consultation process of the draft policy be circulated to the Committee.

Agreed that (1) the draft Statement of Licensing Policy (Gambling) be noted;
(2) a section be included into the policy to explicitly inform what aspects of gambling was not under the control of the Authority with respect to the Statement of Licensing Policy (Gambling);
(3) information be provided to the restrictions in place to stop the use of online gambling sites being carried out through the use of Council ICT equipment;
(4) it be investigated if all planning applications relating to Gambling Establishments could be considered at Planning Committee and not delegated to officers for determination;
(5) a report be submitted to the Overview, Scrutiny & Policy Development Committee at its meeting July 2016 with information to the checks and monitoring of the Local Risk Assessments of any applications/variations to premise licenses made; and
(6) information be circulated to which organisations with responsibility for young people that were to be involved in the consultation process of the draft policy.

OV06/06/15 Scrutiny Work Programme 2015/16

A report was considered that detailed the outcome of the Scrutiny Chairs/Deputy Chairs meeting 19 March 2015 that had agreed that the Committee should continue to focus on policy development work.

A long list of priority topics had been agreed and sub committee's would consider those within their remit with a view to agree a work programme for 2015-16.

The Committee was reminded that it was currently involved in the work with regards to the Performance Priorities for the second half of the Kier North Tyneside Joint Venture and was committed to carry out a further study on the Long term construction requirements of North Tyneside council once this was complete.

The Chair encouraged all members to participate in any studies carried out during the new municipal year and hoped that some good cross party scrutiny would be accomplished.

A Member raised a concern that a recommendation that had recently been agreed by Cabinet in relation to traffic management software being used at Planning Committees was not being carried out and asked for clarification to the reasons why.

A Member raised that there were some concerns from residents to the delays of some road infrastructure works and it had been understood following a freedom of information request that the contract did not include penalty clauses. It was suggested that a review on the Councils tendering process could be beneficial.

A further topic was suggested on the facilities and service provided from the Council's Bereavement Services.

Agreed that (1) arrangements be made to establish a Kier Joint Venture Sub-Group; (2) further clarification be sort from officers to the concerns raised regarding the Constitution Task Group; and (3) the topic of Bereavement Service be placed on the work programme as a possible future study.

OV07/06/15 Cabinets response to the recommendations from the Library Review sub-group

The Committee received the response by Cabinet to the recommendations submitted as part of the sub group of the Culture and Leisure Sub committee on its Review of Library provision.

Appended to the report were details to the actions to be taken for each of the study groups recommendations.

Agreed that the recommendations submitted as part of the sub - group of the Culture and Leisure Sub committee on its Review of Library provision be noted.

**OV08/06/15 North East Combined Authority (NECA), Overview & Scrutiny Committee
- update**

A report was received that provided an update to the work that was being undertaken by the North East combined Authority (NECA) Overview & Scrutiny Committee. The Committee was informed that the two North Tyneside Members on the NECA Overview & Scrutiny Committee were Councillors S Graham and R Glindon.

It was raised how a Cabinet Member from North Tyneside Council could have a position on the NECA Overview & Scrutiny Committee. The Committee was informed that any two Members from each constituent authority who were not Members of the North East Leadership Board could be appointed to the NECA Overview & Scrutiny Committee.

It was stated that the Elected Mayor was North Tyneside's representative on the NELB.

Agreed that NECA Overview & Scrutiny Committee update be noted.