

The comments raised by the Community Safety partnership are listed in relation to the relevant paragraph in the Statement of Principles. The comment raised is in bold whilst the response is in normal type.

2.7 This appears to be an almost duplicate paragraph to the one preceding it. I'm not sure that it conveys a different message?

The statement of Principles was checked and paragraph 2.6 has been deleted as 2.6 and 2.7 were the same.

2.12.1 I'm interested in how Houses of Multiple Occupation (HMO's) would be viewed in relation to the exemption? They are viewed as different 'households' but may share some areas such as bathrooms and kitchens?

A 'House of Multiple Occupation' would be treated the same as any other private dwelling.

4.2/5.3/5.4

The Community Safety Partnership is not deemed a responsible body, which are clearly determined at Government Level. It also appears however that the Partnership is probably not an 'interested party' because of the 'member living close to the premises' test. If however the Partnership is approached by a resident under the 'community trigger' investigation duty, which looks set to go live by 2015, under the Police & Crime ASB Bill, would the CSP at that point be considered an 'interested party' without the need for a letter of representation? Or indeed would the trigger communication itself be the 'letter of representation.'

The Community Safety partnership isn't an interested party under the Act and couldn't act as a representative of an interested party but could refer an interested party to a Councillor or a Responsible Authority to make the representation on that persons behalf.

5.5 Would the licensing sub-committee be prohibited from consisting of 2 Members from the same ward? I.e. if both members sat on the panel the public would not be able to get Councillor Representation?

If a Councillor was approached and he/she was due to sit on the Committee they could refer the person to a Councillor from the same ward or a different ward.

6.2 I wonder whether this section could also include reference to section 115 of the Crime and Disorder Act (1998) to explain 'necessity disclosure' in the interests of reduction or prevention of Crime and Disorder? There is a clear link here to the licensing objectives.

There is an exemption from the general rule under the data protection law that we must not disclose personal information about an individual to a third party without the individual's consent. There is an exemption if the disclosure is necessary for the third party to prevent crime or take legal proceedings. For example, the Council sometimes received requests from DWP (Department of Working Pensions) for disclosure of information. The same principles would apply under the Gambling Act and we would deal with each request accordingly

6.3 There is a newly established County wide protocol that CBC endorses. It's the ECIN's ASB information exchange hub. Maybe something about this could be included at this point? In addition I think licensing officers would benefit from being connected to the multi agency system.

This isn't relevant as it isn't part of the Gambling Commissions remit.

Premises Licence Section

1.2 Is there any Council power similar to the Cumulative Impact assessment, if an area becomes subject to disorder related to gambling. I realise this may be stretching a point somewhat as it's something I have never witnessed.

Under the Gambling Commission there is nothing similar to that of the Cumulative Impact Assessment under the Licensing Act 2003 and it's unlikely to come in, so is not relevant at this time.