

**SOUTH HOLLAND DISTRICT COUNCIL**

**REPORT TO: LICENSING COMMITTEE**

**BY: HEAD OF COMMUNITY & NEIGHBOURHOOD SERVICES**

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**SUBJECT: Gambling Act 2005- Draft Statement of principles**

**PURPOSE: To consider and approve the Gambling Act 2005 draft statement of principles for consultation**

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**1.0 BACKGROUND**

1.1 The Gambling Act 2005 [ Referred to as "The Act"] places a number of duties on local authorities in respect of gambling activities. South Holland District Council [referred to as "The Licensing Authority"] will be responsible for :

- a) The licensing of gambling premises and if successful the issue of Gambling Premises Licences
- b) The issue of Gambling Permits
- c) Regulate members clubs and club gaming and machine permits
- d) The registration of society lotteries below certain prescribed thresholds
- e) Consideration of Temporary Use Notices and Occasional Use Notice.
- f) Generally uphold the licensing objectives.

1.2 At the time of writing this report further guidance and legislation has still to be finalised and published.

1.3 Licensing Authorities will begin to accept applications for premises Licences by 31st January 2006.

1.4 Under Section 349 of the Gambling Act 2005, Licensing Authorities must prepare a statement of principles that they propose to apply in exercising their functions under the Act and publish that statement. This statement must be prepared and published on a 3 yearly basis.

Attached at **appendix 1 to this report is a draft statement of principles that has been prepared.** This statement has been prepared in conjunction with the Lincolnshire Authorities Licensing Group and the Policy should therefore be consistently applied throughout the county of Lincolnshire.

**2.0 FINANCIAL & LEGAL IMPLICATIONS**

2.1 There are no financial implications associated with the recommendations in this report. There is a legal duty placed on the Licensing Authority to prepare a statement of principles and there must be a 3 month consultation period.

### 3.0 RECOMMENDATIONS

3.1 It is recommended that the committee adopt either of the following:  
**Option 1: Approve the draft statement of principles for consultation without any changes.**

**Option 2: Approve the draft statement of principles for consultation, subject to minor amendment.**

If Option 2 is chosen then the committee will need to specifically confirm the exact nature of the changes to be made to the draft policy.

Appendices:-	Appendix A – <b>Gambling Act 2005- Draft Statement of principles.</b>
Background Papers:-	1)Gambling Act 2005 2)LACORS model Policy for the Gambling Act 2005- statement of Principles 3) Gambling Commission Guidance to Local Authorities

#### Local Government (Access to Information) Act 1985

Please contact Craig Fowler, the Team Leader for Food Safety and Licensing if you want more information about this report or the background papers. You can contact him:

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