

SOUTH HOLLAND DISTRICT COUNCIL

REPORT TO: COMMITTEE OF THE LICENSING AUTHORITY- 24 NOVEMBER
2009

BY: HEAD OF COMMUNITY & NEIGHBOURHOOD SERVICES

SUBJECT: Gambling Act 2005

PURPOSE: To recommend to full Council for approval and publication, a revised statement of principles in respect of the Gambling Act 2005

1.0 INTRODUCTION

1.1 The Gambling Act 2005 places a duty on the Licensing Authority to publish a statement of principles at least once every three years. We have carried out comprehensive consultation with all those identified either statutorily as 'responsible bodies', or those with an interest. The 3 month consultation period ended on 20th October 2009. The previous statement of principles was published in January 2007. The council must therefore approve and publish a new statement of principles in January 2010.

2.0 CONSULTATION RESPONSES

2.1 Officers have received some acknowledgements to the consultation exercise. We have received no adverse comments or objections to the proposed statement of principles.

3.0 LEGAL, FINANCIAL AND OTHER IMPLICATIONS

3.1 Financial: In the Authors opinion, there are no financial implications associated with this report.

3.2 Legal: We are legally required to produce and publish a statement of principles at least once every three years. By approving and publishing such a statement the council will be fulfilling its statutory obligations.

3.3 Risk Management: Failure to meet the statutory obligations detailed above may result in adverse publicity and legal challenge.

3.4 Staffing implications: There are no staffing implications associated with this report.

3.5 Other Implications: By producing a statement it will give guidance on how we will deal with applications. This will assist applicants and ensure that due process will be applied.

4.0 ALTERNATIVE OPTIONS

4.1 There are no viable alternative options as a new statement of principles must be published. The Committee may of course amend the statement where it feels necessary to do so, but as there have been no objections in its current form, good reason would have to be given.

5.0 REASONS FOR RECOMMENDATIONS

5.1 The reason for the recommendations is that the Council can meet its statutory obligations.

6.0 RECOMMENDATION(S)

6.1 The proposed statement of principles is shown at Appendix A. For ease of reference a version showing the amendments from the last statement of principles is shown. It is recommended that the attached statement of principles is recommended to full Council for final approval and publication. Obviously the final statement which is published will not show the edited notations.

Background papers:- 1) Gambling Commission guidance to Licensing Authorities; 3rd Edition.

File Ref: CF/Gambling statement of principles 27/10/09

Appendices: Appendix A – Draft proposed statement of principles (Gambling Act 2005)

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Local Government (Access to Information) Act
1985

Please contact Craig Fowler, the Team Leader, Food Safety & licensing, if you want more information about this report or the background papers. You can contact him/her:

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