
REPORT TO:	Full Council	AGENDA ITEM: 16
DATE OF MEETING:	24th January 2013	CATEGORY:
		RECOMMENDED
REPORT FROM:	Kevin Stackhouse – Head of Corporate Services	OPEN
MEMBERS' CONTACT POINT:	Stewart Broome – Senior Licensing Officer	DOC:
SUBJECT:	Gambling Act 2005 – Statement of Principles and Authorisation of Officers	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE:

1. Recommendations

- 1.1 To adopt the Council's Statement of Licensing Policy (Gambling) and Statement of Principles.
- 1.2 That Council continues to delegate the decisions on all applications in accordance with the table of delegations contained in appendix C of the Policy on page 24.

2. Purpose of Report

- 2.1 To adopt a revised and updated Licensing Policy (Gambling) and Statement of Principles.
- 2.2 Environmental and Development Services Committee approved the draft policy for adoption by Full Council on Thursday 10th January 2013.

3. Detail

- 3.1 Section 349 of the Gambling Act 2005 (the Act) requires that the Licensing Policy (Gambling) and Statement of Principles is reviewed every 3 years since its adoption in January 2010.
- 3.2 The Act introduced a licensing framework for gambling activities similar in many ways to the Licensing Act 2003. Licences are required for gambling operators, premises used for gambling activities and for individuals and companies who intend to provide facilities for certain types of gambling. The Council is responsible for issuing premise licences, permits, and registrations, whilst, unlike the Licensing Act 2003, other types of licence, such as personal licences, and operator licences are issued by the Gambling Commission.

- 3.3 The Act requires that the Licensing Authority consults with interested parties prior to the adoption of their “Statement of Principles” for licensing. The consultation took place between 4th October 2012 and 15th November 2012. Members of the public, and all major stakeholders were invited to make comment. A list of stakeholders can be found on page 23 of the draft policy.
- 3.4 Four responses were received in total. The Racecourse Association Ltd; Matthew Holford, South Derbyshire D.C Environmental Health Manager; Cllr John Harrison, Elected Member Melbourne; Tony Sylvester, South Derbyshire D.C Development and Building Control Manager, all confirming that they did not have any objections to the proposed amendments.
- 3.5 The revised draft of the policy in Appendix 1 reflects the minor changes in legislation and guidance which have been introduced since the policy was last reviewed in 2010.

4. Financial Implications

- 5.1 There are no financial implications to the Council.
- 5.2 These amendments will have no financial implications on existing licence holders.
- 5.3 New applicants will be subject to the standard fees payable, which vary depending upon the type of application.

6. Corporate Implications

- 6.1 These proposals will continue to provide a framework for anyone wishing to start their own business, which will contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity.
- 6.2 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults from the potential harms of gambling activities seriously, which contributes to the theme of safety and security.