

LICENSING COMMITTEE	AGENDA ITEM No. 4
18 OCTOBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller – Cabinet Member for Neighbourhoods, Housing and Planning	
Contact Officer(s):	Adrian Day – Licensing Manager Kerry Leishman – Licensing Development Officer	Tel: 454437 Tel: 453502

PETERBOROUGH CITY COUNCIL GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

RECOMMENDATIONS	
FROM : Adrian Day, Licensing Manager	Deadline date : N/A
For the Committee to review and comment on the changes made to the Peterborough City Council Gambling Act 2005 - Statement of Principles (Appendix A) prior to the end of the consultation process.	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Committee for consideration by Adrian Day, Licensing Manager.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to give members of the Committee an opportunity to comment on the revision of the Statement of Principles during the consultation stage.

2.2 This report is for the Committee to comment on under its terms of reference no. 2.4.1.7 'to monitor and review policy relating to licensing matters and make recommendations to Cabinet or Council as appropriate in relation to any proposed changes'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	n/a
Date for relevant Council meeting	December	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	n/a

4. BACKGROUND

4.1 The Act requires all licensing authorities to prepare and publish a Statement of Principles, setting out how it will administer its duties. The Statement must be published at least every three years and amended from time to time with any amended parts re-consulted upon and subsequently re-published. As the current statement was last published on 31 January 2010 the current three year period is coming to an end.

5. CONSULTATION

5.1 The draft revised Statement of Principles is currently being consulted on. The deadline date for representations is 26 October 2012.

5.2 A notice appeared in the Peterborough Telegraph on 30 August 2012 advising where the draft Statement of Principles may be viewed and the contact details and deadline dates for comments.

5.3 A list of those consulted with appears as appendix 2 in the draft statement, attached at **Appendix A**

6. ANTICIPATED OUTCOMES

6.1 Due to the minimal changes to the Statement of Principles it is anticipated that the Statement will be published as proposed.

7. REASONS FOR RECOMMENDATIONS

7.1 It is a statutory requirement under Section 349 of the Gambling Act 2005 for licensing authorities to prepare, consult and revise three-yearly its Statement of Principles.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 To propose changes to the draft Statement of Principles.

9. IMPLICATIONS

LEGAL IMPLICATIONS

9.1 Legal Services are to be consulted on the content of the Statement of Principles. This will ensure that the provisions of the Act including the licensing objectives and other issues that are key to the way the council approaches and deals with applications, are included in the Statement.

9.1 Legal Services will also be required to ensure that the decision making process is implemented in accordance with the Act, and may also be required to provide legal representation in the event of any appeals to the Magistrate's Court against decisions made by the council, prosecutions being instigated or enforcement action being taken by the council.

10. BACKGROUND DOCUMENTS

The Gambling Act 2005