

## REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held 16 March 2007)

### 1. **GAMBLING ACT 2005 – DEMOCRATIC PROCESS (REPORT A) (MINUTE NO. 40).**

The Committee has considered the democratic processes that will be necessary to facilitate decision-making under the Gambling Act 2005.

Members will be familiar with the current procedures for arranging hearings of the Licensing Sub-Committee, the Sub-Committee will continue to hold hearings in respect of the Licensing Act 2003 as well hearings under the Gambling Act 2005. The Committee has agreed changes to the Licensing Sub-Committee's terms of reference to reflect the requirements under the Gambling Act 2005.

The Proceedings of Licensing Committees and Sub-Committees in relation to the Gambling Act 2005 have now been published with marginal differences between these regulations and those of the Licensing Act 2003. These differences include allowing the Local Authority greater flexibility in timescales when fixing dates for hearings. In order to facilitate hearings under the Gambling Act 2005, the Committee agreed the adoption of the hearing procedures currently used under liquor licensing and allowed the Head of Democratic Services authority to make appropriate changes to these procedures.

Proposed delegations to officers under the Gambling Act 2005 were also agreed. While it is clear from the legislation that the Committee has the power to approve those delegations relating specifically to Parts 8 and 9 of the Act, (which are the majority), it appears that full Council may need to approve a few of the proposed delegations.

#### **RECOMMENDED:**

***That, the Council approves the delegation of powers to officers in respect of those functions that are for the Licensing Authority, but are not delegated to the Committee by law under Parts 8 & 9 of the Act.***