

MAIDSTONE BOROUGH COUNCIL

LICENSING ACT 2003 COMMITTEE

19 NOVEMBER 2009

REPORT OF DEMOCRATIC SERVICES MANAGER

Report prepared by Neil Harris

1. GAMBLING ACT 2005 – DRAFT STATEMENT OF LICENSING PRINCIPLES

1.1 Issue for Decision

- 1.1.1 To consider the three yearly review of the statement of gambling principles and to agree to recommend to Council a revised Statement of Licensing Principles.

1.2 Recommendation of Democratic Services Manager

That the Council be recommended to agree the Gambling Act 2005 Statement of Licensing Principles attached to the report.

1.3 Reasons for Recommendation

- 1.3.1 The committee will recall that the Gambling Act 2005 requires the Council to review and agree any changes to its statement of licensing principles every 3 years. The statement has worked well for the past 3 years and the only changes recommended are those set out in a new set of guidance issued by the Gambling Commission in May 2009.

- 1.3.2 At your meeting in August you agreed the draft statement for consultation purposes and consultation has taken place and 2 comments have been received.

- 1.3.3 The first comment was from Nettlestead Parish Council who was pleased to note that parish councillors were included as "interested parties" but were concerned that parishes on the fringes of the Borough might not be aware applications in respect of premises or events outside of the Borough and might not be able to make representations. This Council cannot make any commitment for other authorities but that we make the Council's neighbouring authorities aware of this point.

- 1.3.4 The second comment was from Boxley Parish Council who requested that the Council should include a policy limiting amount of temporary

use notices similar to limits on temporary event notices. In fact the legislation is already in place and there can be no more than 21 days in any 12 month period. There is no need for this to be included in the policy but I will bring it to the attention of all Parish Councils.

1.4 Alternative Action and why not Recommended

1.4.1 The committee could decide not to adopt a statement but to do so would mean it was not complying with the Gambling Act 2005.

1.5 Impact on Corporate Objectives

1.5.1 There is no specific impact on corporate objectives

1.6 Risk Management

1.6.1 If the committee does not take action to review it would not be complying with government legislation.

1.7 Other Implications [Insert an 'X' in the boxes below to indicate if the recommendations will have any implications in the specified area]

1.7.1

1. Financial	<input type="checkbox"/>
2. Staffing	<input type="checkbox"/>
3. Legal	<input checked="" type="checkbox"/>
4. Equality Impact Needs Assessment	<input type="checkbox"/>
5. Environmental/Sustainable Development	<input type="checkbox"/>
6. Community Safety	<input type="checkbox"/>
7. Human Rights Act	<input type="checkbox"/>
8. Procurement	<input type="checkbox"/>
9. Asset Management	<input type="checkbox"/>

1.7.2 The legal implications are covered in the report

1.8 Background Documents

1.8.1 None