

<b>DECISION-MAKER:</b>	Licensing Committee		
<b>SUBJECT:</b>	Gambling Act 2005 – Scheme of Delegation of Functions to Officers		
<b>DATE OF DECISION:</b>	19th July 2007		
<b>REPORT OF:</b>	Assistant Solicitor to the Council		
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<b>STATEMENT OF CONFIDENTIALITY</b>			
None			

**SUMMARY**

The Council, as Licensing Authority, needs to put in place a detailed scheme of delegation in order to discharge its duties and powers under the Gambling Act 2005 in an effective and professional manner. An initial scheme based on the Government's basic model was agreed by full Council on 15<sup>th</sup> November 2006. Further regulations and guidance have been received since that date which requires further honing of the scheme.

**RECOMMENDATIONS:**

- (i) That the Committee resolve to adopt the Scheme of Delegation in respect of matters under the Gambling Act 2005 as attached at Annex 1 with immediate effect

**REASONS FOR REPORT RECOMMENDATIONS**

1. As detailed in the Summary section above.

**CONSULTATION**

2. There has been no formal consultation. The proposal is based on both Statutory Guidance received from the Department of Culture, Media and Sport (DCMS) and after discussions with colleagues in other Licensing Authorities and external solicitors.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. The Committee could decide not to adopt the proposals in which case each and every time a matter falling under that area requires determination a committee meeting will need to be convened. It is not considered that this is either a cost effective or practical option. All contentious matters will still be considered by the committee save in respect of vexatious, frivolous or irrelevant representations which will fall to the Solicitor to the Council to consider as with the Licensing Act. To date under that Act no contentious matters have had to be determined.

**DETAIL**

4. As previously stated the Council has already adopted an initial scheme. This has been developed further in light of more information which is available, and secondary legislation being promulgated. The revised scheme attached shows the delegations to the sub committee and officers in full, with the new

delegations shown in italics.

## **FINANCIAL/RESOURCE IMPLICATIONS**

### **Capital**

5. None

### **Revenue**

6. None

### **Property**

7. None

### **Other**

8. None

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

9. Section 154 Gambling Act 2005

### **Other Legal Implications:**

10. None

## **POLICY FRAMEWORK IMPLICATIONS**

11. None

## **SUPPORTING DOCUMENTATION**

### **Appendices**

1.	Scheme of Delegation with revisions to adopted version
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### **Documents In Members' Rooms**

1.	None
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### **Background Documents**

Title of Background Paper(s)

Relevant Paragraph of the  
Access to Information  
Procedure Rules / Schedule  
12A allowing document to be  
Exempt/Confidential (if  
applicable)

1.	Guidance to Licensing Authorities April 2006	
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**Background documents available for inspection at:** Solicitor to the Council, Civic Centre, Southampton,

E-mail: [Richard.ivory@southampton.gov.uk](mailto:Richard.ivory@southampton.gov.uk)

**FORWARD PLAN No:** N/a

**KEY DECISION**

**WARDS/COMMUNITIES AFFECTED:** none

