

Report of: Legal and Democratic Services Business Manager

To: Licensing and Gambling Acts Committee

Date: 4th January 2007

Item No:

Title of Report : Delegation of Power to Determine Applications made under Section 16 of the Lotteries and Amusements Act 1976



Summary and Recommendations



Purpose of report: To enable the Committee to delegate its powers to determine applications for amusements with prizes permits to Licensing Casework Sub-committees.

Key decision: No

Portfolio Holder: N/A

Scrutiny Responsibility: Environment



Ward(s) affected: All

Report Approved by:



Jeremy Thomas Legal and Democratic Services Business Manager



Emma Griffiths Legal and Democratic Services



Policy Framework: None



Recommendation(s):



Committee is RECOMMENDED to:-

Delegate its powers under the Licensing Act 2003 and the Lotteries and Amusements Act 1976 in relation to determining applications for amusements



prizes permits received under section 16 of the Lotteries and



Amusements Act 1976.

1. The Council has responsibility for determining applications for permits to operate amusements with prizes machines (Section 16 of the Lotteries and Amusements Act 1976).
2. The determining of such applications was made a 'licensing function' by the Licensing Act 2003 and therefore the responsibility of the Licensing and Gambling Acts Committee. Applications under Section 16 give the applicant the right to a hearing.
3. Applications under Section 16 are infrequent and none have been received by the Council in the recent past. However, two applications have now been received and require determination. The power to determine such applications has not previously been delegated to Licensing Casework Sub-committees.
4. Licensing Casework Sub-committees deal with other hearings arising from the Licensing Act 2003 and would be the most suitable tribunal for dealing with hearings of this nature.
5. The applications for permits that have now been received require determination at a hearing. A hearing date has been provisionally set for January 9th 2007 subject to the Committee delegating its powers to Licensing Casework Sub-committees.
6. The Committee is being recommended to delegate its powers under the Licensing Act 2003 and the Lotteries and Amusements Act 1976 in relation to determination of applications for amusement with prizes permits received under Section 16 of the Lotteries and Amusements Act 1976.

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