

4. FORMATION OF A GAMBLING VENUE POLICY REVIEW WORKING PARTY



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PURPOSE OF REPORT

1. To seek the formation of a working party to consider the review of the 2006 Gambling Venue Policy and to work with staff to recommend a Gambling Venue Policy to the Regulatory and Planning Committee.

EXECUTIVE SUMMARY

2. The Council reviewed its Gambling Venue and Totalisator Agency Board (TAB) Venue Policy in 2006 and the revised policy was adopted on 23 November 2006. The Gambling Venue Policy provides for Class 4 Gambling as follows:

1. *The Christchurch City Council will not grant consent under section 98 of the Gambling Act 2003 to allow any increase in Class 4 Gambling venues or Class 4 machine numbers except in the circumstance set out below.*
2. *The Christchurch City Council will grant a consent where two or more corporate societies are merging and require Ministerial approval to operate up to the statutory limit in accordance with section 95(4) of the Gambling Act 2003. The total number of machines that may operate at the venue must not exceed 18 machines.*

(Sections 3-6 are not relevant)

7. *If the Council amends or replaces this policy, it is required to do so in accordance with the special consultative procedure outlined in the Local Government Act 2002.*
8. *In accordance with the Gambling Act 2003, the Council will complete a review of the policy within three years of its adoption and then every three years thereafter.*

The triennial review of this policy is being undertaken in 2009.

3. It would be valuable for staff to work with Councillors (through a working party) to consider the options available under the Gambling Act 2003, the types of policies other Local Authorities have adopted, and to develop a revised policy. The revised policy will then be presented to the Regulatory and Planning Committee for recommendation to the Council.
4. The terms of reference for the working party would be:
To work with staff to carry out the initial review of the Gambling Venue Policy and make recommendations to the Regulatory and Planning Committee.
5. As the Gambling Venue Policy is politically contentious it is recommended that Councillors who are not on the Regulatory and Planning Committee be provided with the opportunity to participate in the working party.

FINANCIAL IMPLICATIONS

6. The work to review this policy involves largely staff and elected member time which is already budgeted for. There are opportunity costs involved with staff and elected members working on this project not being available to carry out other work, but given the legislative requirement to review the policy every three years there is little option other than to carry out the work in a timely manner.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

7. Yes, as above.

LEGAL CONSIDERATIONS

8. The policy must comply with the Gambling Act 2003 and the Local Government Act 2002.

Have you considered the legal implications of the issue under consideration?

9. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. The policy will align with the Democracy and Governance Group of activities: Activity 4.1 Public Participation in Democratic Processes.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

11. Yes, as above.

ALIGNMENT WITH STRATEGIES

12. N/A.

Do the recommendations align with the Council's strategies?

13. As above.

CONSULTATION FULFILMENT

14. The review process will include engagement with both internal and external stakeholders and a Special Consultative Procedure as required under the Gambling Act 2003.

STAFF RECOMMENDATION

It is recommended that the Committee:

- (a) Appoint a working party with the following terms of reference:

To work with staff to carry out the initial review of the Gambling Venue Policy and make recommendations to the Regulatory and Planning Committee.

- (b) Determine the composition of the working party and appoint a chairperson and the necessary members to it.