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***STREATLEY PARISH COUNCIL***

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November 28<sup>th</sup> 2009

Mrs N Preston  
Public Protection  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Shefford  
Bedfordshire  
SG17 5TQ



Dear Mrs Preston

The Gambling Act 2005 Review of Statement of Principles

Thank you for your letter of September 7<sup>th</sup> 2009

The draft copy of the new Statement of Principles has been considered.

The Streatley Parish Council agrees with the proposed statement and has no further comments or views to express.

Yours sincerely

Handwritten signature of A.J. Stephenson

A J Stephenson  
Clerk to the Streatley Parish Council

**From:** Richard Reeves [mailto:RichardR@bacta.org.uk]  
**Sent:** 10 December 2009 12:15  
**To:** Nicola Preston  
**Subject:** Gambling Act Consultation

Dear Mrs Preston

### **Statement of Policy and Principles under the Gambling Act 2005**

Thank you for the opportunity to comment on your Statement of Policy and Principles under the Gambling Act 2005. We understand that we may have missed the closing date of your consultation.

The British Amusement Catering Trades Association (BACTA) represents Britain's amusement industry with its 650+ members covering the entire supply chain from manufacturing, through distribution and including retail premises. We are responding to your consultation on behalf of our members.

We note that your consultation follows the model format circulated by LACORS and commend this as we believe that premises licence decisions should be administered consistently between local authorities. We ask that you consider the following when making decisions under the Gambling Act:

#### **The exercise of discretion**

The exercise of local authority's discretion is an essential part of regulation under the Act and the principles that are to be applied are to be viewed against the duty of the licensing authority under Section 153 which is to "aim to permit the use of premises for gambling"

#### **Interested parties**

It is noted that Gambling Commission Guidance states that 'interested parties' includes trade associations and although BACTA is not of itself an interested person under the terms of the Gambling Act 2005 it does represent, through its members, parties who live sufficiently close to premises to be affected by activities being applied for.

#### **Conditions**

Conditions must not duplicate protection which is already imposed by regulation from the Commission. Therefore before any condition is imposed there must be:

- identification of which of the Licensing Objectives is threatened;
- actual evidence of such threat;
- reasons why the proposed condition would be effective to address such threat, and
- reasons why such threat is not already addressed by existing regulation in the form of operating licence conditions, premises licence mandatory conditions and Gambling Commission codes of practice.

#### **Reviews of licensed premises**

Licensing authorities are given the power to initiate a review a premises licence. Such reviews should only result from a breach of the licence or a threat to the licensing objectives. Therefore if licence has been granted and the premises operated in accordance with the licence there would be no grounds to review a licence if additional guidance or regulations are issued. A licence should not be subject to retrospective application of guidance.