



# Blackpool Council

BUILDING A BETTER COMMUNITY FOR ALL

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6<sup>th</sup> February 2006

Dear Ms McKenzie,

Re: Consultation: Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006

Thank you for the opportunity to comment on these proposed regulations.

In general, Blackpool Council supports your proposed approach to the regulations. We agree with your comments on option 1 (prescribing the exact form of the policy statements) and option 2 (making no regulations). It is useful to Local Authorities to have a minimum standard to apply to policy statements, whilst retaining the flexibility to include information deemed to be of importance locally.

As in most cases, there is a "but". Blackpool Council does have reservations and queries concerning some of the proposed regulations.

Regulation 5(b) – Principles to be applied in determining whether a person is an interested party – we feel that the authority must be careful about setting fixed criteria for determining such an issue. Every person must be looked at taking into consideration their particular circumstances to determine whether they are likely to be affected by the application. This section would need to be worded in such a way that it will add nothing to the statement.

Regulation 5(c) – This section cannot be fully completed without full guidance from the Gambling Commission, otherwise we would be in danger of producing a statement that conflicted with the gambling commission's advice. Such guidance is not to be issued until at least June 2006, if not later, by which time we must have started to consult on our own statement. We would have no option but to insert such a bland statement to the effect of " we

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2004-2005  
Benefits Administration

will be exchanging information with the Gambling Commission and other authorities. The procedure for such exchange of information will be made available in due course" – would this provide any assistance to anyone, or take the policy any further.

Regulation 5(d) – again, the Gambling Commission has not finalised its approach to enforcement, and the instigation of criminal proceedings. Without this guidance, the local authority would again be forced to take the minimalist approach to this section of the policy, and again, one wonders what benefit this section would be to anyone.

Regulation 7 – What is the point of publishing a notice of intention to publish a document? It would be impossible to publish a notice of intention without being sure that the document would be ready for the specified day. In most situations, this would mean that the notice would not be published until the document was ready – installing a two-week delay in the whole process. If it was felt necessary that the document/revision be published, the actual publication of the document could be advertised.

To advertise in a local newspaper would cost approximately £400, therefore for many authorities, this would not be a viable option. You would also have to query how many people this notification would reach. If the intention is to inform the trade, it certainly will not be effective. Many of the commercial organisations are national, not local. Even though Blackpool has many small independent operators, it is unlikely that they will be checking the web site or notice board for details of publications/ revisions.

Regulation 8 – without seeing what regulation 8(2)(c) states, it is very difficult to comment on this regulation, except to say that if the document has to be available for one month before it comes into force, what is the point of advertising the proposed publication of the document.

This may also have implications for the preparation of the first statement. This has to take effect one month before the first appointed day – many people have been talking about 31<sup>st</sup> December (for illustration) would this mean that the statement must be on the web site one month before that date?

I hope that the above comments assist rather than confuse.

Yours faithfully,



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