

**Manchester City Council's response to the consultation:  
Gambling Act 2005  
(Licensing Authority Policy Statement)  
(England and Wales) Regulations**

*Introduction*

*Three options are presented for how policy regulations could be set out:*

*Option 1:* *Prescribing the exact form of the Regulations, including the methods for preparing, reviewing, revising and publishing the licensing policy statement*

*Option 2:* *Do not make the Regulations, thereby giving full discretion to licensing authorities as to the form, including the methods for preparing, reviewing, revising and publishing, the licensing policy statements*

*Option 3:* *The preferred approach - 'minimum statutory requirements on all licensing authorities'*

*The DCMS has selected the third option based on the need "to provide transparency, and to some extent consistency, for persons wishing to apply for a licence or permission under the Act, whilst minimising the imposition of unnecessary financial or administrative burdens on licensing authorities and the industry and enabling local circumstances to be reflected in licensing policy statements".*

**Q1: Is there anything else you think ought to be included in the licensing policy statement regulations and why?**

Manchester City Council agrees that overly prescriptive regulations as to the form of the policy offer few if any opportunities for tailoring policies to local needs. However, we also believe that a degree of prescription offers the benefit of transparency and consistency to operators and applicants, and we do not believe that the DCMS has considered all the benefits of prescriptive regulations. Most notably if the regulations are adequately prescriptive and adequately clear and unambiguous so as to eliminate any doubt, then they will save local authorities time and money that may otherwise be wasted looking to decipher and translate their meaning. Our only exception to this rule is that adequate discretion must be given to allow local authorities to integrate local strategies, planning etc. However we consider that the content and format of licensing policies would and should be broadly similar. Maximal prescriptions that leave some degree of latitude for local variations should still be the benchmark.

Ideally we would like to see a policy proforma drafted by the DCMS/Gambling Commission/Lacors, which would save duplication of effort and costs nationwide and reflect the massive number of similarities from policy to policy. However failing this, regulations that imposed the maximum statutory controls (whilst still allowing for local variations) would come second closest to meeting all professed objectives.

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**Q2a: Is there anything that we intend to include in the licensing policy regulations that you disagree with and why?**

Considering the regulations are insufficiently prescriptive for the reasons outlined above, the timeframes laid out are far too short.

**Q2b: In particular we are interested to hear your views on the provisions relating to the advertisement and publication of statements and subsequent revisions and the use of the term 'principal office' of the authority.**

The requirement to publish a notice 'not less than two weeks' before the policy release indicating its imminent arrival seems to serve no purpose other than to shorten the amount of time available for policy preparation, which is of great concern to us as the timescales are exceedingly tight.

Locally we do not believe the arrival of the policy should be treated as something requiring a teaser trailer. The policy consultation should adequately raise awareness of the policy and local authorities can decide for themselves how to publicise this event without regulatory prescription. Likewise the 'the one month' publication period specified in Section 8(2) should be a matter for our own discretion.

**Q3: Any other comments or suggestions?**

Our preferred option would be for the DCMS/Gambling Commission/Lacors to produce a licensing policy proforma completed in accordance with the Act, statutory guidance and regulations allowing sufficient gaps for local matters to be inserted and consulted upon. Operators, local authorities, responsible authorities and interested parties would all benefit from a policy framework drafted by those who at the time of its writing have the most familiarity with the Act and related statutory instruments. We believe this would achieve consistency across local authorities, save duplication of costs, and enable local authorities to achieve the onerous deadlines more easily.