

CMS 50591/mk

Mr John Hawkins
Chief Executive
Tendring District Council
Town Hall
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CLACTON-ON-SEA
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11 September 2006

Dear Chief Executive

IMPLEMENTING THE GAMBLING ACT 2005

I know that there has been concern in local authorities about the timetable for the implementation of the Gambling Act and, in particular, the need to ensure that you are ready to take on the new functions you have under the Act. I have been discussing this with Geoffrey Theobald, Chair of LACORS, and I am writing today to set out for you some changes to the timetable designed specifically to give local authorities more time to prepare.

Whilst the Gambling Act is different in scale and in other ways from the Licensing Act, we certainly recognise the importance of allowing you adequate time for preparation and training, the development of systems and effective communication. That is why LACORS and other local authority representatives are closely involved in our implementation project, our premises licensing group, in all our stakeholder liaison groups and in all our consultations with the Gambling Commission, the industry and other stakeholders. This close cooperation has provided the opportunity for us to explore and respond to your concerns.

The Government remains committed to full implementation of the Act by September 2007. I am sure that you understand the importance we accord to ensuring that gambling both in premises and over remote technologies is properly regulated under the new regime at the earliest opportunity – and by September 2007 it will be nearly two and a half years since the Act received Royal Assent. However, within that overall timetable, I am pleased to say that we have been able to make changes that in my view go a long way towards addressing your concerns.



I have decided to move the "appointed day" for the acceptance of advance applications for premises licences back by 3 months from 31 January to 30 April 2007. My Department and LACORS have identified the key regulations which need to be laid in Parliament three months before this date, in order to allow for adequate preparation and training, and agreed a timescale for their production, consultation and finalisation. In some cases this means reducing the consultation period from 12 weeks to 8, and LACORS are content with this. I have made additional resources available within the Department to ensure this timetable is delivered.

I believe it is important to give existing operators adequate time to prepare and submit their advance applications. I therefore believe that the closing date for advance applications should be 31 July 2007, allowing three months. But I want to make absolutely clear to you that this does not place any unreasonable demands on, or raise unreasonable expectations of, local authorities. As long as an existing operator has applied by 31 July, they are guaranteed continuity of operation beyond 31 August 2007 regardless of whether their application has been determined or not. I have no intention to require authorities to turn these applications around within a certain time, and I and my officials will ensure that the industry does not have any false expectations. I will also make it clear to the industry that they can only make one advance application in respect of a particular premises, and so will have to decide whether to do so on the fast or normal track. I see no reason for there to be misunderstandings about this.

I also believe that there has been some concern about the content of the Policy Statements to be issued by local authorities. I can assure you that, having made the regulations prescribing the form of these statements in March, we have no intention of introducing any extra requirements. The Gambling Commission published the first part of its guidance to local authorities, which included guidance on policy statements, in April and we have no locus to add to this. I think it is clear that these statements are meant to be high level statements of the principles that the local authority intends to apply in carrying out their functions under the Act. There is no need for them to enter into the detail of specific licence conditions; rather they should focus on the areas where a local authority has specific, local concerns (eg its stance on casino licensing, its views on the location of gambling premises etc

My Department and the Gambling Commission will continue to do all we can to support you as you take on these new responsibilities. We have already:

- Made and brought into force the Gambling (Transitional Provisions) Order 2006, allowing the extension of some existing permissions and phasing out fruit machines from take away food shops
- Prepared and issued two accompanying Fact Sheets
- Issued a pack of training materials
- Set up a website on implementation of the Act, with a section devoted to local authorities
http://www.culture.gov.uk/what_we_do/Gambling_racing/local_authorities.htm
- Issued fees questionnaires covering both premises licensing and permits
- Issued a consultation paper on Mandatory and Default Conditions to be included in premises licences.

The Fact Sheets and training materials have been particularly well received, and we will continue to produce more of these to help you train and prepare. I and my officials, as well as the Gambling Commission, will do all we can to support you in this very important task. I am confident that, working together, we will be able to introduce a regulatory regime for gambling which will be second to none in the world.

A handwritten signature in black ink, reading "Richard Caborn". The signature is written in a cursive style with a large initial 'R'.

RT HON RICHARD CABORN MP
Minister for Sport

Transition for Licensing Authorities - Modelling

	Application type	Estimated number of applications	Number per LA	Notes
Casinos	Casinos	250	5	For those LAs where casinos are currently permitted – currently 149 but expected to rise perhaps to 250
	New casinos	17		
Premises Licence	Bingo	700	2	Currently estimated at 670
	Arcades	2,000	5	Includes unlicensed FECs
	Betting	9,000	22.5	
	Tracks	200	0.5	
Permits	Pubs	20,000	50	Pubs can rely on their existing permit until it expires. Permits last for 3 years. So with total of 60,000 pubs, can expect 20,000 applications per year.
	Clubs	2,400	6	Clubs renew every 10 years. So with total of 24,000 clubs, can expect 2,400 per year.
Totals (excluding casinos)	Premises Licences	12,000	30	Estimate that 80% will opt for Fast-Track route, with 20% being applications to vary
	Permits	22,400	56	

Cf Licensing Act: c 190,000 licences