APPENDIX D – Summary of Responses to Statement of Principles

Area of	Ref	Respondent	Summary of Comments	Consideration/appraisal	Response
Policy		-	-		
Part B, Section 3 - Location	Part B, S3	Gosschalks on behalf of Association of British Bookmakers	2 nd paragraph in this section should be amended as any such policy is likely to be unlawful and is certainly contrary to the overriding principal contained within S153 of Gambling Act 2005 that the licensing authority will aim to permit the use of premises for gambling.	Comment considered and agreed that paragraph should be removed.	We do not have a specific policy that determines areas that gambling premises should not be located and therefore it is unnecessary to refer to not having one. If we wished to introduce one, we would look at the lawfulness of such a policy and as such a major change it would need to go out to consultation. By removing the paragraph it does not prevent such a policy being discussed or implemented.
Part B, Section 4 – Planning	Part B, S4	Gosschalks on behalf of Association of British Bookmakers	Paragraph would be assisted by reference to S210 Gambling Act 2005 which states, "the licensing authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the Law relating to planning or building".	Comment considered and paragraph amended.	Policy is already clear about what we should and should not have regard to but can add at end of paragraph that "the local authority is aware of S210 of the Gambling Act 2005 and will have regard to this in any decisions made".
Part B, Section 7 - Licensing Conditions	Part B, S7	Gosschalks on behalf of Association of British Bookmakers	This section would be assisted by a clear explanation that all Gambling Act 2005 premises licences are subject to mandatory and default conditions which are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. The section would also be assisted if it was clear that additional conditions will only be considered where there is clear	Comment considered and agreed to add a sentence regarding mandatory and default conditions. No other changes deemed necessary.	Mandatory and Default Conditions are referred to earlier in the Statement of Principles (Part B, Section 1 – General Principles) but it makes sense to refer to them again in this section. In regards to making it clear that additional

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			evidence of a risk to the		conditions will
			licensing objectives in the		only be
			circumstances of a		considered
			particular case. The		when there is
			section should then state		clear evidence
			that it is only where there is		of a risk to the
			this clear evidence that		licensing
			additional conditions to		objectives, the
			supplement the mandatory	ı	policy already
			and default conditions		states that any
			would be considered.		conditions will
					proportionate,
			It is important that this		reasonable and
			evidential basis for		made on a
			additional conditions is		case by case
			made clear and that		basis. It is
			conditions		therefore
			are not imposed simply		unnecessary to
			where there is a "perceived		add anything
			need" (Part B – 7.		further.
			Licensing Conditions) or		In regards to
			"where it is believed to be		making it clear
			necessary" (Part B – 1.		that there
			General Principles).		needs to be
					evidential basis
					for additional
					conditions, the
					policy refers to
					treating each
					application on
					its individual
					merit and would
					only add
					conditions if
					evidence was
					presented that
					made the local
					authority feel
					that they would
					be in keeping
					with the
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					promotion of
					promotion of the licensing
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General	Gene	Individual	Respondent does not	Comment considered.	promotion of the licensing objectives. The local
General Comment	ral	Individual respondent	agree with gambling in any	Comment considered.	promotion of the licensing objectives. The local authority is
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	ral comm		agree with gambling in any	Comment considered.	promotion of the licensing objectives. The local authority is aware that moral objections are not a valid reason to reject applications or
	ral comm		agree with gambling in any	Comment considered.	promotion of the licensing objectives. The local authority is aware that moral objections are not a valid reason to reject applications or should be taken
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	ral comm		agree with gambling in any	Comment considered.	promotion of the licensing objectives. The local authority is aware that moral objections are not a valid reason to reject applications or should be taken
	ral comm		agree with gambling in any	Comment considered.	promotion of the licensing objectives. The local authority is aware that moral objections are not a valid reason to reject applications or should be taken into account
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	ral comm		agree with gambling in any	Comment considered.	promotion of the licensing objectives. The local authority is aware that moral objections are not a valid reason to reject applications or should be taken into account when producing the statement
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