

EAST DEVON DISTRICT COUNCIL



GAMBLING ACT POLICY CONSULTATION

REPRESENTATIONS AND RESPONSES

under the

GAMBLING ACT 2005

Consultation Period: 10 August 2009 to 26 October 2009

November 2009

APPENDIX D

Table Headings

1	Reference number	A unique number given to the particular representation
2	Policy paragraph number	This identifies the section of the Policy to which the representation relates
3	Respondent	The identification of the individual, company or organisation responding
4	Area	The part of the District the representation relates to
5	Details of comments	A copy of the representation made
6	Appraisal of comments	Sets out the appraisal of the representation
7	Council's Response	Details the Council's response to the representation – ie. whether or not a change is proposed

Consultation Responses received – September/October 2009

1	2	3	4	5	6	7
1	Part A 7.1 & 7.2 Pp34-36	Woodbury Parish Council	All	"Woodbury Parish Council requests that Parish & Town Councils should be regarded as responsible bodies and in future be consulted as such in matters relating to licensing"	This request seeking to be considered as a Responsible Authority is not possible as the Gambling Act 2005 defines very precisely those authorities that are Responsible Authorities and town and parish councils are not included.	No
2	Part A 7.1 & 7.2 Pp34-36	Colaton Raleigh Parish Council	All	"This was considered at the last Parish Council meeting. Colaton Raleigh Parish Council request parish councils are informed of any licensing application in their area and that formal representation from town and parish councils is allowed"	The ability for a Parish Council to make representations relating to the three licensing objectives is already provided for in the amended policy as paragraph 8.2(b) of Part A of the policy states: 'Likewise, parish councils likely to be affected, will be considered to be interested parties'. There is already ample opportunity for Town and Parish Councils to inform themselves of applications being made to the Licensing Authority. In addition to the requirement for applications to be advertised in a local newspaper and at the premises all applications for Premises licences under the Gambling Act 2005 are advertised on the Council's website and Parish Council's are advised to check the website on a regular basis. If any Council wishes assistance to find this register on the website advise can be provided by the Licensing Office.	No

1	2	3	4	5	6	7
3	Part A 7.1 & 7.2 Pp34-36	Sidmouth Town Council	All	<p>“Thank you for your letter of 18th August offering all stakeholders and interested parties the opportunity to make comment on the content of the three year licensing policy.</p> <p>I confirm that this matter was the subject of debate at a meeting of this Council held on Monday 7th September when it was resolved that a letter should be sent to East Devon District Council reporting that Sidmouth Town Council has great concern that this local level of Council has no input in these matters. Parish and Town Councils should be involved as ‘interested parties’.</p> <p>Parish and Town Councils must be permitted to comment, provided they have first discussed issues at a meeting and a resolution made. A Member or Officer should then be allowed to attend and make known the Council’s resolution. It would be essential; therefore, that prior notification must be received from the District Council in order to give sufficient time for matters to be placed on an agenda.</p> <p>I would be most grateful if the Town Council’s comments can be made known at the appropriate time.</p>	<p>The ability for a Town Council to make representations relating to the three licensing objectives is already provided for in the amended policy as paragraph 8.2(b) of Part A of the policy states: ‘Likewise, parish councils likely to be affected, will be considered to be interested parties’. There is already ample opportunity for Town and Parish Councils to inform themselves of applications being made to the Licensing Authority. In addition to the requirement for applications to be advertised in a local newspaper and at the premises all applications for Premises licences under the Gambling Act 2005 are advertised on the Council’s website and Town Council’s are advised to check the website on a regular basis. If any Council wishes assistance to find this register on the website advice can be provided by the Licensing Office.</p>	No

1	2	3	4	5	6	7
4	Part A 7.2(b)	Exmouth Town Council	All	<p>“Thank you for your letter dated 18th August 2009.</p> <p>The Town Council’s Regeneration and general Purposes Committee considered the consultation draft statement. The only comment they wish make was to support the new paragraphs 8.2(b) of Part A where parish councils likely to be interested parties. This is considered to be a basic requirement with the elected body nearest to community level which ought to run through all licensing legislation.</p>	This correspondent welcomes the introduction of paragraph 8.2(b), which confirms that Parish and Town Councils that are affected by an application will be considered as Interested Parties.	No
5	Gen	Children & Young People’s Services DCC	All	<p>“The Executive Director welcomes and supports initiatives and measures to protect Children and Young People from exposure to gambling.</p> <p>The proposals made have been noted and Devon County Council would support their inclusion.</p> <p>Thank you for the opportunity to comment on these proposals.</p>	This correspondent welcomes the additional measures included within the policy to protect children and young people.	No
	Gen		All			No