

**Galliers, Ron**

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**From:** Marie Perkins  
**Sent:** 10 August 2009 16:53  
**To:** Licensing@thurrock.gov.uk  
**Subject:** REVIEW OF STATEMENT OF PRINCIPLES - GAMBLING ACT 2005

**EMAIL SENT ON BEHALF OF ROGER ETHELLES**

You have kindly sent us the consultation document on which we have the following comments on behalf of our clients Star Amusements Ltd who hold an AGC Premises Licence in respect of premises at Corringham.

As regards interested parties we believe the approach of the Council (page 11) is flawed. The principle for assessing whether a person is an interested party or not indicates that the Council will give the benefit of the doubt to the party making representations "until the contrary can be shown". We believe this approach to be flawed for the following reasons: -

1. It is in conflict with the Guidance from the Gambling Commission (Guidance to Licensing Authorities – Third Edition – May 2009) which makes it clear that the Local Authority has "to be satisfied" that the party making representations is the operator of a "business likely to be affected" by the proposal. It is clear that the onus is on the person making representations to establish they have an interest.
2. The benefit of the doubt being given to the person submitting representations is unfair to an applicant whose application is being objected to. The Council should be even handed and not show a preference for people making representations which is the case as the Principles are currently drafted.
3. If the benefit of the doubt is given to the party making a representation and it is treated as legitimate by the Local Authority how could it be possible for the Local Authority then to reject it as illegitimate if (as the text of the policy suggests "the contrary can be shown"). Surely once a party making representations is treated as an 'Interested Party' it cannot then have its status rejected by somebody showing information to the contrary.
4. The current wording opens the door for anybody to object under any circumstances and to have their representation treated as being from an Interested Party without ever having to establish that they actually do have any interest whatsoever in the matter. We would strongly urge that the text should be altered and suggest the following in place of point 1 at the foot of page 11: -

*"The authority will need to be satisfied that the relevant business is likely to be affected. In this respect it is aware that demand is not an issue which is relevant to the consideration of applications".*

It is noted that under Adult Gaming Centres and Licensed Family Entertainment Centres a list of issues are referred to as being relevant matters in dealing with applications (proof of age schemes/CCTV/door supervisors etc). Given the experience with such premises we can see no good reason to require those applying for AGC's and Licensed Family Entertainment Centres to do more than is required of betting premises which have the same restrictions as regards age, supervision. The same matters are not referred to under the heading "Betting Premises". Further, in relation to all categories should it not also be acknowledged that the operator has already satisfied the Gambling Commission in relation to compliance with Licence Conditions and Codes of Practice which deal with age restriction policies etc.

We would be grateful if this could be taken into account.

Yours faithfully

**Roger Etchells**

Marie Perkins  
Secretary  
Roger Etchells & Company Ltd

11/08/2009

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**From:** Imray, Jean  
**Sent:** 11 August 2009 13:30  
**To:** Licensing@thurrock.gov.uk  
**Subject:** Review of.....Gambling Act

I have looked at the document insofar as there are references to child protection and welfare issues and have no comment to make other than the document appears to cover the issues adequately.

Jean Imray

Head of Children's Social Care

12/08/2009

**Galliers, Ron**

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**From:** D Evans  
**Sent:** 10 August 2009 22:06  
**To:** Licensing@thurrock.gov.uk  
**Subject:** Review of Statement of Principles - Gambling Act 2005.

I am instructed by the Management Committee of the Thurrock Rugby Football Club to acknowledge your letter of the 14th May last together with the "Review Statement". The Club acknowledges it is the holder of a Club Gaming Permit at the present time and is aware of its responsibilities under the Act.

Other than acknowledging our own legal responsibilities the Committee does not have any other observations.

Duncan Evans  
Assistant Secretary  
Thurrock Rugby Football Club.

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