



# Sandwell

## Metropolitan Borough Council

### **Guidance on representations about gambling premises (Appendix 1)**

The Gambling Act 2005 requires that 'responsible authorities' such as the police, the gambling commission and others are notified of every application for a new gambling premises licence or variation of an existing premises licence.

An applicant is also obliged to advertise their application in a local paper and place a notice outside the premises for 28 days.

Objections can only be made by responsible authorities or interested parties. Interested parties are defined as a person who:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities
- b) has business interests that might be affected by the authorised activities
- c) represents persons who satisfy paragraph (a) or (b)

An interested party or responsible authority must make representations or objections in writing that must be received by us within the 28 day notice period (which will be specified on the application details).

A representation may be an objection or a positive comment.

If no relevant representations are made, the licence or variation must be granted in the form that the application was made.

Any representations made must relate to the licensing objectives.

**The licensing objectives are:**

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling

Objections must be relevant and can only be made based on one or more of these three licensing objectives.

**Putting forward your views on applications**

Representations must have submitted to us in writing within the 28 day notice period. This time period is stated on the public notice at the premises and in the advert in the local paper.

Applications are also available for inspection at our offices at Court House West Bromwich. Please telephone for an appointment before attending to ensure an officer is available to see you.

A representation can be a positive comment or an objection.

You can either write to us or email us with your representation. Our contact details are on the right of this page. You'll need to tell us:

- your full name, address and contact details
- details of the application you are making a representation about
- what your interest in the application is
- what your concerns are and how they relate to the licensing objectives
- if there are any changes you would like to see made to the application which would address your concerns
- you will need to state clearly on the letter or email that this is a representation and if writing in, you will need to sign and date your letter

**What will happen next?**

If we think the representations are relevant we must hold a hearing to determine the application (unless all agree that this is unnecessary).

At the hearing, a sub-committee (three councillors) of the council's Licensing and Enforcement Committee may do one of the following:

- Decide to grant or vary the licence in the same terms as it was applied for
- Decide to grant or vary the licence, but to modify the conditions
- Decide to refuse to issue or vary the licence
- Decide to exclude a licensable activity from the licence

The applicant for a licence or variation and any objectors can address the sub-committee. The sub-committee will listen to the evidence of both sides before making their decision. If a person who has made a representation cannot attend the hearing the sub-committee will consider the person's written representation.