



THE CHURCH
OF ENGLAND

DIOCESE OF
WORCESTER

THE BISHOP OF DUDLEY
The Rt Revd David Walker



12 July, 2006

Mrs J Elliott
Licensing Officer
Legal and Democratic Services
5 Ednam Road
Dudley
DY1 1HL

Dear Mrs Elliott,

Thank you for circulating me with the consultation document. I have read it with interest and my observations are as follows:-

- In the section "preventing gambling from being a source of crime and disorder" whilst I agree in general that the normal mechanism for dealing with nuisance issues should be by the use of powers and legislation outside of the 2005 Act I do feel that the section as stated goes too far in closing this door completely. It is in my view wrong for the Council to tie its hands so tightly at this point. Matters of persistent nuisance and some cases of disturbance can prove remarkably difficult to deal with. The creation of anti-social behaviour legislation a few years ago was one of attempt to deal with this - but it must be acknowledged that this not 100% successful. I think a sentence should be included in this section to indicate that where other legal mechanisms had failed to produce a solution within a reasonable time frame then the Council would be prepared to consider pursuing the matter under the 2005 Act.
- In the section marked interested parties I am concerned that as stated the definition of "business interests" might be unnecessarily narrow. For example it could be read in such a way as to exclude all non-commercial interests. Some years ago in Birmingham I worked in a church which held regular meetings of Gamblers Anonymous in its hall. The holding of such meetings would be unlikely to constitute a business activity. However the granting of a premises licence to an adjacent site would seriously undermine work being done with a very vulnerable group. I would urge that the wording be widened from a "business" interest to a "legitimate" interest. A legitimate interest could then be further defined to include business, voluntary sector, or charitable activities.
- In the section on protecting children and other vulnerable people there is reference to those whose mental capacities are impaired through drink. I think there is a matter here that needs spelling out in rather more detail. I would not want licenses to be issued for premises where there is a high likelihood that decisions of gamblers are going to be affected by the alcohol they have consumed. My own preference would be for a fairly simple statement that, with the exception of the occasional pub slot

machine licenses would not be granted for premises which are also licensed for the consumption of alcohol liquor. I would also want licenses not to be granted in situations where the proximity between drinking premises and gambling premises were such that a reasonable person might draw the conclusion that a substantial proportion of gamblers would be intoxicated to the point where their judgement was impaired (eg. over the driving limit).

- My final concern addresses something not mentioned at all in the document. A number of religious bodies have very strong positions against gambling. For premises to be granted a licence in a location very close to a place of worship or of some holy place associated with a particular faith group could cause grave offence. The potential damage to the community of a casino being built next to a Mosque (for example) hardly bears thinking about. Again, it may be that the first route for preventing such inappropriate developments would be through the planning rather than licensing process but even were that the case I would want the licensing authority to hold some reserve power where the planning system had not produced an appropriate outcome.

Thank you once again for circulating consultation document. May I ask that in return my fairly detailed response you would let me have your reaction to the comments I have made so that if necessary I can elaborate further within the timescale for the consultation.

Yours sincerely



David Walker
Bishop of Dudley