

**GAMBLING ACT 2005 – REVIEW OF STATEMENT OF LICENSING POLICY  
SUMMARY OF PROPOSED AMENDMENTS TO EXISTING POLICY**

**August 2015**

<b>Paragraph number</b>	<b>Title/description</b>	<b>Proposed amendment</b>	<b>Reason</b>
Preface page 4	Preface	<p>Inserted</p> <p>In addition, the Gambling (Licensing and Advertising) Act 2014 came into force on 1 November 2014 and amends the Act. It requires gambling operators that transact with or advertise to British consumers to obtain a licence from the Commission. The Act (as amended) has implications for remote operators and does not impact the powers or authority of licensing authorities. For further information, please refer to the Commission <u><a href="#">guidance on implementing the Gambling (Licensing and Advertising) Act.</a></u></p>	Update in legislation
9.4,9.5 & 9.6	Part B Premises Licences	<p>Inserted</p> <p>9.4 Licence conditions are one method by which it is possible to mitigate risks associated with a particular premises. The imposition of licence conditions might be prompted by locality specific concerns, for example the proximity of gambling premises to a school.</p>	Updated Guidance from the Gambling Commission and new Codes in relation to Social Responsibility.

		<p>9.5 Wherever possible and where there are justifiable concerns the licensing authority will have a proactive engagement with local operators to mitigate risks to the licensing objectives. Such engagement could facilitate an open and constructive partnership which, in turn would aim to improve compliance and reduce regulatory costs.</p> <p>9.6 To improve the exchange of information between licensing authorities and operators, the Commission has introduced social responsibility code provisions that require operators of premises-based businesses to conduct local risk assessments (SR 10.1.1), and an ordinary code provision that says licensees should share their risk assessments with licensing authorities in certain circumstances (OC 10.1.2).</p>	
9.10	Premises	<p>Inserted</p> <p>9.10 Licensing authorities are subject to some specific constraints in exercising their functions. s153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it in accordance with the principles set out in s.153(a) to (d).</p> <p>Therefore a licensing authority has no discretion to grant a premises licence where that would mean taking a course which it did not think accorded</p>	Clarification

		<p>with the Commissions Guidance, any relevant Commission code of practice, the licensing objectives or the licensing authority's own policy statement.</p> <p>In addition, the Act makes specific reference to factors that must <b>not</b> be considered by a licensing authority in exercising its functions under s.153:</p> <ul style="list-style-type: none"> <li>• the expected demand for facilities (s.153)(2)</li> <li>• whether the application is to be permitted in accordance with law relating to planning or building (s.153)(1).</li> </ul>	
Appendix 1 page 37	List of Consultees	Remove the list of addresses of licensed premises consultees.	All licensed premises in the district are consulted.
Appendix 3 page 40	Categories of Gaming Machines A	Inserted No category A machines are currently permitted	Clarification
Appendix 3 page 40	Machines B1	Changed maximum stake from £2 to £5 and maximum prize from £4000 to £10000*	Change to legislation January 2014
Appendix 3 page 10	Machines B3	Changed maximum stake from £1 to £2	As above
Appendix 3 page 10	Machines B4	Changed maximum stake from £1 to £2 and maximum prize from £250 to £400	As above
Appendix 3 page 10	Machines C	Changed maximum prize to £100	As above

Appendix 3 page 10	Categories of Gaming Machines	Added footnote in relation to Machines BI *with the option of a maximum £20000 linked progressive jackpot on a premises basis	As above