

Matrix of Changes – Gambling Act Statement of Principles review 2015

Paragraph	Changes to Policy
Part A 1.4	A revision to Part 1 of the Guidance reinforces licensing authority powers under section 153 of the Act, for the effective local regulation of gambling. GLA5 is more explicit in setting out the discretion that licensing authorities have, within the overall context of the statutory ‘aim to permit’ framework, and emphasises the significant scope to control the risks associated with local gambling provision. In particular, licensing authorities have a duty to ensure applications for premises licences adhere to the relevant codes of practice and Guidance issued by the Commission, the licensing objectives and the licensing authority’s own statement of licensing policy.
Part A 4.1	The amendments to Part 6 also place greater emphasis on the need for ongoing engagement with other prescribed statutory bodies, defined as Responsible Authorities under the Act. Licensing authorities should seek to draw upon the expertise and knowledge of responsible authorities and others to ensure its approach is informed by the all relevant sources of local knowledge and expertise, when developing local area profiles.
Part A 7	A number of revisions to this section clarify the enforcement powers that are available to licensing authorities and provide further guidance on the manner in which these can be deployed. Greater emphasis is given to partnership working between the Commission and licensing authorities, and also reflects developments in relation to the Primary Authority scheme which currently extends to proactive regulatory activity in relation to underage gambling.
Part B 1.5	Part 7 gives greater clarity to the meaning of ‘premises’ and other issues such as access, to premises and multiple activity premises. The guidance sets out considerations and factors and information and documents, that licensing authorities may want to consider, in determining premises licence applications.

Part B 1.10	<p>The requirement for operators to assess local risk is included in the new social responsibility code provision within the LCCP that requires operators to understand the local environment and reflect that awareness in their procedures and policies, so that they mitigate any local risks to the licensing objectives.</p> <p>The new code provisions will come into force in April 2016, which provides operators with sufficient time to align their own risk assessment with the priorities set out in the licensing authority's revised policy statement.</p> <p>Licensing authorities are already familiar with a risk based approach to compliance, and targeting resources and effort where risk is greatest. To provide greater clarity, and make more explicit what an assessment of gambling related risks might look like there is a new section on local area profiles.</p>
Part B 5	<p>Part 9 of the guidance has been developed to reinforce the circumstances in which licensing authorities may attach conditions to a premises licence. This is included in the policy.</p> <p>Licence conditions have proved to be an effective means of regulating local gambling provision and could reduce the need for more costly forms of enforcement. The revisions seek to promote more constructive dialogue between the licensing authority and operator, particularly with reference to the licensing authority's policy statement and view of local risks, prior to formally discharging its powers under s.153.</p>
1 st Paragraph of appendix E	<p>Inclusion of the Commissions social responsibility provisions within the Licence Conditions and Codes of Practice.</p>
Appendix E	<p>The local area profile is simply a way of describing a process of gathering and presenting information about a locality and any particular areas of concern within that, to explain and underpin the approach that the licensing authority will apply, as set out in its policy statement. It gives clarity to operators as to the licensing authority's view of risk and the relevant factors in its decision making.</p>
Part C 2	<p>The Commission has been made aware of circumstances in which premises have applied for an alcohol licence in order to benefit from the automatic gaming and machine entitlements provided under the Gambling Act 2005. S.284 of the Act enables licensing authorities to revoke the automatic entitlement if they are concerned that gambling is not ancillary to the main activity of the premises. This issue is addressed through amendments to Parts 16 and 26 of the GLA5.</p>