

**Q1. Do you agree that the maximum stake of £100 on B2 machines (FOBTs) should be reduced? If yes, what alternative maximum stake for B2 machines (FOBTs) do you support?**

Yes it is our view that the maximum stake of £100 on B2 machines (FOBTs) should be reduced. Research links these types of machine with higher levels of gambling related harm compared to other types of gambling and there is little evidence that the existing social responsibility measures are working. In addition gaming machine revenue now accounts for 56% of revenue for licensed betting offices which must call into question whether betting offices are really providing betting as the primary gambling activity

Betting shops should not be viewed differently to other high street gambling outlets and, consequently, there should be no difference in the maximum stake allowed for any gaming machine situated in gambling premises on a high street location (where access is restricted to over 18's). Betting shops are the only type of outlet, other than Casinos whose numbers and location are strictly controlled, where gaming machines are permitted such a high stake limit. None of the categories of gaming machine permissible in bingo premises, adult gaming centres, members' clubs or miners' welfare institutions or other have a maximum stake of more than £2. The maximum permitted stake for betting shops should be brought into line with that of other high street located premises and should be limited to £2. Any higher limit is unlikely to resolve the problems associated with these machines.

**Q2.Do you agree with the government's proposals to maintain the status quo on category B1?**

We have no comment to make on this proposal as we have no casinos in the borough and no expertise regarding the potential impact of any change.

**Q3.Do you agree with the government's proposals to maintain the status quo on category B3?**

Yes. Licensing Authorities are required to carry out their functions under the Gambling Act so as to be reasonably consistent with the three licensing objectives of the Act, most notably protecting children and other vulnerable persons from being harmed or exploited by gambling. It is our view that any increase in stakes or prizes would run counter to this licensing objective.

**Q4.Do you agree with the government's proposals to maintain the status quo on category B3A?**

Yes, for reason as above. It is also noted that there have been no submissions from industry to amend the stake and prize limit for these machines

**Q5.Do you agree with the government's proposals to maintain the status quo on category B4?**

Yes, for reason as above. It is also noted that there have been no submissions from industry to amend the stake and prize limit for these machines

**Q6.Do you agree with the government's proposals to maintain the status quo on category C?**

Yes, for reasons laid out in the response to Question 3. These machines are situated in alcohol licensed premises. Research suggests that people are less able to make rational

decisions when under the influence of alcohol and this could lead to people gambling beyond their means if stake and/or prize limits were increased.

**Q7. Do you agree with the government's proposals to maintain the status quo on category D?**

These machines can be used by under 18's primarily in seaside arcades. There is concern that any increase in stakes and prizes would make gambling more attractive to a young person which may lead to problem gambling in adulthood.

**Q8. Do you agree with the government's proposals to increase the stake and prize for prize gaming, in line with industry proposals?**

No - see the reason in Question 3.

**Q9. Do you agree with the government's proposals to maintain the status quo on allocations for casinos, arcades and pubs?**

We do not wish to comment on the proposal for casinos.

We agree that the status quo should remain for alcohol licensed premises. This gives local licensing authorities discretion regarding the number of machines that can be provided in a particular premises, beyond two, having regard to particular local circumstances. We do not think that the existing application process is onerous, nor has any evidence been produced showing that licensing authorities are acting unreasonably.

We would oppose any move to introduce a new category of gaming machine into Adult Gaming Centres with stake and/or prize limits beyond those currently allowed. It is our view that the maximum stake should be £2 in any high street gambling outlet.

**Q10. Do you agree with the government's proposals to bar contactless payments as a direct form of payment to gaming machines?**

Yes. In order to protect vulnerable persons the use of credit cards should never be allowed as a means of direct payment for gaming machines. We also support the Government's view that contactless payment by debit cards could lead to uninterrupted play with people spending more than they had intended. It is accepted that there can be cash machines within gambling premises but this still requires the user to make an active choice to take out more money and potentially spend beyond any limit that they may have set themselves.

**Q.11 Do you support this package of measures to improve player protection measures on gaming machines?**

**Q.12 Do you support this package of measures to improve player protection measures for the online sector?**

**Q.13 Do you support this package of measures to address concerns about gambling advertising?**

This Authority supports any measures that will protect vulnerable persons from being harmed or exploited by gambling, particularly measures that do not rely on intervention by local staff who are often low paid and isolated. The gambling industry itself earns large profits and can appear to prove that they have followed all relevant requirements with regard to protecting vulnerable persons. This does not always bear out at premises level. Consequently, any future social responsibility measure should, where possible, rely on technological intervention.

**Q.14 Do you agree the Government should consider alternative options including a mandatory levy if industry does not provide adequate funding for RET?**

Research, Education and Treatment (RET) with regard to gambling related harm is extremely important and should be funded by the industry. We would, therefore, support the proposal that Government should intervene if the industry does not provide adequate funding.

**Q.15 Do you agree with our assessment of the current powers available to local authorities**

This Authority believes that the law regarding gambling is primarily concentrated on the licensing objectives of preventing gambling from being a source of crime or disorder being associated with crime or disorder or being used to support crime and ensuring that gambling is conducted in a fair and open way. There has been less emphasis on the protection of children and vulnerable persons and no protection regarding the impact gambling premises can have on local residents e.g. noise and anti-social behaviour. Although licensing authorities have been given a role under the Act this is highly restricted and local residents are largely ignored in the process (unlike their role under the Licensing Act 2003).

Despite the response by the Local Government Association (LGA) and a number of local authorities, including this one, to the call for evidence it is disappointing to note that the Government does not intend to make any changes to the current powers available to Licensing Authorities. It is our strong contention that Licensing Authorities should have the ability to reject applications for new gambling premises where there is already existing clusters of such premises (a cumulative impact test) and (depending on the outcome of the consultation on maximum stakes for FOBTs) to have the ability to restrict the number of FOBT terminals that can be provided in any licensed betting office if there is evidence to do so. In the consultation document Government states that local authority's objectives can be achieved using existing powers, specifically through the use of their statement of licensing policy. However, the Gambling Act is a permissive piece of legislation stating a licensing authority '*shall aim to permit the use of premises for gambling in so far as the authority thinks it—*

- a) in accordance with any relevant code of practice under section 24,*
- b) in accordance with any relevant guidance issued by the Commission under section 25,*
- c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)),*  
*and*
- d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c))'*

These priorities are in descending order from (a) to (d) with the Council's Statement of Policy is the last on the list of priorities for consideration. In any event, the licensing statement can only be drawn up within the context of the Gambling Act and consequently cannot major on such matters as impact on local residents and anti social behaviour associated with the business. In order to withstand an appeal at present a licensing authority must have significant evidence of harm to children and vulnerable persons when looking to reject an application. The consultation document itself indicates how difficult it is to establish the impact of gambling outlets or type of gaming machine on users, never mind the impact of one particular premises. At a time of significant resource constraint it difficult for an Authority to decide to challenge the Gambling industry, with all their resources, under the current terms of the Gambling Act regardless of how tight their licensing statement is. It is for this reason that we are seeking an amendment to the Act to assist local licensing authority's to protect their residents.

As previously stated in our response to the call for evidence it is too early to tell whether the changes to planning law will give local authorities adequate control over the location of betting offices. Evidence from other local authorities to date seems to indicate that the controls are not adequate and that local decisions are being overturned on appeal due to lack of evidence of harm.

We support the Local Government Association's response to the call for evidence and, in particular, the position that councils should have the powers to develop local approaches to gambling regulation that are in the interests of their areas, including in regard to numbers of premises and machines. We would, therefore, ask Government to look again at the powers available to local licensing authorities.

**Q16. Are there any other relevant issues, supported by evidence, that you would like to raise as part of this consultation but that has not been covered by questions 1-15?**

No