

Thank you for the opportunity to respond to the above consultation . I have submitted an on line response today on behalf of Glasgow City Council. In addition , please find attached the following supplementary information relevant to this area and to the questions noted below

Q1 – Do you agree that the maximum stake of £100 on B2 machines (FOBTs) should be reduced.

The Council welcomes the Governments position to reduce the maximum stakes on FOBT. The Council had noted, with concern, in 2014 that Glasgow as a city was significantly affected by the use of FOBTs and that there was anecdotal evidence of links between the use of FOBTs and the uptake of high cost short term lending such as payday loans.

The Council convened a Sounding Board to gather a range of views and opinions on the impact of FOBTs via a series of evidence hearings. Evidence was taken from a diverse range of individuals and organisations. This is set out fully in the Sounding Boards report (attached) but included debt and money advice agencies, gambling lobby groups and representatives of the gambling industry, the police and health professionals, academics and people who had experienced gambling addiction or periods of problem gambling.

At that time, we concluded that the use of FOBTs is a significant contributory factor in problem gambling, while the public health aspects of problem gambling do not appear to be as fully recognised by the industry or the Gambling Commission as they are in other countries. We believe that the evidence gathered and conclusions reached by the Sounding Board in 2014 are still relevant and pertinent to the consideration of this area.

Q15 Do you agree with our assessment of the current powers available to local authorities.

We do not agree with this assessment for the following reasons :

We would support the calls made by English licensing authorities for the implementation of new powers to develop cumulative impact assessments, particularly of betting premises, and with amendments to legislation to allow these to be considered in the determination of applications. While the Guidance issued by the Gambling Commission was updated to introduce the concept of local area risk profiles and risk assessments, there was no corresponding change to the legislative grounds for considering and determining applications, where there is still emphasis on permitting the use of premises for gambling.

In support of the proposition that legislative change is required, we would ask the Government to consider and assess how many new licence applications have been successfully refused across the country using existing powers. It is our understanding that the number is still very small indeed and that this is a strong indicator that licensing authorities do not currently have sufficient powers available to them to properly take account of the impact that large numbers and clustering of such gambling premises have on local areas, particularly the type of issues which go beyond the amenity issues considered in relation to planning applications. We would also therefore support the call for the existing licence objectives to be widened as referenced in the consultation document.

It also remains the case that there is no legal basis for local authority officers to carry out enforcement activities in relation to gambling in Scotland. Section 304 of the Gambling Act conveys enforcement powers on authorised officers of the licensing authority. However, in Scotland, the licensing authority is the licensing board which is of course a separate legal entity from the council, but it does not have any officers. An advice note has been produced by the Gambling Commission which seeks to encourage local authority Licensing Standards Officers (a statutory role under the Licensing (Scotland) Act 2005) to conduct gambling enforcement in response to the acknowledged absence of statutory enforcement powers in Scotland. It is our view that the proposed enforcement activity is more than capable of legal challenge, particularly where it leads to a premises licence review before the Board. Given the continuing concerns regarding the impact of gambling activity, particularly in relation to betting office premises, and the lack of an effective means of licensing authorities in Scotland to carry out compliance checks and pursue enforcement action where necessary, we call upon the UK Government to introduce an amendment to section 304 of the 2005 Act to allow proper, and legal, enforcement activity to be conducted in Scotland.