

FAREHAM

BOROUGH COUNCIL

Report to Licensing and Regulatory Affairs Committee

Date 28 November 2017

Report of: Head of Environmental Health

Subject: RESPONSE TO GOVERNMENT CONSULTATION ON PROPOSALS FOR CHANGES TO GAMING MACHINES AND SOCIAL RESPONSIBIITY MEASURES

SUMMARY

The Gambling Act 2005 was established in October 2005 and came into force in stages up to 1 September 2007. It replaced out dated legislation from as far back as 1845. The Act established the Gambling Commission which is the Independent regulator of operators and Local Authorities, who regulate gambling premises. The Act has now been in force for 10 years and in that time there have been significant changes to the gambling market and the understanding of harm across the gambling landscape has become better understood.

The Government are consulting on proposed changes in order to look across the industry and determine what changes, if any, are needed to strike the right balance between socially responsible growth and the protection of consumers and the communities they live in. Within the consultation there are 16 questions posed. These questions and a draft response can be seen as Appendix B to this report. The consultation closes on 23 January 2018.

RECOMMENDATION

It is recommended that the Committee:-

- (a) consider the draft response to the consultation and any amendments they wish to make; and
- (b) recommend to the Executive that the Council responds to this consultation as detailed in Appendix B to the report with any agreed amendments.

INTRODUCTION

1. The Gambling Act 2005 was established in October 2005 and came into force in stages up to 1 September 2007. It replaced out-dated legislation from as far back as 1845. The Act established the Gambling Commission who is the Independent regulator of operators and Local Authorities became the who regulator of gambling premises....
2. Currently within Fareham there are 8 Betting Premises licences, 2 Adult Gaming Centre premises Licences, 1 Bingo Premises Licence, 13 Club Machine Permits and 16 Licensed Premises Machine Permits.
3. In respect of fixed odds betting terminals, there will be 4 machines in each of the Betting Premises and up to 20% of the total number of machines within the 2 Adult Gaming Centres can be fixed odds betting terminals.
4. There are no set gambling limits in adult gaming centres, but there is a limit on the type of machines available. Operators must adhere to a number of social responsibility codes to lead customers into option to self-exclude from gambling premises. But this is for the customer to action, although staff are trained to interact and signpost to gamble aware website and there should be leaflets available in the premises.
5. This cannot be confirmed directly, but there is undoubtable some individuals who have entered into a self-exclusion with operators. This is an option that operators offer to customers to exclude themselves from a premise or premises for a set period of time.

CONSULTATION ON PROPOSALS FOR CHANGES TO GAMING MACHINES AND SOCIAL RESPONSIBILITY MEASURES

6. The Act has now been in force for 10 years and in that time there have been significant changes to the gambling market and the understanding of harm across the gambling landscape has become better understood. The Government are consulting on proposed changes in order to look across the industry and determine what, if any, changes are needed to strike the right balance between socially responsible growth and the protection of consumers and the communities they live in. A copy of the consultation document is attached as Appendix A to this report.
7. Within the Consultation there are 16 questions posed. These questions and a draft response can be seen as Appendix B to this report. The consultation closes on 23 January 2018.
8. This consultation follows an earlier call for evidence in which the Government received 275 responses. These have helped to confirm their preferred proposals, on which they are now consulting. That consultation was open for 6 weeks leading up to the 4th December 2016
9. The responses to the call for evidence (with the exception of responses from the general public) have also been published alongside this consultation so that respondents can see the evidence that has been drawn upon in developing these proposals. This information is available on the Consultations section of the GOV.UK website.
10. The main proposals put forward in the consultation are as follows:-

- i) that the current regulation of **B2 gaming machines** is inappropriate to achieve the stated objective. The consultation therefore is consulting on regulatory changes to the maximum stake, looking at options between £50 and £2, in order to reduce the potential for large session losses and therefore to potentially harmful impacts on players and their wider communities.
- ii) While the industry proposes increases to the remaining **stakes and prizes, permitted numbers and allocations across other categories of machine** (B1, B3, B3A, B4, C and D gaming machines), the government believes retention of the current regulatory environment will better protect players from potential harm than industry's proposed increases.
- iii) The Government is aware that the factors which influence the extent of harm to the player are wider than one product, or a limited set of parameters such as stakes and prizes. These include factors around the player, the environment and the product. They are therefore also consulting on **corresponding social responsibility measures across gaming machines that enable high rates of loss, on player protections in the online sector, on a package of measures on gambling advertising and on current arrangements for the delivery of research, education and treatment (RET)**. Within this package, they want to see industry, regulator and charities continue to drive the social responsibility agenda, to ensure that all is being done to protect players without the need for further Government intervention, and that those in trouble can access the treatment and support they need.

11. The current permitted machine numbers for each type of premises and stakes and prizes for each type of machine can be seen as Appendix C to this report.

12. As part of the call for evidence consultation carried out, the industry proposed some changes on stakes and prizes, these can be seen at Chapter 3 of the consultation document attached as Appendix A. Question 8 of the consultation refers to this proposal. The changes are relatively minor.

13. Within the consultation, the government is proposing a range of Social Responsibility Measures. These are detailed on page 30 of the consultation document as attached as Appendix A. These measures are going to build upon the self-exclusion scheme that applies on some B categorised machines

RISK ASSESSMENT

14. There is a risk that problem gambling could become a problem to residents and visitors to Fareham and affect those around them, families and communities, if new controls are not introduced.

CONCLUSION

15. Currently within Fareham there is a low number of Gambling Premises, however this could increase and without better controls and could have a detrimental effect on families and communities within the Borough. There is widespread evidence that many people do suffer the effects of problem gambling.

APPENDICES

APPENDIX A: Consultation document on proposals for changes to gaming machines and social responsibility measures

APPENDIX B: Summary of Consultation questions with suggested responses

APPENDIX C: Gaming Machines current no's permitted, stakes and prizes

Background Papers: Consultation document on proposals for changes to gaming machines and social responsibility measures

Reference Papers: None

Enquiries:

For further information on this report please contact Ian Rickman. (Ext 4773)