Public Document Pack

LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 9TH JANUARY, 2018 AT 10.00 AM

MEMBERSHIP

Councillors

N Buckley	Alwoodley;
R Downes	Otley and Yeadon;
J Dunn	Ardsley and Robin Hood;
B Flynn	Adel and Wharfedale;
B Gettings	Morley North;
M Harland	Kippax and Methley;
G Hyde	Killingbeck and Seacroft;
A Khan	Burmantofts and Richmond Hill;
B Selby (Chair)	Killingbeck and Seacroft;
C Townsley	Horsforth;
G Wilkinson	Wetherby;
A Garthwaite	Headingley;
K Groves	Middleton Park;
S McKenna	Garforth and Swillington;
J Pryor	Headingley;

Agenda compiled by: **John Grieve**
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			**APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS** To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	
2			**EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC** 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- **RESOLVED –** That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			**LATE ITEMS** To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	
4			**DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS** To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.	
5			**APOLOGIES FOR ABSENCE** To receive apologies for absence	
6			**MINUTES OF THE PREVIOUS MEETING** To approve the minutes of the previous meeting held on 5th December 2017. (Copy attached)	1 - 6
7			**MATTERS ARISING FROM THE MINUTES** To consider any matters arising from the minutes.	
8			**CLEAN AIR ZONE CONSULTATION UPDATE** To consider a report by the Director of Resources and Housing which advices Members of the plans to engage with the taxi and private hire trade as part of the wider consultation on the council's Clean Air Zone (CAZ) plans. The report aims to illustrate how this process will support the steps that will be taken to complete the submission of a bid for funding to government to assist mitigation of the impacts of the CAZ on this sector. (Report attached)	7 - 18

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9	City and Hunslet		**REVIEW OF THE CITY CENTRE CUMULATIVE IMPACT POLICY AREAS** To consider a report by the Head of Elections, Licensing and Registration which sets out the annual review of the city centre areas covered by the CIP. (Report attached)	19 - 52
10			**CONSULTATION ON PROPOSALS FOR CHANGES TO GAMING MACHINES AND SOCIAL RESPONSIBILITY MEASURES** To consider a report by the Head of Elections, Licensing and Registration which sets out the Council's proposed response to the consultation on proposals for change to gaming machines and social responsibility measures. (Report attached)	53 - 126
11			**LICENSING COMMITTEE WORK PROGRAMME** To note the contents of the Licensing Committee Work Programme for 2018. (Copy attached)	127 - 130
12			**DATE AND TIME OF NEXT MEETING** To note that the next meeting will take place on Tuesday, 6th February 2018 at 10.00am in the Civic Hall, Leeds.	
13	City and Hunslet	10.4(3)	**GAMBLING ACT 2005 - LICENSING OF THE LARGE CASINO SCHEDULE 9 AGREEMENT - ANNUAL UPDATE** To consider a report by the Head of Elections, Licensing and Registration which provides an update on the delivery of the benefits of the Schedule 9 Agreement as a condition of the casino premises licence. (Report attached)	131 - 148

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			Third Party Recording Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda. Use of Recordings by Third Parties– code of practice a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.	

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Licensing Committee

Tuesday, 5th December, 2017

PRESENT: Councillor B Selby in the Chair

Councillors N Buckley, R Downes, J Dunn, B Flynn, M Harland, G Hyde, A Khan, A Garthwaite and J Pryor

60 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

61 Exempt Information - Possible Exclusion of the Press and Public

That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during Consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

Appendix A to Agenda Item No. 12, Large Casino – Variation to Schedule 9 Agreement was designated as exempt under Access to Information Procedure Rules 10.4 (3) because it contained information relating to the financial or business affairs of any particular person. (Minute No.71 Referred) and in all the circumstances of the matter, the public interest in maintaining the exemption outweighed the public interest in disclosing the information

Appendix A & B to Agenda Item No.13, Leeds Festival 2017 – Members De Brief was designated as exempt under Access to Information Procedure Rules 10.4 (3, 7) because they contained information relating to the financial or business affairs of any particular person, and 10.4(7) information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime, and in all the circumstances of the matter the public interest in maintaining the exemption outweighed the public interest in disclosing the information. (Minute No.72 Referred)

62 Late Items

There were no late items of business.

63 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made at the meeting.

64 Apologies for Absence

Apologies for absence were received from Councillors: K Groves, S McKenna, C Townsley and G Wilkinson.

65 Minutes of the Previous Meeting

The minutes of the previous meeting held on 4th October 2017 were submitted for accuracy and approval.

The Executive Officer, Taxi & Private Hire Licensing requested a correction to the last bullet point on page 2 deleting the words “successful application” and replacing with “unsuccessful application”.

RESOLVED – That with the inclusion of the above, the minutes of the previous meeting held on 4th October 2017, were accepted as a true and correct record

66 Matter Arising from the Minutes

Taxi and Private Hire Enforcement Update (Minutes No.55 referred) – Members asked if there had been any enforcement activity in respect of Private Hire vehicles using the short stay car park outside the rail station.

The Executive Officer Taxi and Private Hire Licensing confirmed that the rear of the rail station was being given a higher priority throughout the day and also at night-time. It was reported that some drivers were aware they were been monitored and moved off before enforcement officers intervened.

Concerns was also expressed about private hire vehicles parking and waiting to the rear of the St John’s Centre (Wormald Row) especially in the early evening.

The Executive Officer confirmed that this particular area was known to officers who would take the necessary action. Members were informed that once a private hire vehicle had “dropped off” it should return to base but officers were aware that often taxi and private hire bases did not have sufficient parking provision.

67 Timetable for Procuring Driver Training

The Head of Elections, Licensing and Registration submitted a report which informed Members that a procurement exercise had commenced which provided details of Taxi and Private Hire Driver Training for an initial 4 year period.

Appended to the report was a copy of the following documents:

- A list of Driver Training Courses: Course title, Provider cost of training (Appendix A referred)
- Framework for Taxi and Private Hire Driver Training – Possible Timetable (Appendix B referred)

Addressing the report the Executive Officer, Taxi and Private Hire Licensing said that in procuring driver training from more than one organisation it would increase training capacity and speed up the length of time between commencing training and the awarding of a licence. Members were informed that a dynamic purchasing arrangement had been agreed to contract a number of suppliers who could each provide all modules of the driver related training and assessment centre. The aim of the procurement exercise was to improve training capacity, maintaining quality and standards, while ensuring compliance with procurement rules.

In the discussion that ensued, Members raised the following queries and questions:

- Could issues such as: safeguarding, customer care, health & safety, sexual harassment and human trafficking be included as part of the training
- Would drivers from other local authority areas receive the same training
- Who would be auditing the external trainers to ensure they met the Leeds standards
- If harmonisation of training was agreed between the West Yorkshire Authorities and the City of York Council, it needs to meet minimum standards that are judged to be the best out of the 6 authorities.

The Executive Officer, Taxi and Private Hire Licensing provided the following responses:

- A full review of driver training would be undertaken focusing on some on the issues highlighted in the Rotherham inquiry
- Leeds was rigorous in its training and re-training and all authorities should meet the same standards
- The intention is to use our Service Development Officer to manage the contract and check they were up to the quality required. Each year we have an opportunity to suggest areas for internal audit to work on, and this area would be a suitable subject.
- The harmonisation process would agree the standard, format and curriculum of the training and the method of testing. It would raise and maintain the level of training, but it won't specify to the other 5 authorities that they need to use the same provider(s) as Leeds.

RESOLVED – That the contents of the report be noted

68 Review of Policies and Conditions - Proposals for Working Groups

The Head of Elections, Licensing and Registration submitted a report which proposed the establishment of Working Groups to undertake a review of the various Taxi and Private Hire Policies and Conditions.

Appended to the report was a copy of the following documents:

- Working Groups for review of the Taxi and Private Hire Licensing Policies and Conditions (Appendix A referred)
- List of Stakeholders (Appendix B referred)

Addressing the report the Executive Officer, Taxi and Private Hire Licensing suggested the main themes for discussion were: The Working Group approach, the terms of reference, input from key stakeholders and timetable for review.

The proposals for the Working Groups and timescales were suggested as follows:

- Working Group A – Drivers: initial meeting January, review meeting February, final meeting March 2018;

- Working Group B – Operators: initial meeting April, review meeting June, final meeting July 2018;

- Working Group C – Vehicles: initial meeting September, review meeting October, final meeting November 2018;

- Working Group D – Safety: Initial meeting December 2018, review meeting January 2019, final meeting February 2019.

RESOLVED –

(i) That approval be given to the establishing of Working Groups to review the Council's Taxi and Private Hire Driver Policies and Conditions

(ii) That the Executive Officer, Taxi and Private Hire Licensing in consultation with Governance Services and Scrutiny Support be requested to put in place the necessary arrangements

69 Licensing Committee Work Programme

Members considered the contents of the Licensing Committee Work Programme for 2018.

RESOLVED – To approve the contents of the Licensing Committee Work Programme for 2018

70 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 9th January 2018 at 10.00am in the Civic Hall, Leeds.

71 Large Casino – Variation to Schedule 9 Agreement

The Head of Elections, Licensing and Registration submitted a report which sought approval to a variation of the contract for the Schedule 9 Agreement between the Council and Global Gaming Ventures (Leeds) Ltd.

Appended to the report was a copy of the following document:

- Large Casino – Variation to Schedule 9 Agreement (Appendix A referred - Exempt)

The Section Head, Entertainment Licensing together with the Financial Inclusion Manager, Communities and Environment presented the report.

Members were informed that as part of the competitive process Global Gaming Ventures Ltd had committed to providing a number of benefits that were converted into a legal agreement made under Schedule 9 of the Gambling Act 2005. Benefits included commitments to employment, training, mitigation of problem gambling, environmental principles and the physical development of the casino.

Officers reported that following discussions with Global Gaming Ventures (Leeds) Ltd, it was proposed to amend two clauses within the original Schedule 9 agreement relating to the annual monitoring fee and the provision of a monthly drop in centre.

In the discussion that followed Members were supportive of the proposals to vary the Schedule 9 Agreement

RESOLVED – That approval be given to the variation to the Schedule 9 Agreement as set out in Appendix A of the submitted report

72 Leeds Festival 2017 - Members Debrief

The Head of Elections, Licensing and Registration submitted a report which informed Members of any issues arising from the 2017 Leeds Festival held in the grounds of Bramham Park between 25th and 27th August 2017.

The report included a summary of the outcome of the multi-agency debriefing meeting held on 19th October 2017 at Appendix A & B (Exempt).

The meeting concluded that no major concerns had been identified resulting from the 2017 Festival.

The Section Head, Entertainment Licensing, presented the report together with the Premises Licence Holder (Festival Republic) and responded to Members questions and queries.

Detailed discussion ensued on the contents of the report which included:

- The receipt of one complaint in respect of the road closure imposed to prevent traffic volume through Thorner Village
- Concerns raised about the management of the Taxi/ Private Hire pick up area.

It was reported that the Premises Licence Holder was now in the process of drafting the Event Management Plan for 2018, incorporating any amendments to reflect improvements on the 2017 event

The Chair requested if there was any provision for concessionary tickets for children in care

In responding the Premises Licence Holder said arrangements could be put in place subject to Festival Republic being supplied with the contact details of an appropriate officer within the Department of Children and Families

Members expressed their continued support of the Festival and the work undertaken by the organiser together with support agencies to ensure the smooth running of the event

RESOLVED –

(i) That the contents of the report be noted including the issues raised at the debrief, following the Leeds Festival 2017 event.

(ii) That Festival Republic be supplied with the contact details of an appropriate officer within the Department of Children and Families with a view to providing concessionary tickets for children in care

Report author: Andrew Hickford
Tel: 0113 37 85846

Report of Director of Resources and Housing

Report to Licensing Committee

Date: 9th January 2018

Subject: Clean Air Zone Consultation Update

Are specific electoral wards affected? If relevant, name(s) of ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

- The recommendations for the Leeds Clean Air Zone were approved by Executive Board on 13th December 2017, with the plans having been published on the 5th December.

- This process will initiate a period of consultation and engagement with key stakeholders across the city so that these recommendations can be reviewed, commented upon and in the New Year consulted on by those who live, work and travel into the city.

- This update report focuses on the actions that will be undertaken to engage specifically with the Taxi and Private Hire Trade on these plans. Details of the plan have already been provided to the chair and have been presented to members, as such the plans will not be outlined in detail here.

- Taxi and Private Hire vehicles will be impacted by Clean Air Zones in all named cities, with the emissions from these vehicles determined as being disproportionately high due to the significant mileage travelled by vehicles in this industry.

1 Recommendations

1.1 It is recommended that;

1.2 The committee notes the consultation plan and engagement overview in respect of the taxi and private hire trade.

2 Purpose of this report

2.1 This report aims to advise the Committee of the plans to engage with the taxi and private hire trade as part of the wider consultation on the council's Clean Air Zone (CAZ) plans.

2.2 The report further aims to illustrate how this process will support the steps that will be taken to complete the submission of a bid for funding to government to assist mitigation of the impacts of the CAZ on this sector.

3 Background information

3.1 Clean Air Zone (CAZ) Plan recommendations

3.1.1 The recommended CAZ that is being consulted upon is defined by the following key characteristics;

- The boundary of the CAZ is defined by, but does not include the Outer Ring Road, with the M1 and M62 providing the border to the South/East of the city.
- No charge would apply to vehicles that divert around the ORR/motorways, or vehicles that cross the city using the M621 unless they left the M621 to enter the city.
- Charges will apply to vehicles entering the CAZ only if they are identified as 'non-compliant'. The consultation is proposing that the following criteria will apply
    - Private cars, LGV's, motorbikes/mopeds will not face a charge for entering the CAZ
    - Buses and HGV's must be Euro VI standard are above, or will be charged for entering the CAZ
    - To be compliant with air quality standards Taxi and Private Hire vehicles need to transition to ultra-low emission (hybrid/plug in/electric for example) as such we are consulting on whether enforcement of this, or incentivising this change is the best approach. The consultation will therefore determine whether a Euro VI or ULEV standard will be applied.
    - WAV vehicles will be exempt from this charge.
    - Daily charges are proposed at £100/day for buses/HGV and £12.50/day for Taxi & private hire.

3.2 Communication with the trade

3.2.1 Launch event:

Three drop in sessions were organised on 5th December, so that operators / associations / owners would be appraised of the recommendations on the day of their publishing. The sessions were organised to take place at the Carriage Works, with representatives from the Hackney, Private Hire associations and private hire company owners invited to hear a presentation on the plans and engage in an informal discussion on the plans, their potential impact on the trade, how they can engage in the consultation and how we want to work with them to identify support measures.

3.2.2 Consultation approach

The consultation on the CAZ recommendations will take place between 2nd January 2018 and 2nd March 2018. The consultation is designed to ensure that all stakeholders are aware of the recommended clean air plan for Leeds and provides an opportunity for feedback to be made in respect of that. The consultation will consider the thoughts of all affected groups, in terms of whether the plan goes far enough, goes too far, the vehicles included in the plan, their categorisation, and charges to be enforced and so on. The web based questionnaire has some specific sections for the Taxi & Private Hire trade so their particular concerns can be addressed.

3.2.3 Online information on the consultation.

The information that supports the consultation that will be hosted on line includes;

- Summary Document that provides a very high level overview of the CAZ
- An FAQ document that will seek to address common questions or concerns about the CAZ
- Questionnaire/survey
- Evidence Pack that outlines how and why we have arrived at the recommended approach
- Transport Analysis that outlines the context for the plans.

3.2.4 Further consultation and engagement with the trade is planned to ensure that the views and issues faced by this sector are fully understood and that the council can work with operators, drivers and proprietors to seek support from the government to assist with the transition to lower emission vehicles that is required by the introduction of a CAZ.

3.2.5 The CAZ consultation will run from Jan 2nd to March 2nd we will be issuing information on the consultation across a range of media, as well as directly contacting key stakeholders. The consultation is designed to ensure that there is a broad understanding of the recommended Clean Air Zone plan and for all stakeholders to feedback on those recommendations. This is part of a two stage consultation process, so the results of this consultation will be used to shape the final plans that will then put forward to government for approval and will be consulted on again later in 2018.

3.2.6. We will be issuing invitations to a series of meetings in January 2018 for the taxi and private hire trade specifically, that will provide details of the CAZ recommendations and advise on the consultation process and outline how we want to work with this sector to identify the supporting measures that may be required. Essentially we wish to work with the trade to identify how support can best be determined that will enable the trade to support transition to lower emission vehicles, as there is opportunity for the council to seek funding from government to assist with transition costs. It is important that the trade work with us so that we can evidence the best measures that will assist the trade in this transition, so that we can make a strong case to government to secure this funding.

3.2.7 We will also seek to engage with the trade through ongoing communications through existing channels, such as the Hackney and private Hire Forums that are organised by the licensing Service and through newsletters and emails. A newsletter was issued to the trade in week commencing 4th December that is attached as an appendix (A) for the chairs reference. This provided details on the plans and outlined the consultation process to be carried out. Emails will be issued to the trade on a fortnightly basis to ensure that their participation in the consultation is encouraged, as well as providing information that may be useful to the trade on how they can contribute to our work to develop supporting measure's, as well as raise awareness of the air quality issues and the benefits of lower emission vehicles. The first email that is designed to follow the detailed newsletter is being issued week commencing 18th December, with invitations to the CAZ meetings to follow before Christmas.

3.3 Enquiries from the trade

An email address has also been created to allow for ad hoc enquiries to be made in respect of the CAZ from the trade that is already receiving a number of contacts.

3.4 Link to existing work

The work to identify supporting measures for the trade will also be aligned to the WYCA project to deliver a rapid charge point network for the taxi and private hire trade.

4 Corporate considerations

4.1 Consultation and engagement

4.1.1 The consultation itself will ensure that there is liaison with the trade, conducting surveys, interviews and working with major operators to determine the level of impact from the CAZ and the measures that will be needed to support them.

4.2 Equality and diversity / cohesion and integration

4.2.1 The consultation on the CAZ in itself does not propose changes to licensing regulations, or actions that will effect changes to communities or citizens; additionally this report is for information purposes. As such there are no direct impacts upon inclusion, equality or diversity and therefore no screening has been required. The consultation is designed to consider any impacts on protected groups that may arise from the CAZ and the equalities team have been consulted in its design.

4.3 Council policies and best council plan

4.3.1 The requirement to introduce a Clean Air Zone links with work already undertaken by the Council, in particular the Cutting Carbon and Improving Air Quality breakthrough project.

4.4 Resources and value for money

4.4.1 Delivery of the consultation will be completed with costs for events, communications activity or hosting of web-based material managed to ensure that value for money is secured.

4.5 Legal Implications, access to information and call In

4.5.1 No legal implications in terms of the update to Committee.

4.6 Risk management

4.6.1 Risks are being managed by the wider CAZ delivery project teams with regular reviewing and updating of risks as the project to deliver a CAZ is managed. This is in association with work with DEFRA and DfT

4.6.2 Should Leeds (or other cities) fail to meet targets for air quality standards then significant European Union infraction fines may be handed down to the United Kingdom. The government is likely to utilise the Localism Act to pass those fines down to failing Local Authorities.

5 Conclusions

5.1 It is recommended that the Licensing committee note that the consultation on the Clean Air Zone commenced with effect from 2nd January 2018 and that part of the consultation is based on the objective of delivering an accelerated transition of greater numbers of ULEV vehicles operating across the taxi and private hire trade.

6 Recommendations

6.1 It is recommended that;

6.2 The committee notes the consultation plan for the taxi and private hire trade.

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Newsletter to Taxi & Private Hire – Clean Air Zone

December 5th 2017

Leeds along with 27 other local authorities across the UK has been identified by the government as needing to introduce a range of solutions to meet legal limits on air pollution and therefore improve air quality within the shortest feasible timescale.

A report will be presented to the council's executive board on Wednesday 13 December outlining a consultation plan on a proposed charging Clean Air Zone Class B covering all roads within the outer ring road, with the motorways acting as the southern boundary. The vehicles affected are HGVs, buses, coaches, taxis and private hire.

Leeds has been named as one of many cities in the UK that will have some roads that will not be compliant with nitrogen dioxide regulations by 2020, in line with EU air quality targets. Exceedances of the 40µg/m3 annual average NO_2 limit currently take place in select spots within the district boundary, and as a result the government's national air quality action plan named Leeds as required to implement a Clean Air Zone (CAZ).

What is a Clean Air Zone?

A Clean Air Zone is an identified area where air quality requires improvement, and therefore non-compliant vehicles are charged to enter. Non-compliant vehicles are defined by their emissions Euro Standard, and the CAZ classification chosen. Clean Air Zones do not ban or prevent any vehicle from entering the 'zone'. However, whilst no vehicle will be 'banned', those vehicles which do not meet minimum engine standards would need to pay a daily charge for entering the 'zone'.

Who does it effect, and how?

Where there are the most persistent pollution problems, government have advised that a Clean Air Zone (CAZ) is the most effective way to tackle them. They have devised 4 categories of Clean Air Zone class, with different vehicles included within those categories – **Leeds has chosen CAZ B**. The charges on non-compliant vehicles entering a CAZ as set out by central government are designed to

Clean Air Zone Classification	Vehicles Included
A	Buses, coaches and taxis
B	**Buses, coaches, taxis and heavy goods vehicles (HGVs)**
C	Buses, coaches, taxis, HGVs and Light Goods Vehicles (LGVs)
D	Buses, coaches, taxis, HGVs, LGVs and private cars (option to include motorbikes and mopeds)

encourage only the cleanest vehicles to operate in the zone. This is summarised in the table below;

A CAZ B has been shown by the extensive modelling process to get us very close to compliance with legal limits of nitrogen dioxide. This would mean charging all buses, coaches and taxi & private hire vehicles which are below Euro 6 standard for diesel engines, and below Euro 4 standard for petrol which operate within the boundaries of the Clean Air Zone.

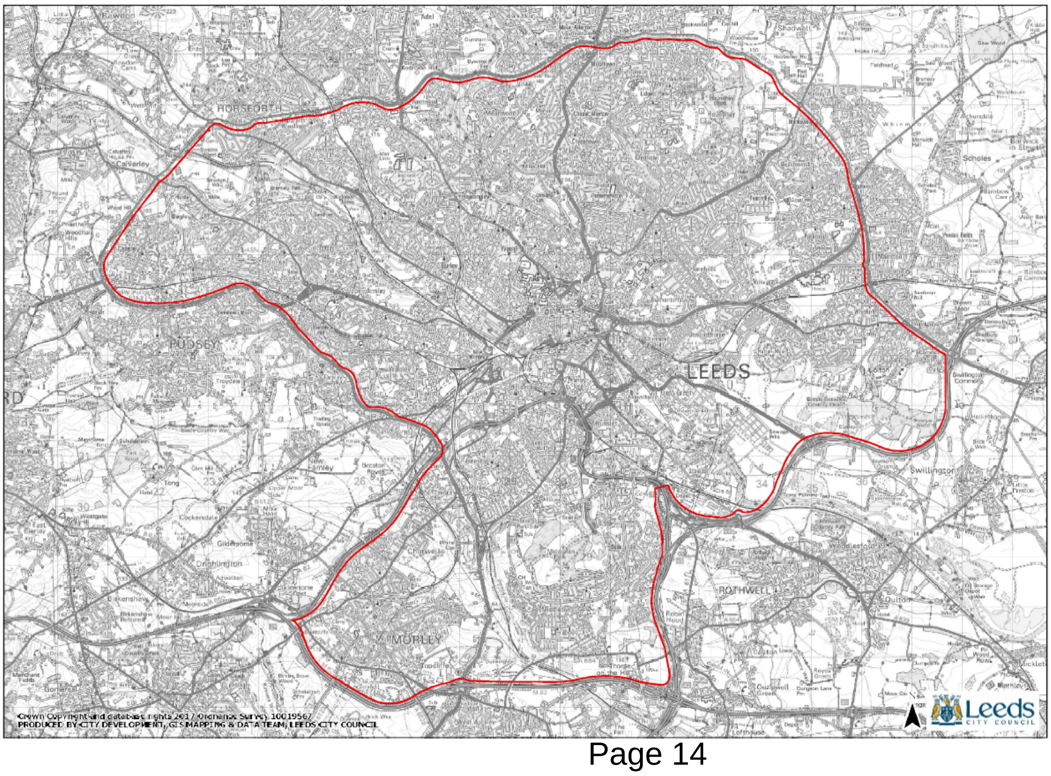
To achieve compliance with air quality targets, additional measures are needed. As part of the consultation we will be exploring how we can best achieve the shift of the taxi and private hire fleet to petrol-hybrid, LPG or electric (known collectively as Ultra-Low Emission Vehicles or - ULEV) whether it be via charging any non ULEV entering the zone, or whether a robust package of incentives can be relied upon to deliver the required uptake of ULEVs. Leeds City Council welcomes feedback on the barriers to achieving this, and how drivers/operators could be supported to achieve this shift.

Within the different scenarios that have been modelled, and in the absence of any national guidance, the charges that are to be applied in London's Ultra-Low Emission Zone (ULEZ) have been used (see below). Further work is planned to determine an appropriate charging framework for any Leeds CAZ, and we will consult on this, but the charge set will need to ensure that a sufficient level of replacement and retrofit is delivered.

Vehicle Class	**Daily Charge for non-compliant vehicles**
Buses/ Coaches	£100.00
HGVs	£100.00
Taxi and private hire	£12.50

Where will a Clean Air Zone be?

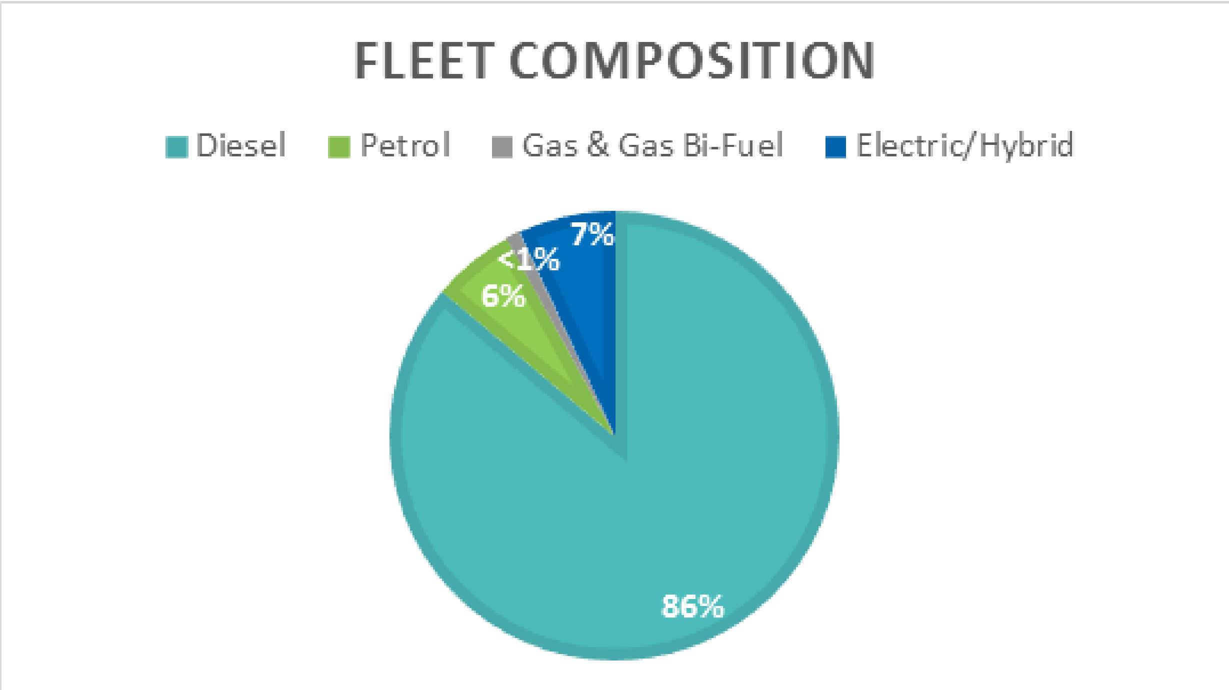
The CAZ is bordered by, but does not include the Outer Ring Road and M1/M62 motorways to the south. Vehicles can use the M621 to travel through the Clean Air Zone without being charged as long as they do not leave the M621 to enter Leeds. This option allows vehicles to use the outer ring road without being charged but buses, coaches, HGVs and taxi and private hire vehicles would be charged



when entering inside the outer ring road. This option achieves compliance across the majority of the road network, but due to the tolerances of the modelling would not be sufficient without other additional measures. However, displacement in this scenario is minimal and air quality improvements are achieved across the city.

Which additional measures will be implemented?

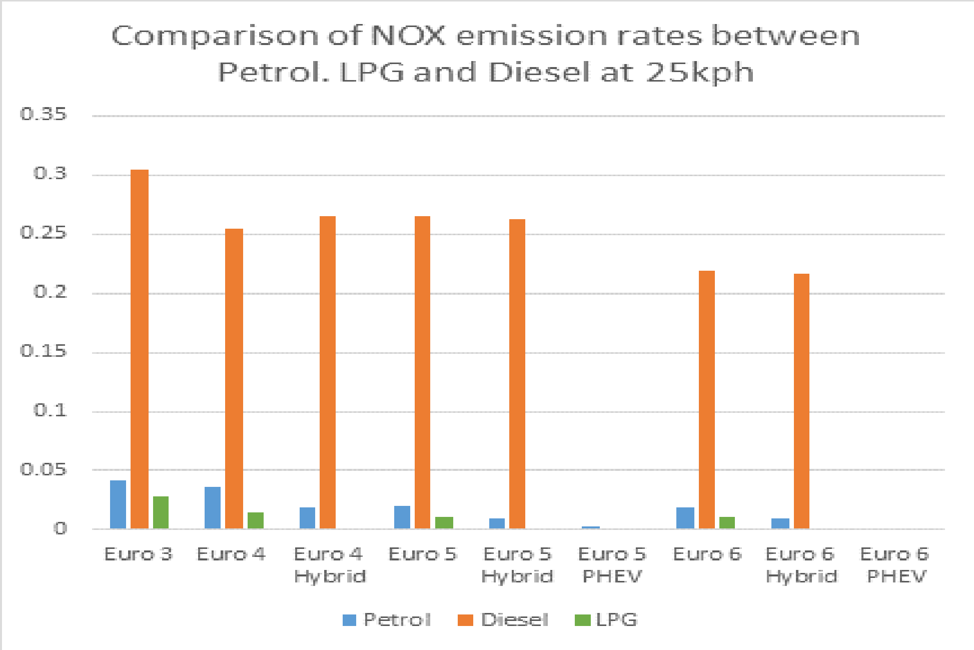
There are over 11,000 taxis and private hire vehicles licensed by authorities in West Yorkshire. Around 4,900 of these vehicles are licensed by Leeds City Council. Due to the high mileage and city centre focus of these vehicles, they contribute disproportionately to emissions, especially within the central urban area and are therefore a key sector that the council wants to work with to help improve the air quality of the city. The below chart demonstrates the current composition of the taxi



fleet operating in Leeds.

The below infographic demonstrates that a considerable reduction in NOx is achieved through replacing a diesel Euro 6 car with a ULEV. As part of the consultation we will be exploring how we can best achieve the shift of the taxi and private hire fleet to ULEV whether it be via charging non-ULEVs or whether simply a robust package of incentives can be relied upon to deliver the necessary emissions reductions.

Wheelchair accessible vehicles (WAVs) will be exempted from reaching the ULEV standard due to the limited vehicles available in this market currently and the desire not to decrease the supply of WAVs in the city.



The council is aware that in order to make this step change that it must look to provide additional support to this sector. The Council has already worked with partners within the West Yorkshire Combined Authority to secure funding from the Office for Low Emission Vehicles (OLEV) to deliver an ULEV taxi infrastructure scheme. £1.98 million capital grant funding has been secured to deliver 88 charge points over the three year delivery period to 2019/20. Of these, 33 will be located in Leeds – with funding of just under £750,000 allocated to the city.

The appropriate location of these rapid charge points is critical to their utilisation, as such we would also like to receive suggestions for the type of location that potential users would prefer to see. For example which areas of the city should they be located, or should they be near other facilities such as car parks, drive-through restaurants, or adjacent to supermarkets. These rapid chargers are designed to support other charge point provision, such as points that can also be located at drivers homes (grants from the government are available to support this) and offer a quick way of restoring range to an electric vehicle battery (typically 80% charge in 20-30 minutes).

What are the barriers?

<u>Affordability</u>

A significant barrier to the taxi fleet replacing existing vehicles with Euro 6 or ULEVs is the affordability of purchasing these vehicles. The purchase of a second-hand ULEV typically has a cost premium compared to the equivalent petrol or diesel vehicle, this can be up to £5,000. As demonstrated below, over the lifecycle of a ULEV, the lifecycle costs of a hybrid or electric vehicle are lower than that of a diesel or petrol vehicle, due to the reduced fuel costs associated with the improved mpg of a hybrid, or cheaper fuel (electricity) for electric vehicles. In addition to this, pure electric vehicles attract lower maintenance costs due to the engine’s simplicity.

The below table provides an outline of how fuel savings from a hybrid can be used to pay-back the initial cost difference over a period of time, dependent upon the average annual mileage.

VEHICLE	Fuel Economy (MPG)	Fuel Consumption (l/100km)	Price 2010 Model (£)	Price (pence) per litre*	Fuel cost per 10000 miles	Payback time (years) if driven 20000 miles p.a.	Payback time (years) if driven 30000 miles p.a.	Payback time (years) if driven 40000 miles p.a.	Payback time (years) if driven 50000 miles p.a.	Payback time (years) if driven 60000 miles p.a.
Hybrid Normal	56.3	5.02	10000	117.2	807.9	4.4	2.9	2.2	1.8	1.5
Diesel Normal	33.0	8.55	5000	119.3	1376.0	N/a	N/a	N/a	N/a	N/a

Availability

A significant proportion of taxis and private hire vehicles are bought second-hand, therefore for a rapid shift to ULEV amongst the taxi and private hire fleet to take place, there will need to be a sufficient second-hand market of electric and hybrid vehicles. This second-hand market is already established and will continue to increase in size as we approach the implementation date for the CAZ in late 2019. Our licensing service will also be consulting on how our conditions can be reviewed in order to make more ULEV's available to be licensed. It is important that you consult with the licensing service when considering vehicle choices to ensure they are suitable for licensing as a taxi or private hire vehicle.

Who will be most affected by the CAZ?

Leeds City Council has approximately 5,000 licenced taxi and private hire vehicles. It is expected that over 3,500 of these will require replacing to meet the CAZ standard. Leeds City Council will be collecting all feedback from the consultation exercise to deliver a support package to assist all taxi and private hire vehicles achieve compliance. Comments and suggestions from the trade will inform LCC's understanding of the key challenges, and the most useful form of assistance that could be provided.

What are the benefits of a low emissions taxi and private hire trade?

Delivering a shift to a low emission T&PH trade will deliver considerable health benefits both for those who live and work in Leeds, and T&PH drivers themselves. Both long- and short-term exposure to air pollution are known to adversely affect health. Short-term exposure (over hours or days) to elevated levels of air pollution can cause a range of effects including exacerbation of asthma, effects on lung function, increases in hospital admissions and mortality. Epidemiological studies have shown that long-term exposure (over several years) reduces life-expectancy, mainly due to increased risk of mortality from cardiovascular and respiratory causes and from lung cancer.

Evidence shows that exposure to air pollution is often higher in a vehicle than when outside, as a result drivers have an increased health risk especially given the predominantly urban mileage typically involved. Taxi ranks will become cleaner areas, improving health both for drivers who regularly wait in these areas and the passengers utilising the services.

The purchase of a ULEV would ensure that vehicle was compliant with any CAZ nationwide, eliminating any risk of facing an emissions charge in another city. Exposure of the public to more PHEV/EVs will also increase popularity of these vehicles, and it is expected this will facilitate a faster uptake of ULEVs citywide, in turn making feasible a wider array of charging facilities in the region.

How to make your views heard

An extensive public consultation process will take place from 2nd January to 2nd March 2018 with all comments, suggestions and feedback feeding into a final proposal to be issued in 2018. The below link is where all information will be held for the consultation.

http://www.leeds.gov.uk/Business/Pages/Air-quality.aspx

Any questions can be asked to AQconsultation@leeds.gov.uk

Leeds CITY COUNCIL

Report author: Susan Holden
Tel: 51863

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 9th January 2018

Subject: Review of the City Centre Cumulative Impact Policy Areas

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City and Hunslet	☒ Yes	☐ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The Council adopted the first Licensing Act 2003 Statement of Licensing Policy in 2005 and this policy has been reviewed in line with the requirements of the legislation every three years until 2012 when it was moved onto a five year schedule.

2. In December 2013 Licensing Committee approved a change to the city centre areas covered by the cumulative impact policy (CIP), which forms part of the Statement of Licensing Policy, to enable these areas to be reviewed annually.

3. This report provides details of this year's review of the city centre area covered by the cumulative impact policy.

Recommendations

4. That Licensing Committee review the information provided in this report, the police statistical report for 2017 and endorse a new cumulative impact assessment for the city centre for 2018.

5. That Licensing Committee considers forming a working group to consider the cumulative impact policy and the areas covered by it and any special area guidance during the formal review and any subsequent revision of the Licensing Act 2003 Statement of Licensing Policy in 2018.

1 Purpose of this report

1.1 To present to Licensing Committee the annual review of the city centre areas covered by the CIP.

2 Background information

2.1 Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of licensing policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12th January 2005 and has been reviewed every three years since then.

2.2 In April 2012 the Police Reform and Social Responsibility Act changed the length of the lifetime of a policy from three to five years. This necessitated a different approach to the city centre cumulative impact area which, due to the dynamic nature of the night time economy, would need to be reviewed more frequently than every 5 years.

2.3 Last year the Government introduced cumulative impact assessments into the Licensing Act 2003 providing a legal framework under which cumulative impact policies are developed and reviewed. However this revision has not been commenced although this is expected by April 2018.

3 Main issues

3.1 The current CIP was adopted as part of the Licensing Act 2003 Statement of Licensing Policy 2014 to 2018 (SOLP) in December 2013. The CIP (section 7 of the SOLP) includes cumulative impact areas in five parts of the city, with a sixth introduced in 2016. The CIP specified that the city centre cumulative impact area evidence and map would be reviewed each year based on the most recent crime and disorder statistics supplied by West Yorkshire Police, although the scope and wording of the overarching cumulative impact policy would remain the same. The review is scheduled for the latter part of each year so that it can take effect in the following January.

3.2 Officers from Entertainment Licensing issued a call for evidence from the Responsible Authorities and other partners through the Licensing Enforcement Group. West Yorkshire Police responded with a crime statistical report and Environmental Health responded with brief details of nuisance calls for the cumulative impact areas.

3.3 Officers met with West Yorkshire Police who provided crime statistics for the preceding 12 months which is attached at **appendix 1** and referred to as the Police Report in this report.

3.4 From this information no amendment to the city centre red and amber zone boundaries is recommended, however the cumulative impact assessment has been updated to provide the latest statistical evidence. The updated cumulative impact assessment for 2018 is attached at **appendix 2.**

3.5 Briefly, the evidence shows that overall offending in the City Centre has increased by 15%. Again this year there has been a reduction in drunk and disorderly offences but an increase in public order offences.

3.6 Briggate, Call Lane, Albion Street and Woodhouse Lane are the top streets for offending in the night time economy. These streets are currently covered by the city centre's two red zones and this supports the view that both red zone areas should be maintained.

3.7 The Call Lane red area remains the predominant crime hot spot area. The peak time for offending is now 23:00 to 04:00. The tables at Section 6 of the Police Report show that last year Briggate and Call Lane are responsible for 34% of the crime in the city centre, with Albion Street/Woodhouse Lane responsible for 16%.

3.8 The Cross Belgrave Street/Merrion Street area was noted as an emerging area of concern, but offences have seen a reduction over the last 12 months. There are no new areas of concern.

3.9 Looking at the comparison data in Section 7 of the Police Report the Call Lane Red Area the extrapolated crime statistics over the last three years are:

	NTE Year 2014-15	**NTE Year 2015-16**	**NTE Year 2016-17**
Assault	347	420 (+17%)	495 (+15%)
Robbery	13	27 (+50%)	37 (+27%)
Sexual Offences	20	26 (+23%)	31 (+16%)
Theft from Person	410	487 (+16%)	472 (-3%)
Theft Non Specific	355	382 (+7%)	422 (+9%)

3.10 The Albion Street/Woodhouse Lane crime statistics over the last three years are:

Assault	164	228 (+28%)	251 (+9%)
Robbery	1	3 (+66%)	8 (+62%)
Sexual Offences	9	7 (-28%)	14 (+50%)
Theft from Person	128	126 (-1.5%)	151 (+16.5%)
Theft Non Specific	131	150 (+13%)	147 (-2%)

3.11 In January 2017, due to the increase in assault in the red areas, officers from West Yorkshire Police and Entertainment Licensing invited operators from the two red areas to a meeting at Elland Road where potential solutions were discussed. The overall view was that the street marshal scheme, initially introduced a number of years ago, had worked to reduce crime but had fallen away due to a lack of overall organisation and competing police priorities. The view was that instigating this scheme or something similar would be beneficial and should drive the crime figures down.

3.12 In September 2017 LeedsBID and Leeds City Council introduced Purple Ambassadors to support the door teams and to deal with the low level antisocial behaviour before it turned into the more serious crime of assault. Time will tell if this is successful.

3.13 Despite the worrying increase in the number of assaults in the red areas, it is recommended that the city centre red zone boundaries remain the same with the guidance updated to include the latest statistics but no other changes made.

3.14 However the Statement of Licensing Policy is due to be reviewed in its entirety in 2018, with a new policy in place by the end of that year. There are new requirements being introduced in April 2018 which formalises the evidence requirements for cumulative impact policies and place them on a legal footing with inclusion into the Licensing Act 2003. Licensing Committee may consider forming a working group to look at the cumulative impact policy and any special area guidance that may be deemed necessary.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 This year the decision was made not to consult upon any change to the red areas of the City Centre area of the CIP as it would not be cost effective to do so as no change is recommended for either area.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Equality and diversity, cohesion and integration have been considered each time the policy is reviewed. At this time there are no implications for equality and diversity/cohesion and integration.

4.3 Council Priorities and Best Council Plan

4.3.1 The licensing regime contributes to the following Best Council Plan 2015-20 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us.

4.3.2 The licensing regime is linked to the Best Council Plan objectives:

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council

4.4 Resources and value for money

4.4.1 Reviewing any policy has a cost associated with it. However, it is considered good value for money as a robust policy supports the decisions of the Licensing subcommittees and therefore reduces the risk of legal challenge.

4.5 Legal Implications, Access to Information and Call In

4.5.1 It is good practice to ensure that the documents the council relies upon to inform licensing decisions are accurate and up to date as this reduces the risk of a successful legal challenge.

4.6 Risk Management

4.6.1 As previously stated the annual review of the city centre cumulative impact area ensures that the boundaries between the red and amber zones remain the most appropriate and that the impact on good operators is kept to a minimum whilst trying to address the crime and disorder hot spots.

5 Conclusions

5.1 The revised police evidence showed that although there was a 15% increase in violent crime in the night time economy in the Call Lane red zone area, the boundaries remain current. The revised cumulative impact assessment for the city centre area includes the latest crime statistics.

6 Recommendations

6.1 That Licensing Committee review the information provided in this report, the police statistical report for 2017 and endorse a new cumulative impact assessment for the city centre for 2018.

6.2 That Licensing Committee considers forming a working group to consider the cumulative impact policy and the areas covered by it and any special area guidance during the formal review and any subsequent revision of the Licensing Act 2003 Statement of Licensing Policy in 2018.

7 Background documents[1]

7.1 There are no unpublished background documents that relate to this matter.

[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Appendix 1

WEST YORKSHIRE POLICE

Leeds City Centre:

Night Time Economy Related Crime

September 2017

1. Introduction and Aims

The aim of this document is to highlight crime risk areas and crime levels during the night time economy in Leeds city centre. This document should inform police and partners to aid in the reduction of crime and assist the Licensing Department in relation to the City Centre Cumulative Impact Policy.

This document is protectively marked PROTECT under the Government Protective Marking Scheme. The approval of the authorising officer is required for dissemination.

2. Methodology

A variety of Corvus searches were used to extract the relevant offence, property and victim details used in the subsequent analysis. The following general criteria were used in relation to extracting the information.

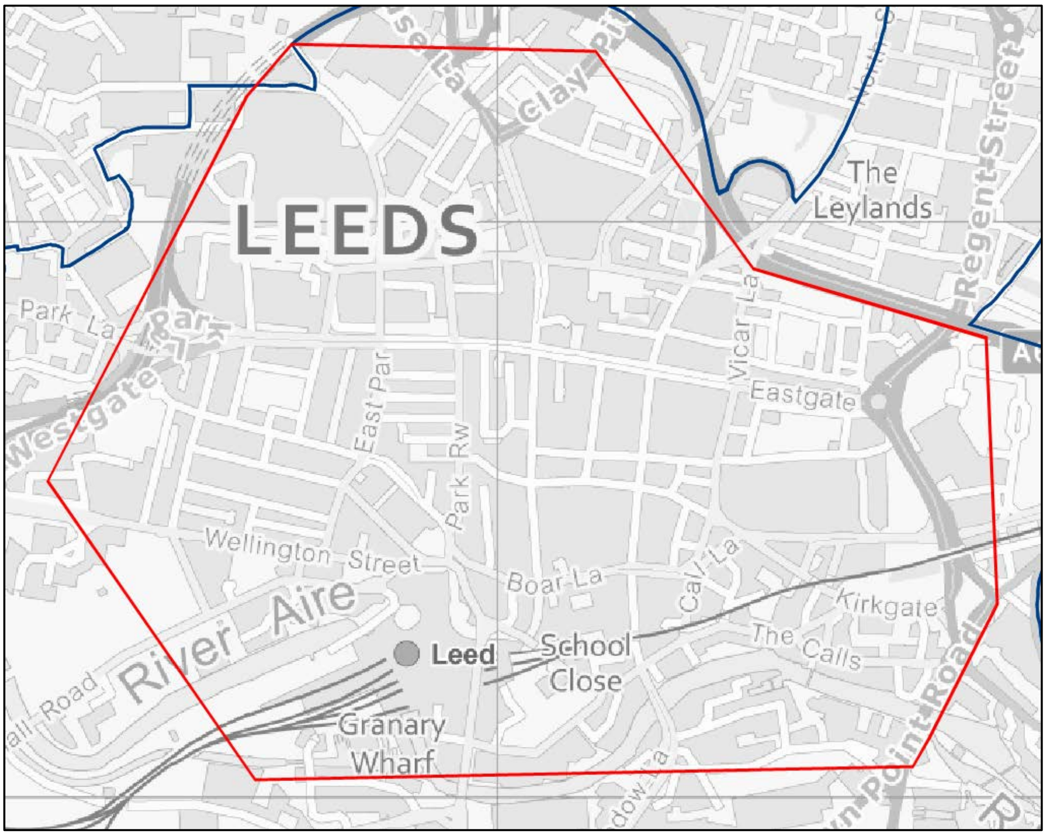
Date Range: Date 1st Crimed: 01 September 2015 - 31 August 2017
Offences: Theft from Person, Theft non Specific, Robbery, Assault, Affray, Drunk & Disorderly, Public Order
Incidents: Road Traffic Incidents: 01 September 2015 - 31 August 2017

The Night time Economy is taken as 18:00-05:59.

Further examination was performed using MS excel. Map Modeller, the Force GIS was used for mapping purposes and analysis. Additional reference has been made to source systems, including Niche. Some data may have been gathered from outside agencies, such as partners, other ACPO forces or the Home Office. Where this is the case it has been referenced accordingly.

3. Defined Leeds City Centre area

Throughout this document, data that falls into the area shown within the red line below will be classified as "Leeds City Centre" and will be referred to as such throughout the document.



4. Key Findings

- An analysis of the examined offences shows overall offending in the City Centre has increased by 15% compared with the previous examined period.
- During 01/09/2016 and 31/08/2017, Assaults and Theft from Person offences have seen the highest increases in terms of volume compared with the previous year. Robbery offences have experienced the greatest percentage change. All examined offences experienced an increase in volume.
- As seen in previous reporting, Assaults and Theft (Non Specific) have the highest number of offences with a licensed premises flag and experienced the greatest increases during the period.
- Assaults continue to be the highest alcohol related crime, followed by Drunk and Disorderly offences. While Drunk and Disorderly offences saw a decrease, Public Order offences increased.
- Theft and Assault offences are the top offence categories for both the day time economy and night time economy.
- In both the examined periods there are more reports of ‘off street’ offences than ‘on street’. The number of assaults occurring ‘off street’ are fairly similar in both years. There are more assaults reported to occur ‘on street’.
- Briggate, Call Lane, Albion Street and Woodhouse Lane are the top streets for offending in the night time economy for both examined periods. These streets are located within the two city centre CIP red areas, supporting the view that both red areas should be maintained.
- The Call Lane red area remains the predominant hot-spot area. Geo-spatial analysis shows the main risk area within the city centre is the area of Call Lane and Briggate, as shown as Section 7.1. The highest concentration of offences remains in this area and has slightly extended compared with the previous 12 months, but still falling within the existing designated area. The peak time for offending in the Call Lane area is now 23:00 - 04:00.
- Within the Call Lane area, all the examined offences namely Assaults, Robberies, Sexual Offences and Thefts have increased during 2016 and 2017 with Assaults, Robberies and Theft offences seeing the largest increase.
- Within the Albion Street / Woodhouse Lane Red area, the hot-spot areas have remained the same in both examined periods, specifically the bottom of Woodhouse Lane and top of Albion Street, as shown in Section 7.2. During the period 2016 to 2017, the peak time is shown as between 01:00 – 03:00.
- The Cross Belgrave Street/Merrion Street/New Briggate areas were noted as an emerging area of concern for the period 2015 – 2016 however several associated offence types have seen reductions over the last 12 month period.
- The map shown in Section 7.4 shows the overall spread of night-time offences across the area. The 100m Hex grid shows that the main “hotspot” areas detailed previously (shown as red rectangles on the map) cover the main areas of concern, and that the “emerging” area of Cross Belgrave Street/Merrion Street/New Briggate identified previously (grey rectangle) is no longer covering a major offence hotspot. There are also no “new” areas of concern (that would be orange or red) outside the current localities.
- A&E data was provided for the period 01/09/2016 – 31/08/2017. A notable proportion did not have a location address or did not specify an exact address, for example “on street”.
- Detailed location data is no longer provided therefore the proportion of attendees directly associated with incidents in the City Centre cannot be assessed.
- Overall the peak time has not changed from the previous year and was between 01:00 – 04:00, with a secondary peak between 21:00 – 23:00. Alcohol was the main identified contributing factor although over 50% did not have a factor recorded.
- During the NTE the main hot-spots for Road Related Incidents were around The Headrow, Woodhouse Lane and Albion Street with a smaller concentration around Boar Lane and Wellington Street.

5. Performance: Leeds City Centre

The tables below cover offences occurring during both the day time economy (DTE) and night time economy (NTE). The figures have been derived from the red line area "Leeds City Centre" as shown in Section 3.

All data

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Total	Change +/-	% Change
Affray	38	52	90	14	37%
Assault	1300	1524	2824	224	17%
Drunk And Disorderly	255	267	522	12	5%
Public Order	291	389	680	98	34%
Robbery	95	146	241	51	54%
Theft From Person	1168	1453	2621	285	24%
Theft Non Specific	1518	1554	3072	36	2%
Total	**4665**	**5385**	**10050**	**720**	**15%**

Figure 1 shows the breakdown of occurrence type 01/09/2015 – 31/08/2017

Licensed Premises Flag

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Total	Change +/-	% Change
Affray	3	4	7	1	33%
Assault	251	263	514	12	5%
Drunk And Disorderly	15	15	30	0	0
Public Order	11	21	32	10	91%
Robbery	2	1	3	-1	-50%
Theft From Person	488	453	941	-35	-7%
Theft Non Specific	537	586	1123	49	9%
Total	**1307**	**2650**	**2650**	**36**	**103%**

Figure 2 shows the offences flagged as license premises involved 01/09/2015 – 31/08/2017

Alcohol involved flag

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Total	Change +/-	% Change
Affray	14	18	32	4	29%
Assault	331	347	678	16	5%
Drunk And Disorderly	203	180	383	-23	-11%
Public Order	39	59	98	20	51%
Robbery	11	15	26	4	36%
Theft From Person	43	35	78	-8	-19%
Theft Non Specific	27	20	47	-7	26%
Total	**668**	**674**	**1342**	**6**	**1%**

Figure 3 shows the offences flagged as alcohol involved 01/09/2015 – 31/08/2017

Offences by day or night time economy

DTE

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Total	Change	% Change
Affray	6	10	16	4	67%
Assault	288	320	608	32	11%
Drunk And Disorderly	35	30	65	-5	-14%
Public Order	149	214	363	65	44%
Robbery	29	38	67	9	31%
Theft From Person	352	599	951	247	70%
Theft Non Specific	674	705	1379	31	5%
Total	**1533**	**1916**	**3449**	**383**	**25%**

Figure 4 shows the offences during the DTE (06:00 – 17:59) between 01/09/2015 – 31/08/2017

NTE

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Total	Change +/-	% Change
Affray	32	42	74	10	31%
Assault	1012	1204	2216	192	19%
Drunk And Disorderly	220	237	457	17	8%
Public Order	142	175	317	33	23%
Robbery	66	108	174	42	64%
Theft From Person	816	854	1670	38	5%
Theft Non Specific	844	849	1693	5	5%
Total	**3132**	**3469**	**6601**	**337**	**11%**

Figure 5 shows the offences during the NTE (18:00 – 05:59) between 01/09/2015 – 31/08/2017

6. Night Time Economy (18:00 - 05:59)

The tables below relate to offences committed during the hours of the night time economy, within the City Centre.

The below tables show the top ten streets and the top ten streets of increasing concern for the night time economy offending (Affray, Assault, Drunk and Disorderly, Public Order, Robbery, Theft From Person and Theft Non Specific). The table also shows the percentage of the street compared with the city centre total as shown in Figure 5.

Top 10 Street Names	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016 -2017	Total	Change +/-
BRIGGATE	572	18.3%	631	18%	1203	59
CALL LANE	531	17%	565	16.8%	1096	34
ALBION STREET	263	8.4%	294	8.7%	557	31
WOODHOUSE LANE	213	6.8%	248	7.3%	461	35
BOAR LANE	140	4.5%	178	5.2%	318	38
COOKRIDGE STREET	99	3.2%	116	3.4%	215	17
THE HEADROW	88	2.8%	109	3.2%	197	21
MERRION STREET	113	3.6%	98	2.9%	211	-15
GREAT GEORGE ST	76	2.7%	95	2.8%	171	19
HEATONS COURT	72	2.3%	79	2.3%	151	7

Top 10 Street Names Of Increasing Concern	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016-2017	Total	Change +/-
BRIGGATE	572	18.3%	631	18%	1203	59
CALL LANE	531	17%	565	16.8%	1096	34
ALBION STREET	263	8.4%	294	8.7%	557	31
WOODHOUSE LANE	213	6.8%	248	7.3%	461	35
BOAR LANE	140	4.1%	178	5.2%	318	38
THE HEADROW	88	2.6%	109	3.2%	197	21
GREAT GEORGE ST	76	2.2%	95	2.8%	171	19
PARK ROW	21	0.6%	40	1.1%	61	19
KIRKGATE	27	0.8%	34	1%	61	7
BRIDGE END	16	0.5%	30	0.9%	46	14

Figure 6 shows the top streets 01/09/2015 – 31/08/2017 during the night time economy.

The below tables shows offences committed off street or on street. 14% of offences had a blank location qualifier.

Off Street				
Occurrence Type	**2015 - 2016**	**2016 - 2017**	**Total**	**Change +/-**
Affray	9	9	**18**	**0**
Assault	393	415	**808**	**22**
Drunk And Disorderly	24	31	**55**	**7**
Public Order	31	62	**93**	**31**
Robbery	5	4	**9**	**-1**
Theft From Person	586	559	**1145**	**-27**
Theft Non Specific	703	703	**1406**	**0**
Total	**1751**	**1783**	**3534**	**32**

On Street				
Occurrence Type	**2015 - 2016**	**2016 - 2017**	**Total**	**Change +/-**
Affray	20	28	**48**	**8**
Assault	430	494	**924**	**64**
Drunk And Disorderly	166	162	**328**	**-4**
Murder/Manslaughter	0	1	**1**	**1**
Public Order	85	67	**152**	**-18**
Robbery	47	86	**133**	**39**
Theft From Person	207	242	**449**	**35**
Theft Non Specific	105	106	**211**	**1**
Total	**1060**	**1186**	**2246**	**126**

Figure 7 shows the breakdown of offences for on and off street 01/09/2015 – 31/08/2017 during the night time economy.

7. CIP Red Area – Comparisons

The following areas have been selected in line with the existing 'CIP Red Areas'. The subsequent analysis has been performed on 50m[2] 'hotspots'. The stated crime figures and time analysis is taken from offences occurring within the red outlining square, between 1800 - 0559. Assaults, Theft from Person, Theft Non Specific, Robbery and Sexual offences have been included in this analysis.

7.1 Call Lane Red Area:

Map (1:1500):

NTE: Year 2015– 2016 (Sept – Aug)

Crime:

- Assault: 420 (+73)
- Robbery: 27 (+14)
- Sexual Offences: 26 (+6)
- Theft From Person: 487 (+77)
- Theft Non Specific: 382 (+27)

Time Analysis:

Peak Time: 00:00 – 05:00

Risk days: Thursday, Friday and Saturday

NTE: Year 2016 – 2017 (Sept – Aug)

Crime:

- Assault: 495 (+75)
- Robbery: 37 (+10)
- Sexual Offences: 31 (+5)
- Theft From Person: 472 (-15)
- Theft Non Specific: 422 (+40)

Time Analysis:

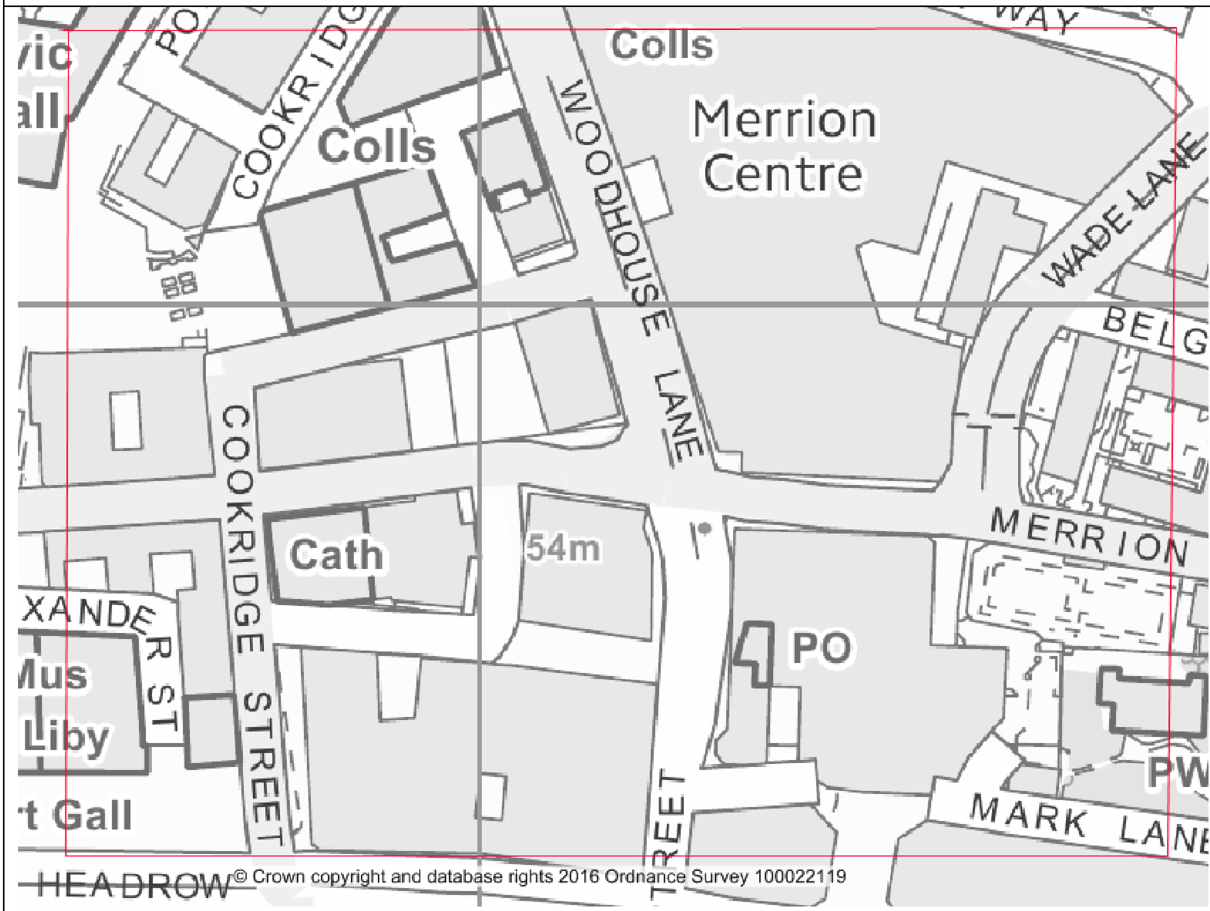
Peak Time: 23:00 – 04:00

Risk days: Saturday/Sunday highest; also Thursday and Friday

Figure 8: Call Lane red area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

7.2 Albion Street / Woodhouse Lane Red Area:

Map (1:1500):



NTE: Year 2015 – 2016 (Sept – Aug)

Crime:

- Assault: 228 (+64)
- Robbery: 3 (+2)
- Sexual Offences: 7 (-2)
- Theft From Person: 126 (-2)
- Theft Non Specific: 150 (+19)

Time Analysis:

- Peak: 00:00 - 0400
- Secondary : 23:00 – 00:00

Risk days: Monday, Friday, Saturday

NTE: Year 2016 – 2017 (Sept – Aug)

Crime:

- Assault: 251 (+23)
- Robbery: 8 (+5)
- Sexual Offences: 14 (+7)
- Theft From Person: 151 (+25)
- Theft Non Specific: 147 (-3)

Time Analysis:

- Peak: 23:00 - 0400
- Main Peak : 01:00 – 03:00

Risk days: Saturday

Secondary days: Monday, Tuesday, Thursday

Figure 9 Map showing the Albion Street red area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

7.3 Cross Belgrave Street / Merrion Street / New Briggate:

The following area is not a designated 'red area' in the existing CIP but was noted as an emerging area of popularity during the 'Night Time Economy' for the period 2015 – 2016. Several associated offence types have seen reductions over the last 12 month period.

Map (1:1500):

NTE: Year 2015 – 2016 (Sept – Aug)

Crime:

- Assault: 108 (+28)
- Robbery: 8 (+2)
- Sexual Offences: 8 (+2)
- Theft From Person: 96 (+11)
- Theft Non Specific: 112 (-6)

Time Analysis:

- Peak: 01:00 – 04:00
  Secondary peak: 23:00 – 00:00 and 04:00 – 05:00

Risk days: Thursday, Friday and Saturday

NTE: Year 2016 – 2017 (Sept – Aug)

Crime:

- Assault: 57 (-51)
- Robbery: 8 (no change)
- Sexual Offences: 7 (-1)
- Theft From Person: 50 (-46)
- Theft Non Specific: 48 (-64)

Time Analysis:

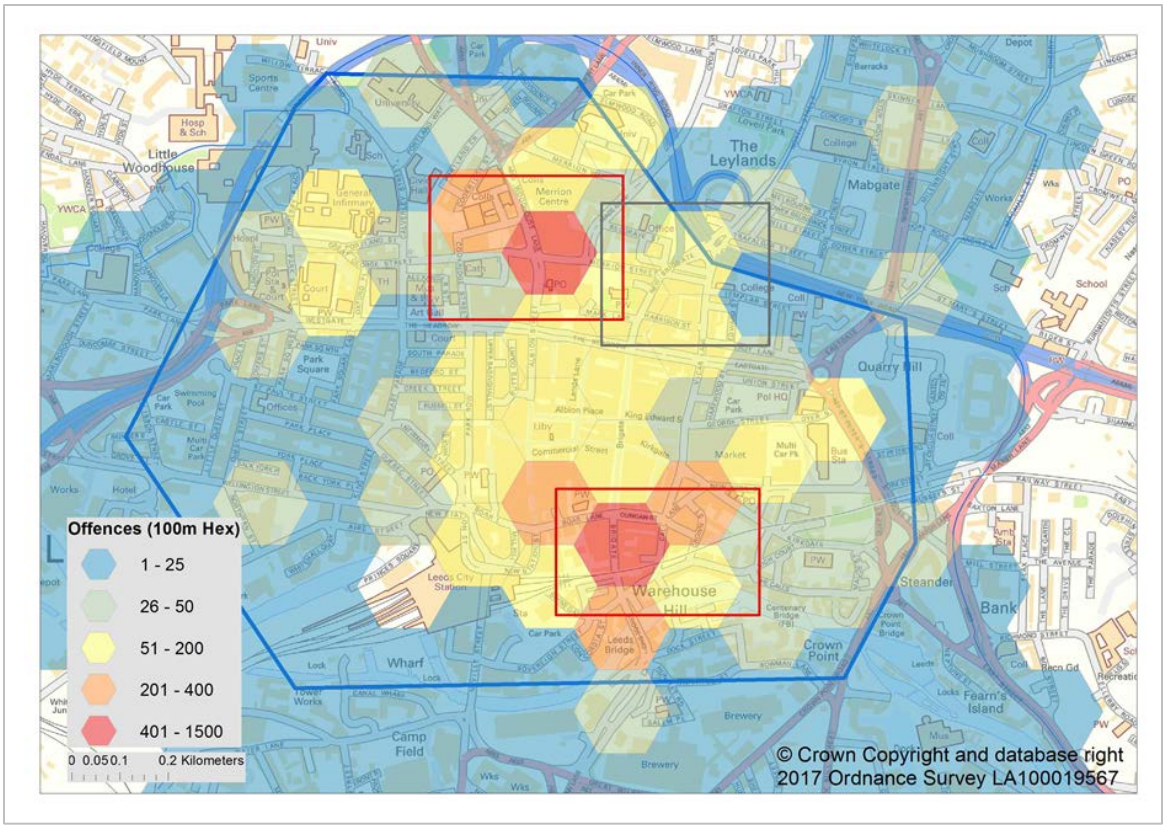
- Peak: 00:00 – 04:00
  Secondary peak: 23:00 – 00:00 and 04:00 – 05:00

Risk days: Friday and Saturday

Figure 10: Map showing New Briggate area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

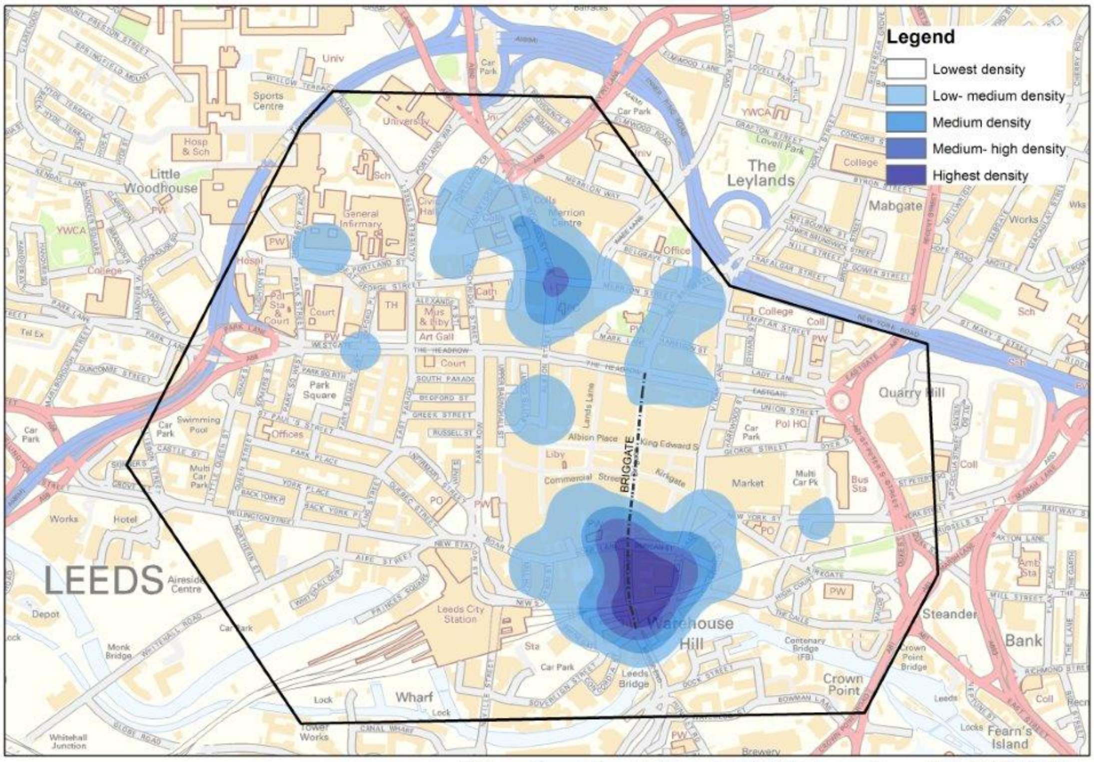
7.4 Night Time related offences

The map below shows the overall spread of night-time offences across the area. The 100m Hex grid shows that the main "hotspot" areas detailed previously (shown as red rectangles on the map) cover the main areas of concern, and that the "emerging" area identified previously (grey rectangle) is no longer covering a major offence hotspot. There are also no "new" areas of concern (that would be orange or red) outside the current localities.



The map below shows the density of night-time offences across the defined area and the concentration of where offences have occurred, highlighted by darker areas. Briggate (highlighted by a dotted line) has the highest density.

Night time economy offences in Leeds City Centre (16-17)



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8. City Centre A&E Assault data

A&E data was provided for the period 01/09/2016 – 31/08/2017. A notable proportion did not have a location address or did not specify an exact address, for example "on street" or "on bus".
Detailed location data is no longer provided therefore the proportion directly associated with the City Centre cannot be assessed.

	Year	
	2015 - 2016	**2016 - 2017**
Time Analysis		
Peak Time	01:00 - 04:00	01:00 - 04:00
Secondary Peak	23:00 - 00:00 & 04:00 - 05:00	21:00 – 23:00
Location		
Off Street	45.50%	41.26%
On Street	45.78%	40.97%
Other	8.72%	17.77%
Contributory Factors		
Alcohol Involved	82.28%	42.74%
Drugs Involved	5.17%	5.05%
Mental Health Involved	0.54%	2.88%
None Recorded	17.17%*	53.12%*

NOTE: multiple contributory factors could be recorded for a single incident, therefore the total of all factors above will not equal 100%

****There has been a significant increase in "none" recorded in contributory factors ~ this is believed to be due to changes in the recording processes and data provided by A&E***

9. Road Traffic Incidents

The below table shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017. The figures have been derived from the red line area "Leeds City Centre" as shown in Section 3.

Incident Type	DTE 2015-2016	DTE 2016-2017	DTE Total	NTE 2015-2016	NTE 2016-2017	NTE Total	Total
Highway Disruption	132	142	274	86	68	154	428
OPL	11	10	21	34	47	81	102
Road Related Offence	62	93	155	68	67	135	290
RTC - Damage Only	316	332	648	165	181	346	994
RTC - Serious Injury	8	14	22	6	6	12	34
RTC - Slight Injury	96	107	203	54	44	98	301
Total	**625**	**698**	**1323**	**413**	**413**	**826**	**2149**

Figure 12 shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017.

Day Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the daytime economy.

Top Ten Street Names	2015 - 2016	2016 - 2017	Change	Total
THE HEADROW	26	43	17	69
A58	26	40	14	66
WELLINGTON ST	26	37	11	63
A58(M)	21	31	10	52
INNER RING ROAD	25	30	5	55
GREAT GEORGE ST	17	29	12	46
WOODHOUSE LANE	22	24	2	46
CROWN POINT RD	17	23	6	40
ALBION STREET	15	22	7	37
CLAY PIT LANE	14	20	6	34

Top 10 Street Names Of Increasing Concern	2015 - 2016	2016 - 2017	Change	Total
THE HEADROW	26	43	17	69
A58	26	40	14	66
WELLINGTON ST	26	37	11	63
A58(M)	21	31	10	52
GREAT GEORGE ST	17	29	12	46
ALBION ST	15	22	7	37
CLAY PIT LANE	14	20	6	34
A61	11	17	6	28
GEORGE ST	6	11	5	17
BOAR LANE	8	12	4	20

Figure 13 shows the top streets 01/09/2015 – 31/08/2017 or road traffic incidents during the day time economy.

Night Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the night time economy hours.

Top 10 Street Names	2015 - 2016	2016 - 2017	Change	Total
THE HEADROW	19	22	3	41
WOODHOUSE LANE	21	17	4	38
ALBION STREET	16	18	2	34
A58	16	16	0	32
BOAR LANE	18	14	-4	32
WELLINGTON ST	13	15	2	28
GREAT GEORGE ST	12	16	4	28
INNER RING ROAD	12	16	4	28
CLAY PIT LANE	13	14	1	27
A58(M)	11	12	1	23

Top 10 Street Names of Increasing Concern	2015 - 2016	2016 - 2017	Change	Total
SWINEGATE	4	14	10	18
BRIGGATE	4	12	8	16
CROWN POINT RD	4	12	8	16
CALL LANE	7	12	5	19
GREAT GEORGE ST	12	16	4	28
INNER RING ROAD	12	16	4	28
CALVERLEY ST	6	10	4	16
VICAR LANE	3	6	3	9
MERRION STREET	7	10	3	17
PARK SQUARE	0	3	3	3

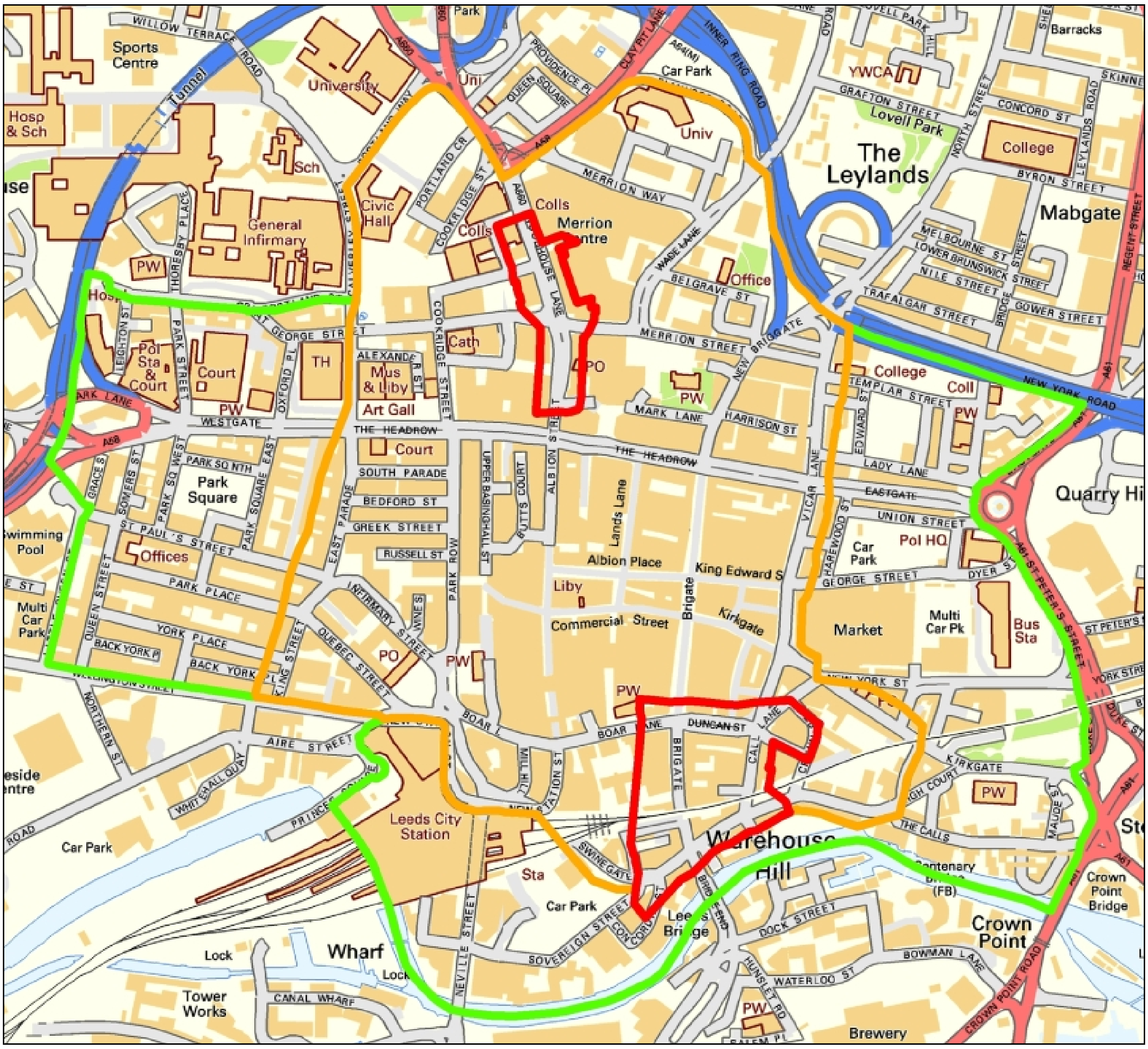
Figure 14 shows the top streets 01/09/2015 – 31/08/2017 for road traffic incidents during the night time economy.

Cumulative Impact Assessment

City Centre

Appendix 2

LEEDS CITY COUNCIL



Area 1 relates to the city centre. West Yorkshire Police has shared information and statistics that show that the nature of the city centre is such that the cumulative impact of licensed premises leads to problems that aren't experienced in other parts of the city and this can be attributed to the density of licensed premises in specific areas. The number and close proximity of venues on a street can result in difficulties in identifying individual premises as causing problems and so action planning and reviewing individual licences is not possible.

The closure or opening of businesses can have a dramatic effect on reported crime and incidents in an area. While problems at individual premises are dealt with using action planning and the review process, there are areas in Leeds city centre which become saturated as new businesses open or existing businesses change their style of operation.

In addition the council recognises that a previous problem area can be improved by the introduction of new styles of business types, such as food led premises like restaurants and seeks to encourage this.

The dynamic nature of the city centre has created difficulties in setting a policy that will be relevant for five years until the next formal review of the Licensing Policy. Therefore the council has adopted an approach of designating areas within the city centre CIP as ‘red’ or ‘amber’ based upon an analysis of crime and disorder in the night time economy and will review these areas on an annual basis.

Areas that are considered highly saturated and that are experiencing particularly high levels of crime, disorder and/or nuisance will be designated as red areas. The policy states that the council will seek to refuse all applications in these **red areas** on the basis that the impact on the licensing objectives is at such a level that the area cannot support any more premises opening or extending their operation and that the council will only grant applications in the red zone in exceptional cases. Exceptional does not mean that an application is innovative or novel, but that it allows Members to make an exception to their policy. Those exceptional cases would be where the premises can demonstrate that they will not impact on the issues already being experienced in the area, i.e. by containing their operation within the hours of the daytime and early evening economy.

Any variation that will effectively increase the occupancy of premises will be viewed in a similar light to a new application as it may increase the available capacity in the same way a new premises in that area would, which in the red area would be unacceptable. Similarly new businesses seeking to introduce a new concept, and so attract different people into the area, may be acceptable in the amber area but in the red area the problems are exacerbated by the sheer number of people on the street during the peak hours and introducing a new or extended business, even with a different concept, would add to the impact rather than reduce it.

Management controls such as door staff will not be adequately effective in preventing an increase in the number of people within the red zone.

The **amber area** is an area which is of concern, based upon an analysis of issues within the night time economy that are relevant to the licensing objectives, and the council will expect applicants to offer additional measures tailored to the problems in that area. Applicants are strongly advised to consult with West Yorkshire Police and the licensing authority during their application process. By working together, the responsible authorities and businesses can establish working practices that reduce crime and disorder and so benefit the long term aims of the city to be a vibrant, thriving economy.

All other areas within the city centre CIP will be designated **green areas** where good quality applications will be generally be more acceptable even though the area is a CIP area.

It is the council’s policy, on receipt of relevant representations, to

- refuse new and variation applications in the red area
- to seek additional measures for new and variation applications in the amber area
- to seek good quality applications for application in the green area

This applies to alcohol led premises such as bars, pubs and nightclubs, and for premises seeking late night refreshment such as takeaways and late opening restaurants.

Extra scrutiny is given to applications which appear to adopt a number of different styles during their trading. For example businesses that purport to be food led but seek late opening hours may be judged to be predominantly alcohol led due to their late night activities. It is for the applicant to demonstrate how their business will not impact on the licensing objectives.

Changes in the last year

There are two distinct areas in the city where extra police resources are deployed on a regular basis. These areas are the Call Lane area and the Albion Street/ Woodhouse Lane area. Premises in those areas have deployed street marshals at their own expense in the past as it has been recognised that incidents on the street require extra attention and that early intervention can prevent an escalation in the severity of incidents on the street. However in recent years this scheme has fallen away and the violent crime rate has increased.

As police resources are reducing each year, priorities have been realigned. There has been a small reduction in the number of arrests for drunk and disorderly again this year but an increase in assault. The increase in assaults could be due to early intervention methods being cut back, such as the street marshalling scheme and intervention at an early level (i.e. arresting people for being drunk and disorderly), and so the low level offences are escalating to the more serious assault charge.

The issues with disorder in the street on Call Lane has led to a road closure between 11pm and 5am on the Friday, Saturday and Sunday night which took effect in October 2015. The sheer numbers of people, often intoxicated, in the street during these hours highlights the need for the overall capacity of the red area to decrease, not increase. Further work is ongoing with the operators in Hirsts Yard to reduce criminality in this area.

The Council continues to receive applications within the areas designated as red. There has been a trend for existing operators to apply for minor and full variations to bring into use areas which were unlicensed previously. In all cases the premises licence holder has undertaken to keep their capacity the same. However this trend for increasing the licensed area is concerning as the ability to control capacity is difficult. Any application seeking an increase in floor space, even without an increase in stated capacity, can expect close scrutiny.

Police Crime Reporting

West Yorkshire Police has produced a crime report *"Leeds City Centre: Night Time Economy Related Crime"* dated September 2017 which has been referred to when reviewing the red and amber zones for 2017. This report is referred to as the Police report in this document. It uses reported crime figures from 01/09/2015 – 31/08/2017. The police report only compares statistics from the last two years, as the statistics are not comparable going further back than that due to the changes in the way in which crime is recorded. The following data tables and key findings (signified by bullet points) have been extracted from the police report.

City Centre

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	38	52	14	37%
Assault	1300	1524	224	17%
Drunk And Disorderly	255	267	12	5%
Public Order	291	389	98	34%
Robbery	95	146	51	54%
Theft From Person	1168	1453	285	24%
Theft Non Specific	1518	1554	36	2%
Total	**4665**	**5385**	**720**	**15%**

Figure 1 shows the breakdown of occurrence type 01/09/2015 – 31/08/2017

Licensed Premises Flag

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	3	4	1	33%
Assault	251	263	12	5%
Drunk And Disorderly	15	15	0	0
Public Order	11	21	10	91%
Robbery	2	1	-1	-50%
Theft From Person	488	453	-35	-7%
Theft Non Specific	537	586	49	9%
Total	**1307**	**2650**	**36**	**103%**

Figure 2 shows the offences flagged as license premises involved 01/09/2015 – 31/08/2017

Alcohol involved flag

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	14	18	4	29%
Assault	331	347	16	5%
Drunk And Disorderly	203	180	-23	-11%
Public Order	39	59	20	51%
Robbery	11	15	4	36%
Theft From Person	43	35	-8	-19%
Theft Non Specific	27	20	-7	26%
Total	**668**	**674**	**6**	**1%**

Figure 3 shows the offences flagged as alcohol involved 01/09/2015 – 31/08/2017

Offences by day or night time economy

DTE

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change	% Change
Affray	6	10	4	67%
Assault	288	320	32	11%
Drunk And Disorderly	35	30	-5	-14%
Public Order	149	214	65	44%
Robbery	29	38	9	31%
Theft From Person	352	599	247	70%
Theft Non Specific	674	705	31	5%
Total	**1533**	**1916**	**383**	**25%**

Figure 4 shows the offences during the DTE (06:00 – 17:59) between 01/09/2015 – 31/08/2017

NTE

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	32	42	10	31%
Assault	1012	1204	192	19%
Drunk And Disorderly	220	237	17	8%
Public Order	142	175	33	23%
Robbery	66	108	42	64%
Theft From Person	816	854	38	5%
Theft Non Specific	844	849	5	5%
Total	**3132**	**3469**	**337**	**11%**

Figure 5 shows the offences during the NTE (18:00 – 05:59) between 01/09/2015 – 31/08/2017

The tables clearly show that there has been in increase in crime across the city centre. The police report conclusions state:

- An analysis of the examined offences shows overall offending in the City Centre has increased by 15% compared with the previous examined period.
- During 01/09/2016 and 31/08/2017, Assaults and Theft from Person offences have seen the highest increases in terms of volume compared with the previous year. Robbery offences have experienced the greatest percentage change. All examined offences experienced an increase in volume.
- As seen in previous reporting, Assaults and Theft (Non Specific) have the highest number of offences with a licensed premises flag and experienced the greatest increases during the period.
- Assaults continue to be the highest alcohol related crime, followed by Drunk and Disorderly offences. While Drunk and Disorderly offences saw a decrease, Public Order offences increased.
- Theft and Assault offences are the top offence categories for both the day time economy and night time economy.
- In both the examined periods there are more reports of ‘off street’ offences than ‘on street’. The number of assaults occurring ‘off street’ are fairly similar in both years. There are more assaults reported to occur ‘on street’.

Street Level Data

The tables below relate to Leeds City Centre night time economy offending only (18:00 to 05:59) and show the top ten streets and the top ten streets of increasing concern for the night time economy offending. The table shows the percentage of the street compared with the city centre total as shown in Figure 5.

Top 10 Street Names	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016 -2017	Change +/-
BRIGGATE	572	18.3%	631	18%	59
CALL LANE	531	17%	565	16.8%	34
ALBION STREET	263	8.4%	294	8.7%	31
WOODHOUSE LANE	213	6.8%	248	7.3%	35
BOAR LANE	140	4.5%	178	5.2%	38
COOKRIDGE STREET	99	3.2%	116	3.4%	17
THE HEADROW	88	2.8%	109	3.2%	21
MERRION STREET	113	3.6%	98	2.9%	-15
GREAT GEORGE ST	76	2.7%	95	2.8%	19
HEATONS COURT	72	2.3%	79	2.3%	7

Top 10 Street Names Of Increasing Concern	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016-2017	Change +/-
BRIGGATE	572	18.3%	631	18%	59
CALL LANE	531	17%	565	16.8%	34
ALBION STREET	263	8.4%	294	8.7%	31
WOODHOUSE LANE	213	6.8%	248	7.3%	35
BOAR LANE	140	4.1%	178	5.2%	38
THE HEADROW	88	2.6%	109	3.2%	21
GREAT GEORGE ST	76	2.2%	95	2.8%	19
PARK ROW	21	0.6%	40	1.1%	19
KIRKGATE	27	0.8%	34	1%	7
BRIDGE END	16	0.5%	30	0.9%	14

These clearly show that there has been no improvement over the last year with Briggate and Call Lane areas are responsible for 35% of crime reported in the city in the last year. 16% of crime was reported in the other red area of Albion Street/Woodhouse Lane.

The police report conclusions were:

- Briggate, Call Lane, Albion Street and Woodhouse Lane are the top streets for offending in the night time economy for both examined periods. These streets are located within the two city centre CIP red areas, supporting the view that both red areas should be maintained.

Red Area Comparisons

The stated crime figures and time analysis is taken from offences occurring within the red outlining square, between 18:00 – 05:59. Assaults, theft from person, theft non-specific, robbery and sexual offences have been included in this analysis.

Call Lane Red Area

NTE: Year 2015– 2016 (Sept – Aug)	NTE: Year 2016 – 2017 (Sept – Aug)
Crime: ▪ Assault: 420 (+73) ▪ Robbery: 27 (+14) ▪ Sexual Offences: 26 (+6) ▪ Theft From Person: 487 (+77) ▪ Theft Non Specific: 382 (+27) Time Analysis: Peak Time: 00:00 – 05:00 Risk days: Thursday, Friday and Saturday	Crime: ▪ Assault: 495 (+75) ▪ Robbery: 37 (+10) ▪ Sexual Offences: 31 (+5) ▪ Theft From Person: 472 (-15) ▪ Theft Non Specific: 422 (+40) Time Analysis: Peak Time: 23:00 – 04:00 Risk days: Saturday/Sunday highest; also Thursday and Friday

Figure 8: Call Lane red area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

The police report conclusions were:

- The Call Lane red area remains the predominant hot-spot area. Geo-spatial analysis shows the main risk area within the city centre is the area of Call Lane and Briggate, as shown as Section 7.1. The highest concentration of offences remains in this area and has slightly extended compared with the previous 12 months, but still falling within the existing designated area. The peak time for offending in the Call Lane area is now 23:00 - 04:00.
- Within the Call Lane area, all the examined offences namely Assaults, Robberies, Sexual Offences and Thefts have increased during 2016 and 2017 with Assaults, Robberies and Theft offences seeing the largest increase.

Not only have all crimes increased in this area again this year by another 15%, the peak times have shifted from midnight to 5am to 11pm to 4am. The risk days have changed from Thursday, Friday and Saturday to Thursday to Sunday with Saturday and Sunday the highest. Most worrying are the increases in assault and theft from person.

This shows not only how important it is that the number of people using this area during the night time does not increase but that it would be desirable for the number of people using this area during peak hours to reduce. Therefore any change to the current licences, either new premises or any increase in the operation of the existing premises should not have the effect of increasing visitors to the area.

Furthermore the Council will be investigating ways in which assault and theft can be reduced, in liaison with the operators and agencies. LeedsBID has introduced teams of Purple Ambassadors who operate in a similar way to the street marshalling scheme, with officers patrolling the red areas and dealing with low level nuisance to prevent it from becoming the more serious crime of assault.

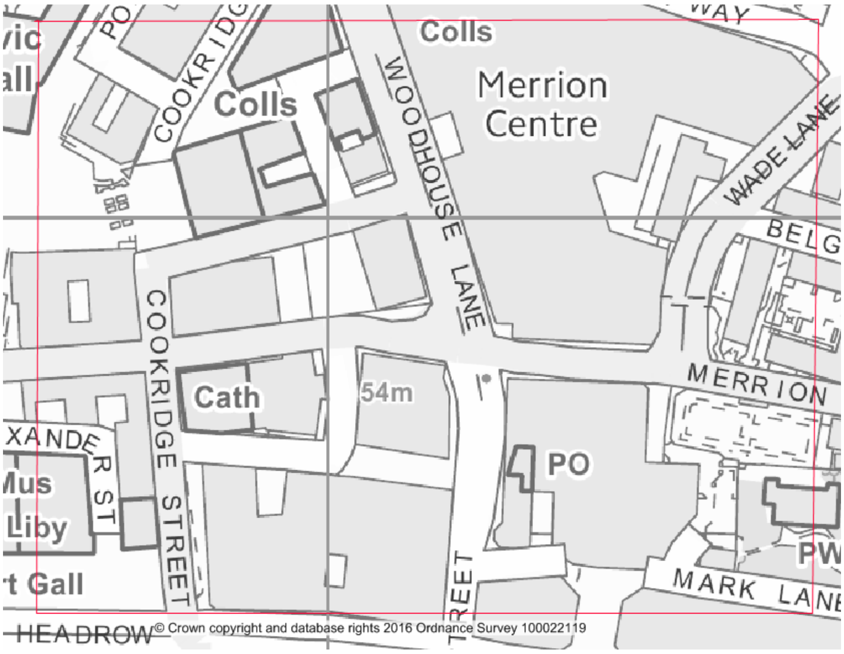
In the last year the Licensing Authority has received applications from:

- a premises on Albion Street seeking to increase their hours, which was refused;
- a premises on Hirsts Yard seeking to make structural changes and update conditions which was granted
- a premises on Call Lane which sought to add off sales to their current licence to allow people to use an outside area, which was granted

- a premises on Briggate which sought to increase their floor space but offered a number of stricter conditions which controlled capacity which was granted
- a premises on Briggate seeking a new application for late night refreshment which was refused
- a premises on Call Lane seeking alcohol in conjunction with food and closing prior to peak hours which was granted
- a premises on Call Lane which sought to extend their hours by one hour til midnight. This matter was outstanding as this assessment was finalised.

Any operator seeking a variation to their current licence must be mindful of the problems being experienced in the area and must ensure that the additional measures they offer will result in no impact on the licensing objectives. A responsible operator will always be seeking ways in which they can contribute to the efforts made to reduce the crime statistics, and would not be satisfied with merely maintaining the status quo.

Albion Street / Woodhouse Lane Red Area



NTE: Year 2015 – 2016 (Sept – Aug)	NTE: Year 2016 – 2017 (Sept – Aug)
Crime: ▪ Assault: 228 (+64) ▪ Robbery: 3 (+2) ▪ Sexual Offences: 7 (-2) ▪ Theft From Person: 126 (-2) ▪ Theft Non Specific: 150 (+19) Time Analysis: ▪ Peak: 00:00 - 0400 ▪ Secondary : 23:00 – 00:00 Risk days: Monday, Friday, Saturday	Crime: ▪ Assault: 251 (+23) ▪ Robbery: 8 (+5) ▪ Sexual Offences: 14 (+7) ▪ Theft From Person: 151 (+25) ▪ Theft Non Specific: 147 (-3) Time Analysis: ▪ Peak: 23:00 - 0400 ▪ Main Peak : 01:00 – 03:00 Risk days: Saturday Secondary days: Monday, Tuesday, Thursday

Figure 9 Map showing the Albion Street red area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

The police report conclusions were:

- Within the Albion Street / Woodhouse Lane Red area, the hot-spot areas have remained the same in both examined periods, specifically the bottom of Woodhouse Lane and top of Albion Street, as shown in Section 7.2. During the period 2016 to 2017, the peak time is shown as between 01:00 – 03:00.

In the last year the Licensing Authority has received one application from a premises on Albion Street seeking to increase their hours, which was refused.

However the overall 9% increase in crime and the lengthening of the peak hours is worrying.
As with the Call Lane/Lower Briggate area this shows not only how important it is that the number of people using this area during the night time does not increase but that it would be desirable for the number of people to reduce. Therefore any change to the current licences, either new premises or any increase in the operation of the existing premises should not have the effect of increasing visitors to the area.

As with the Call Lane area the Council will be investigating ways in which assault and theft can be reduced, in liaison with the operators and agencies. LeedsBID has introduced teams of Purple Ambassadors who operate in a similar way to the street marshalling scheme, with officers patrolling the red areas and dealing with low level nuisance to prevent it from becoming the more serious crime of assault.

Cross Belgrave Street / Merrion Street / New Briggate:

The following area is not a designated 'red area' in the existing CIP; although, it has been noted as an emerging area of popularity during the 'Night Time Economy'.

NTE: Year 2015 – 2016 (Sept – Aug)	**NTE: Year 2016 – 2017 (Sept – Aug)**
Crime: ▪ Assault: 108 (+28) ▪ Robbery: 8 (+2) ▪ Sexual Offences: 8 (+2) ▪ Theft From Person: 96 (+11) ▪ Theft Non Specific: 112 (-6) Time Analysis: ▪ Peak: 01:00 – 04:00 Secondary peak: 23:00 – 00:00 and 04:00 – 05:00 Risk days: Thursday, Friday and Saturday	Crime: ▪ Assault: 57 (-51) ▪ Robbery: 8 (no change) ▪ Sexual Offences: 7 (-1) ▪ Theft From Person: 50 (-46) ▪ Theft Non Specific: 48 (-64) Time Analysis: ▪ Peak: 00:00 – 04:00 Secondary peak: 23:00 – 00:00 and 04:00 – 05:00 Risk days: Friday and Saturday

Figure 10: Map showing New Briggate area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

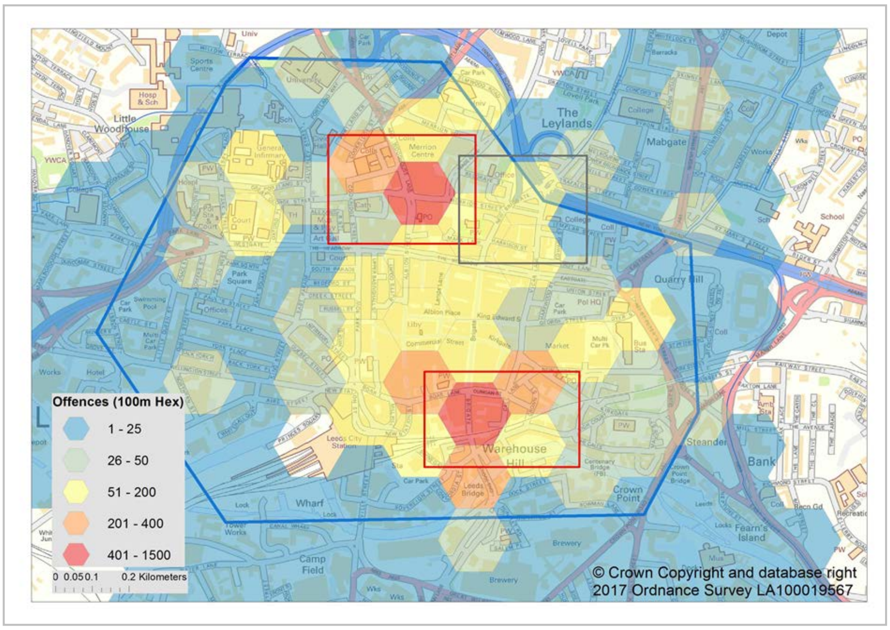
The police report conclusions were:

- The Cross Belgrave Street/Merrion Street/New Briggate areas were noted as an emerging area of concern for the period 2015 – 2016 however several associated offence types have seen reductions over the last 12 month period.

As reported in previous years, this area in Leeds has been developed in the north of the city and is proving very popular. The lengthening of the hot spot period is common with the two red areas however there has been a dramatic reduction in crime across the board.

This area remains in the amber area this year, as this provides the most flexibility to negotiate with applicants regarding safeguards that can be put in place. .

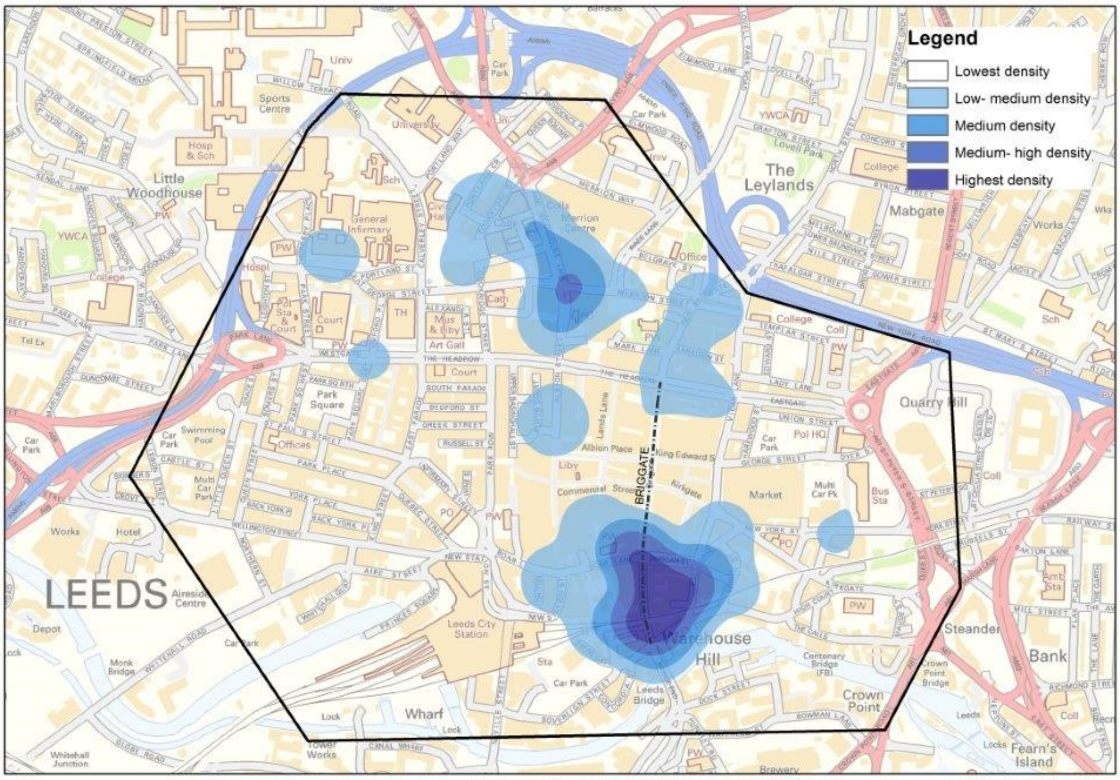
Night Time Related Offences



The Police Report provides two new maps which show the overall spread of night time offences across the area. The 100m Hex grid shows that the main “hotspot” areas detailed previously (shown as red rectangles on the map) cover the main areas of concern, and that the “emerging” area identified previously (grey rectangle) is no longer covering a major offence hotspot. There are also no “new” areas of concern (that would be orange or red) outside the current localities.

The map below shows the density of night-time offences across the defined area and the concentration of where offences have occurred, highlighted by darker areas. Briggate (highlighted by a dotted line) has the highest density.

Night time economy offences in Leeds City Centre (16-17)



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City Centre A&E Assault data

A&E data was provided for the period 01/09/2016 – 31/08/2017. A notable proportion did not have a location address or did not specify an exact address, for example “on street” or “on bus”. Detailed location data is no longer provided therefore the proportion directly associated with the City Centre cannot be assessed.

Road Traffic Incidents

The below table shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017. The figures have been derived from the red line area “Leeds City Centre” as shown in Section 3.

	DTE			NTE			
Incident Type	**2015-2016**	**2016-2017**	**DTE Total**	**2015-2016**	**2016-2017**	**NTE Total**	**Total**
Highway Disruption	132	142	274	86	68	154	428
OPL	11	10	21	34	47	81	102
Road Related Offence	62	93	155	68	67	135	290
RTC - Damage Only	316	332	648	165	181	346	994
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Total	**625**	**698**	**1323**	**413**	**413**	**826**	**2149**

Figure 12 shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017.

Day Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the daytime economy.

Top Ten Street Names	2015 - 2016	2016 - 2017	Change
THE HEADROW	26	43	17
A58	26	40	14
WELLINGTON ST	26	37	11
A58(M)	21	31	10
INNER RING ROAD	25	30	5
GREAT GEORGE ST	17	29	12
WOODHOUSE LANE	22	24	2
CROWN POINT RD	17	23	6
ALBION STREET	15	22	7
CLAY PIT LANE	14	20	6

Top 10 Street Names Of Increasing Concern	2015 - 2016	2016 - 2017	Change
THE HEADROW	26	43	17
A58	26	40	14
WELLINGTON ST	26	37	11
A58(M)	21	31	10
GREAT GEORGE ST	17	29	12
ALBION ST	15	22	7
CLAY PIT LANE	14	20	6
A61	11	17	6
GEORGE ST	6	11	5
BOAR LANE	8	12	4

Figure 13 shows the top streets 01/09/2015 – 31/08/2017 or road traffic incidents during the day time economy.

Night Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the night time economy hours.

Top 10 Street Names	2015 - 2016	2016 - 2017	Change
THE HEADROW	19	22	3
WOODHOUSE LANE	21	17	4
ALBION STREET	16	18	2
A58	16	16	0
BOAR LANE	18	14	-4
WELLINGTON ST	13	15	2
GREAT GEORGE ST	12	16	4
INNER RING ROAD	12	16	4
CLAY PIT LANE	13	14	1
A58(M)	11	12	1

Top 10 Street Names of Increasing Concern	2015 - 2016	2016 - 2017	Change
SWINEGATE	4	14	10
BRIGGATE	4	12	8
CROWN POINT RD	4	12	8
CALL LANE	7	12	5
GREAT GEORGE ST	12	16	4
INNER RING ROAD	12	16	4
CALVERLEY ST	6	10	4
VICAR LANE	3	6	3
MERRION STREET	7	10	3
PARK SQUARE	0	3	3

Figure 14 shows the top streets 01/09/2015 – 31/08/2017 for road traffic incidents during the night time economy.

The police report conclusions were:

- During the NTE the main hot-spots for Road Related Incidents were around The Headrow, Woodhouse Lane and Albion Street with a smaller concentration around Boar Lane and Wellington Street

Conclusion

With the police report conclusions in mind the Licensing Authority has determined that the red areas be maintained. Merrion Street/Cross Belgrave Street area and the Boar Lane areas will continue to be closely monitored.

The increase in theft and violent crime in the two red areas is concerning. The council will work with the businesses and partners to establish if further work can be done to reduce these crime figures over the next 12 months and to establish is the Purple Ambassador Scheme has a positive effect on reducing low level crime and disorder.

The Licensing Committee will bear in mind that in the next 12 months there may be significant changes to the way late night levies can be introduced and may also consider the option of an early morning restriction order if these figures do not significantly reduce over the next 12 months.

The Police Report produced by Leeds District Analytical Unit is available on request from Entertainment Licensing.

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Report author: Susan Holden
Tel: 51863

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 9th January 2018

Subject: Consultation on proposals for changes to gaming machines and social responsibility measures

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The Government announced a review of gaming machines and social responsibility measures in October 2016. The objective of the review was “to ensure we have the right balance between a sector that can grow and contribute to the economy and one that is socially responsibility and doing all it should to protect consumers and communities, including those who are just about managing”.

2. The Government is now consulting on the results of the review and main proposals.

3. The consultation document has been distributed to the Council’s Problem Gambling Project Group and the comments from the Financial Inclusion Team and Public Health have been incorporated into a draft response from Leeds City Council.

Recommendations

4. That Licensing Committee review the attached consultation and endorse the attached response as the formal Leeds City Council response.

1 Purpose of this report

1.1 To present to Licensing Committee the Governments triennial review of gaming machines, the resulting consultation and the draft Council response.

2 Background information

2.1 Ten years on from the implementation of the Gambling Act 2005, the gambling industry has evolved significantly, with the growth of the gaming machine market, increases in gambling advertising and a significant shift towards online gambling. On 24th October 2016 the Government launched a review of gaming machines and social responsibility measures. There was a Call for Evidence, which the Council responded to in conjunction with the Financial Inclusion Team. The Government received a healthy response to the Call for Evidence and is now consulting on proposals across all strands of the review.

2.2 The public consultation ends on 23rd January 2018.

3 Main issues

3.1 The full consultation document is attached at **Appendix A**.

3.2 The main proposals put forward in the consultation are as follows:

3.2.1 The Government believes that the current regulation of B2 gaming machines is inappropriate to achieve their stated objective. They are therefore 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.

3.2.2 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.

3.2.3 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, the Government wants 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.

3.3 Officers from Entertainment Licensing are coordinating the response from Leeds City Council, and have consulted with members of the Problem Gambling Project Group, which includes officers from Financial Inclusion, Citizens Advice, Public Health, front line support services, NECA, Gamcare, and other interested bodies.

3.4 Responses have been received from Financial Inclusion, Public Health and Planning. These have been incorporated into the draft Leeds City Council response which is attached at **Appendix B**.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Consultation has taken place with stakeholders and partners who are part of the Council's Problem Gambling Project Group and Licensing Committee. The responses have been incorporated into the draft council response to the Governments consultation.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no implications for equality and diversity/cohesion and integration.

4.3 Council Priorities and Best Council Plan

4.3.1 The licensing regime contributes to the following Best Council Plan 2015-20 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us.

4.3.2 The licensing regime is linked to the Best Council Plan objectives:

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council

4.4 Resources and value for money

4.4.1 There are no implications for resources and value for money.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications, access to information and call in implications.

4.6 Risk Management

4.6.1 There are no implications for risk management.

5 Conclusions

5.1 The Government's review of gaming machines concludes with this consultation. Officers from Entertainment Licensing have consulted with stakeholders and partners from the Council's Problem Gambling Project Group and with Licensing Committee when formulating the response to this consultation.

6 Recommendations

6.1 That Licensing Committee review the attached consultation and endorse the attached response as the formal Leeds City Council response.

7 Background documents[1]

7.1 There are no unpublished background documents that relate to this matter.

[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Department for
Digital, Culture
Media & Sport

Consultation on proposals for changes to Gaming Machines and Social Responsibility Measures

October 2017

Contents

Ministerial Foreword

The Government wants a healthy gambling industry that responsibly generates investment and employment. For millions of people gambling is a leisure activity and to support the industry, the Gambling Act 2005 permitted licensed gambling to be offered and advertised within a well regulated framework. This Act created a strong independent regulator, the Gambling Commission, whose job it is to keep gambling free of crime, ensure it is fair and open, and protect children and vulnerable people from harm or exploitation.

The Act was implemented under the Labour government 10 years ago. In that time, we have seen significant changes to the market, to public perceptions of gambling, and to our understanding of harm across the gambling landscape.

Upon announcing this review we set out that the objective is 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. This Government is determined to address this balance, to step up and act to ensure that appropriate measures are in place to protect the vulnerable people that are exposed by the current weaknesses in protections.

I am clear that our approach should not just be about tackling headline problem gambling rates, but about managing the risk of gambling-related harm to the player and more widely to families, friends, employers and neighbourhoods. With this in mind, this consultation brings forward a package of proposals which responds to strong evidence and public concerns about the risks of high stakes gambling on the high street, with the aim of enhancing player protections on gambling machines that enable high rates of loss in short periods of time.

While some parts of the industry have put forward proposals to raise stake and prize limits, increase the number of machines, or bring new products to the market, I am not minded to bring forward significant changes at this time. While the Government welcomes ideas for socially responsible growth, any proposals must be backed up with clear evidence of adequate player protections and effective risk management strategies.

I am also aware of the significant growth in online gambling in recent years, which now accounts for 44% of the commercial gambling sector, with 10% of adults across Great Britain now participating in online gambling. The Government considers that more needs to be done to promote responsible play and protect consumers in this sector. The Gambling Commission is examining the online sector and encouraging operators to increase action to identify harmful play, design and pilot better interventions and put in place measures that work. We want to see the online sector fully engage with these objectives and this programme of work. In the meantime, we are strengthening existing protections relating to online gambling and outlining a package of measures on gambling advertising to minimise the risk to the most vulnerable.

While the outcome of this review will be better protections for players, we also want to take this opportunity to think carefully about how to ensure that those who are experiencing gambling-related harm receive the help they need. We want to see industry and others step up to meet this challenge, with the support of the Government where needed, to transform the way those with addiction or harmful behaviours are supported.

I look forward to hearing from you on this important consultation, and I look forward to working with all interested parties to achieve our objective of a safe and sustainable industry.

TRACEY CROUCH MP
Minister for Sport and Civil Society
Department for Digital, Culture, Media and Sport
October 2017

Executive Summary

The Government announced a review of gaming machines and social responsibility measures in October 2016. The objective of the review was to ensure we have the right balance between a sector that can grow and contribute to the economy, and one that is socially responsible and doing all it should to protect consumers and communities, including those who are just about managing. We received 275 responses to the call for evidence and the submissions received have helped to inform our preferred proposals outlined below in regards to stakes and prizes on gaming machines, the availability of gaming machines and the wider social responsibility agenda. 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 we have drawn on in developing these proposals. The main proposals put forward in the consultation are as follows:

1. We believe that the current regulation of **B2 gaming machines** is inappropriate to achieve our stated objective. We are therefore 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.

2. 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), we believe retention of the current regulatory environment will better protect players from potential harm than industry's proposed increases.

3. We are 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. We 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, we 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.

1. Chapter One: Introduction

1.1. Ten years on from the implementation of the Gambling Act 2005, the gambling industry has evolved significantly, with the growth of the gaming machine market, increases in gambling advertising and a significant shift towards online gambling. While headline rates of problem gambling and at risk rates have been relatively stable in this time, the latest statistics show an increase in problem gambling rates from 0.6% of the population in 2012 to 0.8% of the population in 2015. Around a further 2 million people were identified as being at risk of problem gambling.[1]

1.2. The Government is also concerned about the potential harm being caused to vulnerable people which would not be reflected in headline problem gambling rates. Gambling-related harm goes wider than the harm experienced by those identified as problem gamblers and also affects families of gamblers, their employers, communities and society more widely.

1.3. On 24 October 2016 the Government launched a review of gaming machines and social responsibility measures which began with a call for evidence. The Government's objective in initiating this review was to ensure we have the right balance between a sector that can grow and contribute to the economy, while also ensuring it is socially responsible and doing all it should to protect consumers and communities, including those who are just about managing.

1.4. The call for evidence sought evidence-based proposals on:

- Maximum stakes and prizes for all categories of gaming machines permitted under the Gambling Act 2005;
- Allocations of gaming machines permitted in all licensed premises under the Gambling Act 2005;
- Social responsibility measures for the industry as a whole to minimise the risk of gambling-related harm, including but not limited to gaming machines.

1.5. 275 responses were received from:

- Gambling industry
- Local Authorities
- Parliamentarians
- Faith Groups
- Charities
- Members of the public

[1] http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2015.pdf

- Think-tanks/Academics

1.6. A full list of respondents is set out in Appendix B and related submissions received during the call for evidence will be published on the gov.uk website.

Next steps

1.7. The government is now bringing forward proposals across all strands of the review which we will consult on for 12 weeks. An Impact Assessment containing a cost/benefit analysis of the proposals has been published alongside this document.

1.8. This is a public consultation in which we welcome views from all parties with an interest in the way that gambling is regulated in Great Britain. The consultation period will run from 31/10/2017 to 23/01/2018 and there is a summary of the questions in chapter 7. You can respond to this consultation using our online survey.

1.9. In addition, if you have any evidence to support your position then please send this to gamblingreviewconsultation2017@culture.gov.uk. By evidence, we are not seeking opinions, but published research, data or supporting analysis.

1.10. Gambling is devolved in Northern Ireland, but substantially reserved in Scotland and Wales. However, as of 23 May 2016, the Scottish Parliament and Scottish Ministers have the power to vary the number of high-staking gaming machines[2] authorised by a new betting premises licence in Scotland. Under the Wales Act 2017, identical powers were transferred to the Welsh Ministers and the National Assembly for Wales. We are committed to protecting the devolution settlements and will continue to work constructively with devolved administrations going forward.

1.11. This consultation is intended to be an entirely written exercise. Please contact the gambling and lotteries team if you require any other format e.g. Braille, Large Font or Audio. For enquiries about the handling of this consultation, please contact the DCMS Correspondence Team, heading your communication "Consultation on proposals for changes to Gaming Machines and Social Responsibility Measures".

1.12. Copies of responses (with the exception of responses from the general public) will be published after the consultation closing date on the Department's website: www.gov.uk/culture. Information provided in response to this consultation, including personal information and any additional evidence supplied, may also be published or disclosed in

[2] Defined in the Scotland Act as gaming machines for which it is possible to stake more than £10 in respect of a single game; at present, this is possible only with sub-category B2 gaming machines.

accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (“FOIA”), the Data Protection Act 1998 (“DPA”) and the Environmental Information Regulations 2004).

1.13. Please notify us if any aspect of your response should be considered confidential. We also intend to share responses with the Gambling Commission, please inform us if you do not consent to this. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department. The department will process your personal data in accordance with the DPA, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

2. Chapter Two: B2 gaming machines (Fixed-Odds Betting Terminals)

Overview of findings

2.1. As outlined in the call for evidence, gaming machines are divided into categories depending on the maximum stake and prize available, the nature of the prizes and the nature of gambling for which the machine may be used, as well as the premises where they can be provided (see Appendix A). Certain categories of machines are limited to fewer types of gambling premises, for example, sub-category B1 machines are only permitted in casinos, while B2 machines are permitted in casinos and bookmakers. The call for evidence generated a substantive proportion of submissions regarding B2 machines, more commonly referred to as Fixed-Odd Betting Terminals (FOBTs); this chapter therefore addresses these machines independently of the other categories.

2.2. In response to the call for evidence, there was widespread support for a reduction in stake limits for B2 machines to £2. This is supported by the Local Government Association (LGA) and by 93 local authorities (LAs) across England and Wales from across all political parties (although we only received 27 submissions to the call for evidence from LAs, 93 LAs supported a Sustainable Communities Act submission in 2015 calling for a reduction to £2). This is also supported by a variety of campaign groups, charities and faith groups (those publicly supporting this proposal include the Church of England, Methodist Church and Quaker Foundation). In addition we received a submission from the All-Party Parliamentary Group on FOBTs which is calling for a reduction to £2 and a petition from the campaign group, 38 degrees, with over 100,000 signatories calling for a "crackdown on addictive betting machines and adverts" and "limits on how much people can gamble on betting machines in one go."

2.3. The main arguments referenced in these responses focused on the disparity between the maximum stakes on B2 machines of £100 and the maximum stake on other gaming machines in accessible locations of only £2. Respondents argued that the £100 maximum stake was linked to gambling-related harm, wider harm to communities, and in some instances, anti-social behaviour.

2.4. As part of the call for evidence, the betting sector, represented by the Association of British Bookmakers (ABB), did not seek an increase in either stake or prize limits across the gaming machine categories permitted in betting shops but has argued for the need to maintain the status quo, specifically on B2 machines. Gaming machine suppliers, Inspired Gaming and Scientific Games, also submitted evidence in support of the status quo on B2 machines. The ABB argued that income from B2 machines has become increasingly important to maintaining the viability of many high street betting shops. In addition, the ABB stated that there is no correlation between the increased number of B2 machines over time and levels of at-risk and problem gambling during the same period, and that B2 machines do not cause increased harm to problem gamblers. They also argue that session losses and potential harm are not just about stake, but about the interplay between stake, spin speed and the return to player ratio.

2.5. The Government acknowledges that B2 machines are important to the economic viability of many betting shops which currently employ around 53,000 people nationally. However, we cannot ignore the evidence put forward as part of the call for evidence to support action, or the persistent concerns from many stakeholders and local communities about these types of gaming machines and their potential impact on players and wider communities.

2.6. Based on the evidence we received, we do acknowledge and welcome the shift in attitudes within industry on the social responsibility agenda. However, we have concerns that (i) the bookmaking sector, and indeed the wider industry, has provided little evidence that self-regulatory measures introduced since 2013 have made any significant impact on the rates of problem gambling, or on the degree of harm experienced by individuals;[3] (ii) measures taken to date do nothing to counter the wider social impact and the potential amplification of harm for those living in the most deprived communities; (iii) it is not clear whether previous regulatory action in this area, in the form of the £50 staking regulations, has had a measurable impact on harm. The Government evaluation of this measure found that there was a drop in stakes above £50, but an increase in stakes between £40-50.[4]

2.7. We therefore remain concerned about the current regulation of this sub-category of machine in terms of the impact on players and their wider communities. There are still large numbers of higher-staking machines in accessible locations, often in more deprived areas, where it is possible to lose a large amount of money very quickly.

2.8. We acknowledge that headline problem gambling rates have remained statistically stable since the introduction of B2 machines as well as before this point. However, headline problem gambling rates may not be significantly affected by a single form of gambling,[5] and an over-reliance on this single metric may mask widespread harm caused to those who are most vulnerable. We are concerned that there remain consistently high rates of prevalence of problem gamblers among

[3] https://about.gambleaware.org/media/1167/abb-early-impact-report-final-report.pdf & https://about.gambleaware.org/media/1335/pas-evaluation_final-report_13102016.pdf
[4] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/493714/Evaluation_of_Gaming_Machine__Circumstances_of_Use___Amendment__Regulations_2015.pdf
[5] Participation rate on B2 gaming machines is approximately 1.5% of the adult population.

machine players in betting shops (11.5% of players are problem gamblers and a further 32% are considered at risk of harm),[6] that a high proportion of gross expenditure on machines in betting shops is attributed to problem gamblers;[7] and that a high proportion of the number of problem gamblers who present for treatment identify machines in betting shops as their main form of gambling.[8]

2.9. In regards to the specific issue of stake size, we know from industry data, published by the Gambling Commission, that the high-staking nature of B2 machines that offer a maximum stake of up to £100 can lead to significant losses in a short space of time. In comparison to other gaming machines, B2 machines generate a greater proportion and volume of large-scale losses (for example, more than £500 in a session).[9] The same industry data, published by the Gambling Commission, also found that losses are larger and sessions longer for those who bet at the maximum stake than those who play at a lower level.[10] The amount of money lost in a session and length of sessions are good proxies for gambling-related harm, and such losses might be harmful even to those who would not be defined by a survey screen as problem gamblers. In addition, research published by GambleAware, while making clear that gambling-related harm is not necessarily about one product in one environment, also stressed that problem gamblers are disproportionately found at higher stakes and are more frequent users of the maximum stake.[11]

2.10. We are particularly concerned that the above factors are amplified by the concentration of betting shops (and therefore B2 machines) in areas of high deprivation. The same package of GambleAware research found that areas containing a high density of machines tend to have greater levels of income deprivation and more economically inactive residents[12]; players of B2 machines also tend to live in areas with greater levels of income deprivation than the population average; and alongside problem gamblers, those who are unemployed are more likely to use the maximum stake more often than any other socio-economic group.[13]

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[6] Health survey for England and Scotland 2012 showed that problem gambling rate was 7.2% rate amongst machine players in LBOs (of which B2s are the predominant machine). NatCen data for England, Scotland and Wales for 2015 showed that this figure had increased to 11.5% though this change was not considered statistically significant.
http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2015.pdf
[7] http://about.gambleaware.org/media/1259/natcen-secondary-analysis-of-loyalty-card-survey-final.pdf p.6
[8] http://www.gamcare.org.uk/publications/annual-reviews-and-statistics
[9]http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx
[10] Ibid
[11] http://about.gambleaware.org/media/1259/natcen-secondary-analysis-of-loyalty-card-survey-final.pdf
[12] Contextualising machine gambling characteristics by location - final report - A spatial investigation of machines in bookmakers using industry data, Geofutures, 2015
[13] https://about.gambleaware.org/media/1259/natcen-secondary-analysis-of-loyalty-card-survey-final.pdf

Policy options for consultation

2.11. Taken together, we think that the weight of evidence set out above justifies government action on B2 machines, but we acknowledge that there is limited evidence to inform exactly at what level the revised maximum stake should be. In outlining options for consultation, we are seeking to balance the potential impact on the economy and leisure gamblers against the need to reduce gambling related harm. For each option we outline staking patterns which set out the proportion of sessions which include certain stake levels, the spread of problem or at-risk gamblers at each staking level, and the relationship between high-level session losses (>£500), as a proxy for harm, and staking levels.

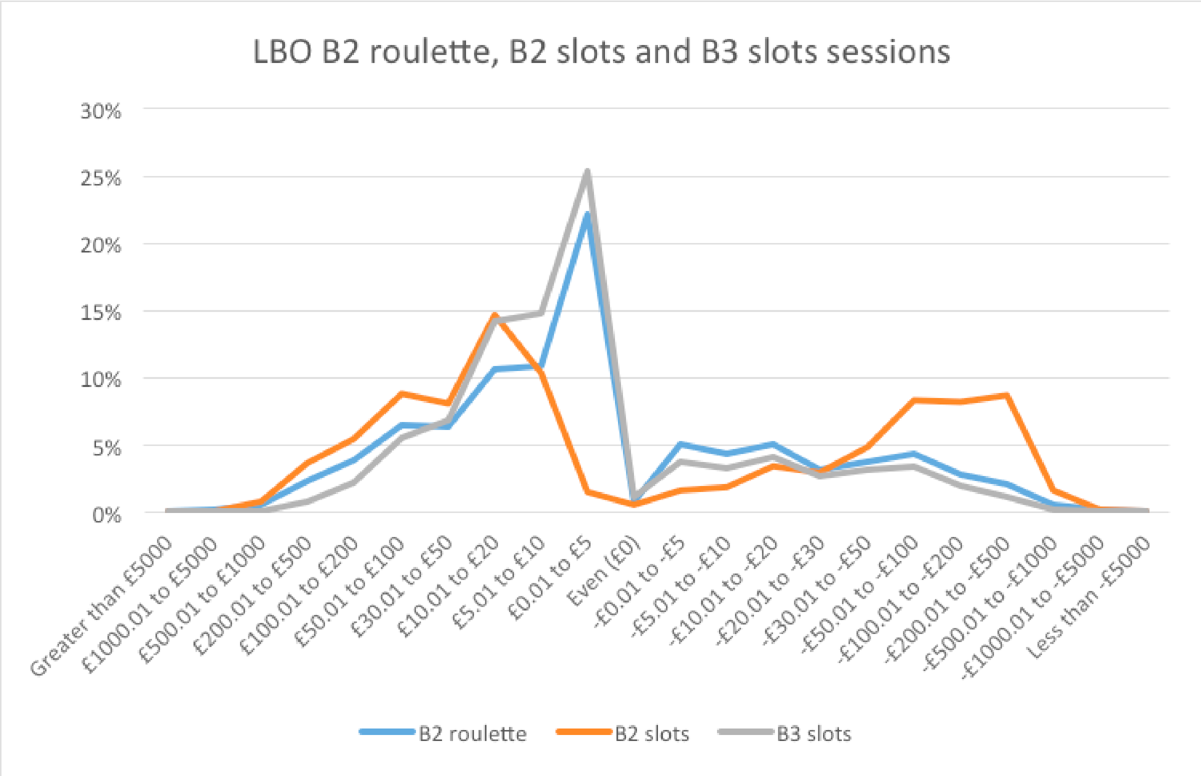
2.12. These are illustrative options, and in practice, subject to views at consultation, the maximum stake could be changed to levels other than the ones set out, and could also be accompanied by corresponding measures to improve player protections on these machines.

2.13. B2 machines offer a variety of games to players which we describe here as slots or non-slots. By slots, we are referring to a game which is mechanical or virtual in nature and which uses spinning reels, discs or other representations of moving or changing symbols. By non-slots we are referring to virtual games of the type played in casinos, primarily roulette, and other virtual sporting events such as horse and dog tracks.

2.14. The most popular non-slot game on a B2 machine is electronic roulette (approx 62.8% of the total Gross Gambling Yield (GGY)[14] of £1.8bn attributed to B2 machines is non-slots, the majority of which is accounted for by roulette). B2 slot games make up 6.5% of the total GGY and the remaining 30.7% is made up of B3, B4 and C slot content (majority B3) which are also available on the same terminal in Licensed Betting Offices (LBOs). The options set out below are designed to take into account the differences in content as well as the way in which players play the different games. For example, with regard to B2 slots, industry data provided to the Gambling Commission[15] during the call for evidence highlighted that there were a higher proportion of sessions with higher losses playing B2 slots than playing B2 roulette (see figure 1). Taking session losses as a proxy for potential harm, we think there are grounds for a greater reduction of the maximum stake for this type of game.

[14] GGY is defined as the amount retained by operators after the payment of winnings but before the deduction of the costs of the operation (e.g. fees and betting and gaming duty).
[15] Ibid

Figure 1. Session losses on B2 gaming machines in LBOs (source: Gambling Commission)



Consumer loss *Consumer win*

2.15. We are also aware that large session losses, and therefore potential harm, can be influenced by a combination of factors including stake size, spin speed and the return to player ratio (i.e. the minimum guide over time at which the machine pays out to players). We therefore think that options around maximum stake could be combined with corresponding measures aimed at other contributing factors to harm on machines, including the tracking and monitoring of play, spin speed and nudge type measures to improve player control. We also think there is a case for the introduction of similar measures on other gaming machines, such as category B1 and B3 machines (more detail in chapter 5):

2.15.1. We think that the tracking and monitoring of play has the potential to better inform policy decisions in regards to gaming machines as well as provide for more targeted interventions for problem gamblers on machines. We have requested more advice on this issue from the Gambling Commission.

2.15.2. Spin speed is another factor, alongside stake size, which can determine the amount that a player can lose in a given session. Currently the Gambling Commission's technical standards set the spin speed at 20 seconds on a B2 machine. This could be flexed on roulette content, for example, to better reflect roulette in a casino which has a spin speed of over a minute.

2.15.3. Finally, nudge-type measures would be aimed at giving players more control over the way in which they play the machines, and would include tools such as time and spend limits, with hard stops when limits are met.

2.16. A comprehensive cost/benefit analysis of all options is set out in the Impact Assessment published alongside this document.

Option 1 - Maximum stake reduced to £50 on all B2 content

2.17. In April 2015 the previous Government introduced measures on B2 machines to limit stakes to £50 for players that did not play through an account card or seek approval for stakes above £50 with staff in LBOs. This resulted in a large shift towards plays below £50. Under this option we could bar any play above £50 by bringing the maximum stake down to £50. This option therefore represents a minimal change to the status quo. We note the following points on this option:

- There is minimal play above £50 with approximately 99% of sessions ending with an average stake up to £50.[16]
- At or above £50, 46% of players were identified as problem gamblers and 41% were at risk of harm. 13% were categorised as neither problem nor moderate/low risk gamblers.[17]
- Of the sessions on B2 (non-slots) which ended with losses to the player greater than £500, approximately 73% of these sessions involved an average stake of £50 or less.

Option 2 - Maximum stake reduced to £30 on all B2 content

2.18. We note the following points on this option:

- Approximately 90% of sessions end with an average stake up to £30.[18]
- At or above £30, 42% of players were identified as problem gamblers and 42% were at risk of harm. 16% were categorised as neither problem nor moderate/low risk gamblers.[19]
- Of the sessions on B2 (non-slots) which ended with losses to the player greater than £500, approximately 17% of these sessions involved an average stake of up to £30.[20]

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[16] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx
[17] RGSB advice in relation to DCMS review - http://www.rgsb.org.uk/Publications/Publications.aspx
[18] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx - These are average stakes per session, not the single maximum stake per session so more players will be affected in practice than the percentages shown here.
[19] RGSB advice in relation to DCMS review - http://www.rgsb.org.uk/Publications/Publications.aspx
[20] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx

Option 3 - Maximum stake reduced to £20 on B2 non-slots and £2 on B2 slots

2.19. We note the following points on this option:

- Approximately 82% of sessions end with an average stake up to £20.[21] In addition, we know that the average stake is also around £20.
- At or above £20, 42% of players were identified as problem gamblers and 44% were at risk of harm. 13% were categorised as neither problem nor moderate/low risk gamblers.[22]
- Of the sessions on B2 (non-slots) which ended with losses to the player greater than £500, approximately 6% of these sessions involved an average stake of up to £20. [23]

Option 4 - Maximum stake reduced to £2 on all B2 content

2.20. We note the following points on this option:

- Approximately 17% of sessions end with an average stake up to £2.[24]
- At £2 or below, 19% of players were identified as problem gamblers and 49% were at risk of harm. 32% were categorised as neither problem nor moderate/low risk gamblers.[25]
- Of the sessions on B2 (non slots) which ended with losses to the player greater than £500, approximately 0.001% of these sessions involved an average stake of £2 or less.[26]

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? If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

[21] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx
[22] RGSB advice in relation to DCMS review - http://www.rgsb.org.uk/Publications/Publications.aspx
[23] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx
[24] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx
[25] RGSB advice in relation to DCMS review - http://www.rgsb.org.uk/Publications/Publications.aspx
[26] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx

3. Chapter Three: Stakes and prizes on other gaming machines

Overview of findings

3.1. As part of the call for evidence, the Government requested evidence-based proposals on maximum stakes and prizes for all categories of gaming machines permitted under the Gambling Act 2005. Following analysis of these submissions and the evidence provided in support of these proposals, the Government has put together two options for consultation on stakes and prizes:

- Industry proposals
- Government's preferred options

3.2. The following section summarises the Government's considerations around these packages and the rationale underpinning its preferred options for each gaming machine category. More detail of these considerations and a comprehensive cost/benefit analysis is set out in the Impact Assessment published alongside this document.

Proposals from industry

3.3. The following table summarises industry proposals received as part of the call for evidence on stakes and prizes. Analysis of these options is set out below:

Table 1. Industry proposals on stakes and prizes

Machine Category	Speed of play	Current Max Stake	Current Max Prize	Ind proposed Stake	Ind proposed Prize
B1	2.5 seconds	£5	£10,000	No change	No change
B1 progressive jackpot	2.5 seconds	As for B1	£20,000	No change	£100,000
B3	2.5 seconds	£2	£500	£2.50	No change
B3A	2.5 seconds	£2	£500	No change	No change
B4	2.5 seconds	£2	£400	No change	No change
C	2.5 seconds	£1	£100	£2	£150
D non-money prize (other than crane grab machine)	n/a	30p	£8	50p	£10

D non-money prize (crane grab machine)	n/a	£1	£50	£2	£75
D money prize	n/a	10p	£5	20p	£8
D combined money and non-money prize (other than coin pusher or penny falls machines)	n/a	10p	£8 (of which no more than £5 may be a money prize)	20p	£10 (of which no more than £8 may be money prize)
D combined money and non-money prize (coin pusher or penny falls machine)	n/a	20p	£20 (of which no more than £10 may be a money prize)	25p	£22 (of which no more than £12 may be a money prize)

Category B1 (primary markets affected: casinos, manufacture and supply)

3.4. The National Casino Forum (NCF), representing the land-based casino sector, requested that the maximum progressive (linked machine) B1 jackpot be raised to £100,000 (currently £20,000). They also asked that machines be permitted to be linked between casino premises, rather than within a single premises as at present, to enable this to be viable.

3.5. The NCF argue that progressive jackpots of this nature are well established in casino jurisdictions internationally, usually with higher prizes, and that the average stake per game in 2016 on progressive linked machines and non-progressive machines in UK casinos was the same, 90p.

3.6. The sector also asked for an amendment to the Gaming Machine (Circumstances of Use) Regulations 2007, increasing the amount which can be deposited and transferred between the bank and play meters on a B1 from £20 to £50.

Category B3 (primary markets affected: arcades, betting, bingo, casinos, manufacture and supply)

3.7. Category B3 machines continue to be the fastest growing gaming machine in the market in terms of numbers and GGY. Due to the availability of B3 content on gaming machines in Licensed Betting Offices (LBOs), this type of gaming machine is actually available on almost 56,000 machines across the casino, betting, arcade and bingo sectors.

3.8. Across all sectors, they now account for approximately £878m[27] in gaming machine GGY (with a 23% increase since 2013/14). B3s received an uplift in maximum stake from £1 to £2 in 2011.

3.9. As outlined above, category B3 gaming machine content is available in a number of different gambling premises. Only the arcade sector (Adult Gaming Centres and Family Entertainment Centres), represented by the British Amusement Catering Trade Association (BACTA), has proposed an increase in the maximum stake limit from £2 to £2.50 on the basis that this would provide an economic stimulus to the sector. No other sectors that can offer B3 content proposed changes to stakes and prizes. In support of its proposal, BACTA commissioned PriceWaterhouseCoopers (PwC) to provide estimates of the economic benefits this would bring. PwC estimate that this uplift would generate £33m (primarily a 6-7% increase in GGY which would equate to £20-23m as well as resulting machine sales) and an increase in taxes of £5m (primarily gaming machine duty). PwC's assessment of 'economic benefit' does not equate to Gross Value Added (GVA) which would also take into account displaced expenditure from other sectors.

Category B3A/B4 (primary markets affected: clubs, manufacture and supply)

3.10. There has been no submission for changes of stake or prize limits on these club-only gaming machines which occupy a niche in the gaming machine market. There is no data currently available to allow DCMS to properly assess performance within this sector.

Category C (primary markets affected: arcades, betting, bingo, pubs, manufacture and supply)

3.11. Category C content (traditional fruit machines) is permitted in bookmakers, arcades, bingo and pubs. Overall there are nearly 72,000 machines across arcades and bingo premises[28] which generated £227m in 2015/16 (up 3% since 2013/14). In addition, there are an estimated 40,000 in pubs which accounts for £594m.[29] The stake and prize limits for category C machines were increased from 50p/£35 to £1/£70 in 2009 and the maximum prize further increased to £100 in 2014.

3.12. On category C machines, BACTA, the British Beer and Pub Association (BBPA) and the Greene King pub chain have proposed an increase in the maximum stake to £2 and the maximum prize to £150.

[27] Includes a statistically negligible amount (0.1%) from category B4 and C play.
[28] 26,715 in arcades (AGCs), 1788 in seaside arcades (FECs) and 43,410 in bingo premises (though this number for bingo is skewed by the use of handheld terminals which are used in large numbers but not technically category C machines).
[29] BACTA commissioned PWC report figures

They argue that category C machines in the pub and arcade sectors are not economically viable and that previous uplifts have slowed the decline in revenue. Each of these organisations provided estimates of the expected economic impact of this change with varying degrees of supporting analysis.

3.13. On behalf of BACTA, PwC estimate that the proposed uplift would generate £72m (primarily increased GGY and machine sales) and £10m tax revenue, with a potential corresponding benefit to the 14-15 manufacturers who produce category C machines. The BBPA argue that the income from gaming machines can be vital in maintaining the economic viability of many pubs. In support of this they have provided evidence suggesting previous increases in 2009 (stake and prize) and 2014 (prize only) led to uplifts in machine revenue and that this proposed increase may see a 10% increase in gaming machine revenue. The BBPA also argues that there is no evidence to show category C machines in pubs are responsible for any increase in problem gambling and do not propose any corresponding social responsibility measures to accompany this increase.

Category D (primary markets affected: arcades; fairs; manufacture and supply)

3.14. Category D content is available in high street arcades (Adult Gaming Centres - AGCs) and seaside arcades (Family Entertainment Centres - FECs). Typical examples of these kind of machines would be crane grabs and coin pushers, featuring both monetary and non-monetary prizes. The stake and prize limits for most category D gaming machines were last changed in 2009, and coin pushers received a stake and prize increase in 2014. The most significant change was a new type, a crane grab machines with a £1/£50 stake/prize ratio; such machines previously operated at 30p/£8 ratio. Despite these uplifts, overall category D machine numbers have declined significantly since 2013/14.

3.15. The arcade sector, represented by BACTA and the British Association of Leisure Parks, Piers and Attractions (BALPPA) is seeking changes across five of the sub-categories (see table 1). BACTA argue that these changes would provide an essential stimulus to the sector. They consider this to be important for their future sustainability, given that while costs to the sector are increasing, they cannot increase the price of play or offer more attractive prizes to increase revenue. While crane grabs and penny pushers have seen increases in recent years, other category D machines, notably reel band gaming machines, have not seen an increase since 1997. PwC estimate that, taken together, these changes would generate £25.9m (primarily increased GGY and machine sales) and an additional £0.6m in tax. They argued that the available evidence on harm to young people from playing category D machines is inconclusive.

Prize gaming

3.16. The industry is calling for an increase in the maximum participation fee from £1 to £2 and a prize increase from £70 to £100 (and from £500 to £1,000 aggregate) on prize gaming.[30] The popularity of prize gaming has waned in recent years and a number of venues have removed their prize gaming units in favour of amusement machines. However, there is still a market for the game, particularly at the seaside. It provides for a more elderly clientele a longer, more sociable opportunity, akin to bingo, but at reduced stake and prize levels in a more convenient location.

Policy options for consultation

3.17. The Government's preferred proposals on stakes and prizes are to maintain the status quo across all categories covered in this chapter, with the exception of prize gaming. Our assessment of the proposals and rationale for this position is set out in more detail below.

B1 gaming machines

3.18. The industry has not provided an estimate of the impact on income or player behaviour of raising the linked jackpot, and there were no specific proposals to address the risk of increased player harm. Before 2014, the maximum progressive jackpot was £4,000, no more than the maximum prize on a single B1 machine. In 2014, the maximum prize on a single machine was raised from £4,000 to £10,000, and the maximum progressive jackpot from £4,000 to £20,000. Without more evidence the Government is therefore not minded to further increase the progressive prize to £100,000 at this point.

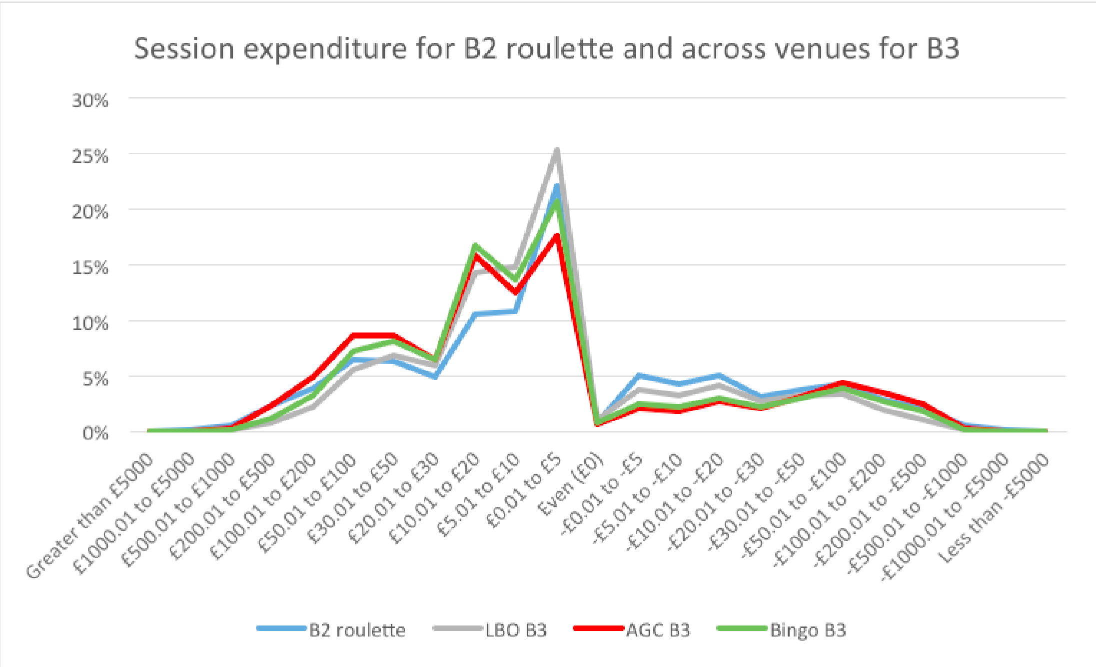
3.19. The current system of cash deposits and transfers provides a basic social responsibility control by slowing the speed at which players can commit funds to gambling, allowing consumers to consider their actions. The industry argument for increasing the cash deposit amount from £20 to £50 on B1 machines is based on historical consistency. The current limit of £20 applied under the previous maximum stake of £2, and was therefore ten times the maximum stake. Since the stake increase to £5, however, the £20 restriction is only four times the maximum stake. Although an increase to £50 would restore the stake to deposit ratio to 10:1, it would also speed up the committed-funds process. We therefore do not propose to implement this proposal unless evidence can be provided as to how operators would manage the risks it generates.

[30] Prize gaming is defined in Section 288 of the Act, and is gaming in which neither the nature nor the size of a prize is determined by the number of persons playing or the amount paid for or raised by the gaming.

B3 gaming machines

3.20. The Government acknowledges that BACTA's proposed increase is likely to provide an economic stimulus to the arcade sector, but this should be balanced with the fact that B3 gaming machines are now the fastest growing gaming machine category in terms of GGY and responsible for much of the growth in gaming machine revenue for those sectors that are permitted to offer this content. The Government also has concerns about an increase to the maximum stake on player protection grounds. Research suggests that there are significant levels of problem gambling amongst players of these machines (4.2% on B3 gaming machines in bingo halls[31] and 11.5% on gaming machines in LBOs, both significantly higher than the headline problem gambling rate).[32] The latest Health Survey data for 2015 also shows statistically significant increases in problem gambling rates on slots (of which B3 gaming machines are included) from 2.6% in 2012 to 5.7% in 2015.[33] In addition, industry data obtained by the Gambling Commission[34] during the call for evidence demonstrates that session losses and session duration on B3s have a comparability with B2s (see figure 2). High session losses and long sessions are good proxies for harm. Government is not therefore convinced that there is a rationale for an increase, but rather, a case for greater player protection measures on this category of machine (see chapter 5 for more detail).

Figure 2 Session losses for B2 roulette and across venues for B3 (source: Gambling Commission)



Consumer loss *Consumer win*

[31] http://infohub.gambleaware.org/wp-content/uploads/2016/07/Bingo-Research-Final-140716.pdf
[32] http://about.gambleaware.org/media/1311/bingo-research-final-140716.pdf
[33] http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2015.pdf
[34] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx

B3A/B4 gaming machines

3.21. As noted above, in the absence of relevant submissions on these categories, the Government is not minded to take forward any changes.

Category C gaming machines

3.22. The Government recognises the concerns that exist across the industry about the performance of this machine category in terms of the decline in revenue. However, the Government is concerned about the potential impact on players of another uplift which would give it a comparable maximum stake to B3 gaming machines (but with a lower return to player ratio), which are not permitted in pubs due to the fact that they are less regulated environments, especially as no corresponding changes have been suggested by industry in terms of additional player protection measures. The Government is not therefore minded to take industry proposals forward.

Category D machines

3.23. While there is an economic case to support the affected sectors, Great Britain is the only jurisdiction internationally to permit gambling for under 18s (primarily in seaside arcades and on category D machines) and as such Government recognises the concern among some respondents to the call for evidence regarding the prospect of stake and/or prize increases on these types of machine. The call for evidence highlighted that although problem gambling rates among young people (12-15 years of age) are fairly static (at around 0.4%), there are areas of concern, primarily that there is an association between early gambling participation and problem gambling in adulthood.[35] Given concerns raised on the principle of stake and prize increases on products available to children, and the fact that the industry has not proposed any strengthening of its player protections, we are not therefore minded to take any of the industry's proposals forward.

Prize gaming

3.24. We are content that industry proposals to increase stake from £1 to £2 and prizes from £70 to £100 (£1,000 aggregate) on prize gaming are in keeping with the objective of this review and that these activities are low risk. We therefore propose to take these changes forward. However, while the current use of prize gaming does not pose significant risks, we will ask the Gambling Commission to alert us to any developments which would change this assessment.

[35] Keatley, David *Young People, Gambling and Gambling-Related Harm: Pathways into and out of danger* Gambleaware, (2017)

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

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

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

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

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

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

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

If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

4. Gaming machine allocations

Overview of findings

4.1. The Government also requested evidence-based proposals on allocations of gaming machines permitted in all licensed premises under the Gambling Act 2005. Most proposals received were from the casino sector. This chapter outlines the proposals received from each sector, and the assessment which the Government has made following analysis of the submissions and evidence provided.

Casinos

Proposals from industry

4.2. The National Casino Forum (NCF) requested the following changes to machine allocations:

Table 2. Casino overview

Casino type	Numbers of casinos in operation	Current machine maximum	Current machine: table ratio	Industry request
Small (defined under the 2005 Act)	2 (one more in development)	80	2:1	3:1 ratio, no change to maximum
Large (defined in 2005 Act)	4	150	5:1	No change to ratio, increase maximum to 500
Converted 1968 Act licences	139	20 (category B)	No ratio	3:1 ratio, maximum 80 machines

4.3. The sector argued that current machine entitlements (as outlined in the table above) are restrictive by international standards. They said that customers often queue for machines at busy times, that terrestrial casinos are the most highly-regulated part of the gambling sector and that they have been leaders on player protection. NCF also argued that the 2:1 ratio in Small 2005 Act casinos makes the model financially unviable. Other responses from casino operators mirrored the NCF's submission, although one proposed an increase in the Large 2005 Act casino machine:table ratio to 8:1.

4.4. The industry estimated that the benefits of allowing an 80 machine cap with 3:1 ratio across Small and 1968 Act casinos would be: £100m

Gross Value Added (GVA) to UK economy; an extra 1,000 jobs, 75% outside London; increased casino revenue of £175m (from all activities, not just machines) and increased tax of £65m.

4.5. The NCF's submission also included the following requests:

4.5.1. Allow a new higher stakes machine for high-end (Mayfair) casinos, which they said cater for a 'high roller' international clientele. Mayfair casinos currently have few or no machines, as B1 stake and prize limits mean that such machines hold no interest for their customers. They suggested that the limits for this new machine could be a £50 stake and £100,000 prize.

4.5.2. Allow the provision of dedicated tablets for customers to access their online accounts, not to count against machine allocation or to be subject to stake and prize limits.

4.6. Casinos are more highly regulated than other environments in that their numbers and locations are limited, in recognition of the levels of high stakes gambling they offer. However, they are permitted to serve alcohol and many are open 24 hours a day. The majority are no longer member-only venues.

4.7. There are currently around 3,000 machines in all casinos in total (compared to around 35,000 in betting shops, 63,000 in bingo premises and 76,000 in arcades). However, B1 gaming machines offer the highest prize limit, which is the reason that they were reserved for casinos.

4.8. According to the Ernst & Young report 'Stimulating Growth in the UK casino industry', which was commissioned by the industry, aligning the 1968 Act casino and small 2005 Act casinos with a 3:1 machine-to-table ratio and new overall cap of 80 machines would result in an estimated 2,175 more machines across the casino estate, an increase of just over 70%.

4.9. A recent study of tracked play on B1 machines[36] showed the majority of card holders visited infrequently and either won or lost small sums. However, a small (but not insignificant) proportion did show signs associated with harm, such as prolonged play and heavy losses. In 2014, 8% of play sessions studied resulted in a loss of more than £200 (3% more than £300), and 11% of sessions lasted three hours or more.

4.10. The report found that intensity of play, measured by machine player losses per minute, was significantly higher late at night and in the early hours compared with other times. Casinos (including B1 machines)

[36] https://about.gambleaware.org/media/1368/tracked-play-revision-14-12-16.pdf
https://about.gambleaware.org/media/1164/evaluating-the-impact-of-the-uplift-of-stakes-and-prizes-on-b1-gaming-machines-in-casinos.pdf

were busiest at 10 pm but they were as busy at 2am as at 6pm. A report by the same authors evaluating the effect of the increase in B1 stakes and prizes in 2014 found that "greater increases in B1 spending after uplift occurred in these relatively vulnerable groups: the young, those from deprived areas, late night players."[37]

Policy options for consultation

4.11. We welcome progress that the casino sector has made on player protection. This includes introducing the first national self-exclusion scheme, as well as developing capabilities for real-time machine play tracking, increasing slot supervision and commissioning and trialling work on algorithms to help identify risky play and intervene with customers. However, as with gaming machines across the industry, there is currently little direct evidence to show the impact that these measures have had on gambling-related harm. Further, B1 machines do not currently provide players with any facilities to help them manage their own gambling (for example, the opportunity for the customer to set limits which is available on B2 machines).

4.12. While the Gambling Commission confirms that allowances for machines in 1968 Act converted casinos in Great Britain are currently significantly lower than in the majority of comparable jurisdictions (for example other European countries), machine allocations are determined by what is right for this country rather than being brought automatically in line with international comparators.

4.13. The Government is therefore minded to maintain the status quo on casino machine allocations at present. We encourage casinos to work with the Gambling Commission on measures to enhance protections for machine players, as outlined in chapter 5. We would want to evaluate the impact of changes such as these before considering further changes to gaming machine regulation.

4.14. Regarding the proposals for a new higher stake machine for high-end casinos, these casinos are distinct in practice and in their clientele, but not in the nature of their premises licences. Little evidence was provided by the sector to support this proposal, and a key challenge would be how it could be implemented so that only high-end casinos could make the new category available for use. The Government therefore does not support this proposal.

4.15. We are not minded to allow casinos to provide dedicated tablets to access remote accounts, without these tablets counting against machine allocation or being subject to stake and prize limits. This would effectively circumvent the rules which govern the maximum

[37] Forest, McHale and Wardle, Evaluating the impact of the uplift of stakes and prizes on B1 gaming machines in casinos, GambleAware 2015

stake and prize levels on slots games offered on casino premises. There is nothing to stop customers accessing their remote accounts on their own devices if they wish, but we do not think it appropriate for a casino to offer tablets restricted to its own online offerings (presumably with incentives for customers to use those tablets rather than their own) where that would not count as a 'gaming machine'.

4.16. The Government also proposes to amend the Gambling Act 2005 (Gaming Tables in Casinos) (Definitions) Regulations 2009 to make clear that only tables for multi player live gaming, operated by a casino dealer[38], will qualify as a gaming table for the purposes of attracting a machine allowance in both Small and Large Casinos. Neither partially automated nor wholly automated gaming tables will count as "gaming tables" for these purposes. The Government's intention is to preserve the approach underpinning the Act that there should be a balanced mix on casino premises of real gaming tables (which are staffed by dealers or croupiers, monitored by inspectors and should be the core of a casino's product offer) and gaming machines and automated gaming equipment. A balanced offer means that customers can make a choice about whether to play on gaming tables, which are more social in nature, as opposed to gaming machines and other automated gaming equipment where there is less potential for human interaction.

Qualified alcohol licensed premises (public house)

Proposals from industry

4.17. The Greene King pub chain (though not the BBPA) submitted a proposal to raise the automatic entitlement to category C or D gaming machines from two to four in pubs. This proposal seems to be predicated on a combination of factors including the fact that LBOs are permitted four B2 gaming machines and, they argue, the lack of evidenced gambling problems related to category C machines.

Policy options for consultation

4.18. The Government notes that this proposal was only submitted by one pub chain and was not supported by the trade body representing the pub industry. It also notes that the Gambling Act 2005 allows pubs two category C or D gaming machines as of right and that Local Authorities (LAs) can permit an increase in this number if it deems appropriate. In addition, the Government notes that pubs are ambient gambling establishments and therefore lack both dedicated staff for the gambling function and more thorough social responsibility codes as there are with premises that are permitted more gaming machines. The Government is therefore minded to retain the status quo with local

[38] Those defined as "ordinary gaming tables" in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007

authorities determining the appropriate number of machines in pubs beyond two.

Adult Gaming Centres (AGCs)

Proposals from industry

4.19. The arcade sector (represented by BACTA) have proposed the introduction of a new sub-category of gaming machine (sub-category B5). The proposal is for the B5 gaming machine to have a maximum stake of £10 and maximum prize of £125 with a proposed spin cycle of 30 seconds. BACTA argues that this new category of machine would allow operators to offer a more varied selection of products including, what they describe as "low stake roulette" or horse racing style products which, due to their popularity, would ensure the machine's commercial viability. BACTA has estimated that each new machine would generate GGY of approximately £300 per week. In support of this proposal PwC has submitted that the manufacture of 10,000 of these gaming machines would generate an economic benefit of £165m and increased taxes of £25m. There would be a one off benefit from additional machines sales of £39m with £9m in VAT being generated. Accompanying the proposal to introduce a new sub-category of gaming machine (as set out above), BACTA propose introducing a 10% cap on the number of new B5 machines permitted in an AGC. A cap of 20% for category B3 machines currently exists; this proposal would therefore create a new 30% cap for category B gaming machines in AGCs.

Policy options for consultation

4.20. While government recognises the case for innovation in the sector, there are concerns around the introduction of a new category of machine on the high street in light of potential changes to B2 machines. We would want to evaluate the impact of other changes outlined in this document before considering further changes to gaming machine regulation. We would also seek to explore in more detail how this machine would function and any corresponding player protection measures. We are therefore not minded to agree to this request for a new category of higher stakes machine at this time.

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

If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

Other gaming machine issues: Contactless payments on gaming machines

Proposals from industry

4.21. Industry respondents from across all sectors, with the exception of bookmakers, submitted proposals for the introduction of contactless payments on gaming machines. Industry respondents cited the increase in contactless payments on the high street as the primary rationale for change, and argued that contactless payments on gaming machines are required to align with customer spending habits. It was also argued that this would increase gaming machine revenue and increase customer protection.

Policy options for consultation

4.22. Current legislation prevents the use of credit or debit cards as a means of direct payment for gaming machines and so the introduction of contactless payments would be a significant shift from the current regulatory framework. The rationale for not allowing the use of credit and debit cards as a means of direct payment to gaming machines is to give players more control over their play which may result from uninterrupted play generated by the use of cards as opposed to cash.[39] It remains the Government's view that the use of credit or debit cards as a direct form of payment to gaming machines would be a backward step in the protection of vulnerable players and it does not intend to progress this proposal.

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

If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

[39] https://about.gambleaware.org/media/1362/pbhm-final-report-december-2016.pdf

5. Social responsibility (SR) measures

5.1. As part of the call for evidence, Government requested responses on the effectiveness of social responsibility measures implemented by industry since 2013 and on the effects of gambling advertising.

5.2. This chapter sets out findings in four areas covering: player protection measures on gaming machines, online gambling, gambling advertising and the provision of research, education and treatment (RET) into, and in response to, gambling-related harm.

(i) Player protection measures on gaming machines

Overview of findings

5.3. A number of respondents to the call for evidence highlighted the perceived inadequacies of industry codes on social responsibility, specifically on gaming machines, primarily citing the lack of evidence of impact and effect of the measures. Where evaluation has taken place, primarily of the measures introduced by the bookmakers on B2 machines, it is not clear that the measures have been as effective as they could have been. While these evaluations proved inconclusive, we think there is value in trialling interventions and further refining and evaluating as appropriate.

5.4. The evaluation of the Association of British Bookmakers' (ABB) code on social responsibility,[40] of which the headline measure related to the introduction of voluntary time and money limit setting on B2 gaming machines, was published in May 2015 and concluded that only 0.5% of machine sessions in the first month after implementation included a voluntarily set threshold. They could not establish if this was because players did not want to use the function, or did not know about it. Due to the small proportion of sessions that included a voluntarily set threshold they were unable to draw any conclusions on the impact of this tool on players' behaviour. In addition, we welcome that the evaluation of the Player Awareness System (PAS) rolled out by ABB members on B2 machines was published in October 2016.[41] It found that although this measure had potential, there was a considerable way to go before it could be considered successful.

5.5. We also recognise the effort and resource now being put into responsible gambling activities across the industry as a whole, but we believe there is a need for considerable improvement in methods of identifying harmful play on all gaming machines that enable high losses (B1, B2 and B3 gaming machines across all venues) and in the

[40] https://about.gambleaware.org/media/1167/abb-early-impact-report-final-report.pdf
[41] https://about.gambleaware.org/media/1335/pas-evaluation_final-report_13102016.pdf

development of interventions to help players who might be suffering harm. The RGSB publication analysing industry progress echoes this, concluding that *"there is still much to do if the [National Responsible Gambling] Strategy is to make visible progress towards its objectives"*, with a need to increase the pace of delivery over the next 12 months.[42]

5.6. One of the areas of agreement captured in the responses to the call for evidence on this issue is 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, and include factors around the player, the environment and the product. It also highlighted risks associated not just with B2 gaming machines but with other category B gaming machines, specifically B3s.

Government position and options for consultation

5.7. As part of the work that industry is taking forward under the objectives of the National Responsible Gambling strategy,[43] we would therefore like to see industry trial and evaluate additional measures on B1, B2 and B3 gaming machines to improve player protections and to create parity across category B gaming machines, the majority of which are in highly accessible locations.

5.8. As previously referenced, we think there is particular merit in the introduction of the following measures across B1, B2 and B3 gaming machines based on stake and prize levels available and what we know about the way in which these machines are played, and would like to see industry work with the Gambling Commission on these issues. If there is insufficient progress in this space, we and the Gambling Commission will consider whether additional requirements need to be placed on affected licence holders:

5.8.1. Evidence suggests that voluntary time and spend limit setting is more effective than compulsory limits in terms of players keeping to the limits that they set, but that take up has been negligible in regards to existing measures on B2s. We would like to see further work done to encourage take up on existing measures (on B2 gaming machines) and work done on the introduction of these measures on B1 and B3 gaming machines. 'Hard stops' when limits are met, i.e. the ending of sessions, should also be considered as an accompanying measure;

5.8.2. Mandatory alerts when certain time and spend benchmarks are reached. Evidence suggests that these can be effective at improving player control but must be trialled and evaluated routinely to ensure effectiveness with players;

5.8.3. Prohibiting mixed play between B2 and B3 (only applies in practice to gaming machines in betting shops). Industry data

[42] http://www.rgsb.org.uk/PDF/Strategy-progress-report-2016-2017.pdf
[43] http://www.rgsb.org.uk/PDF/Strategy-2016-2019.pdf

obtained by the Gambling Commission[44] as part of the call for evidence highlighted that session losses were high on sessions that contained mixed play. We think this measure will improve player control by making it more apparent to players when they are transitioning between different content on a single terminal; and

5.8.4. The utilisation of algorithms to identify problematic play on gaming machines. Although there is a long way to go to utilise the wealth of data available on gaming machines, we believe that this measure has the potential to be an effective intervention tool for those most at risk.

5.9. In addition, we have asked the Gambling Commission to advise us on the costs and benefits of introducing a form of tracked play on B1, B2 and B3 gaming machines. By tracked play, we do not necessarily mean that players would be required to provide verified personal information about themselves to their gambling operators. It could be a process by which players would register and be given some way of tracking their play (e.g. a number, a QR code) without providing this information. An approach like this would address player concerns about sharing personal data with gambling operators, but still provide data to better understand harm and the effectiveness of interventions. We note that there are significant potential benefits to this measure, including improved data about gaming machine play and therefore enhanced ability to target interventions, prevent underage and self-excluded players from gambling, and to evaluate the impact of interventions. We would also welcome views from industry and others about this measure, including potential costings and process and timing of implementation. Finally, we would like to see industry establish a process with the RGSB, GambleAware and the Gambling Commission in which data on how gaming machines are played is routinely shared, for the purposes of monitoring, evaluation and research.

Q.11 Do you support this package of measures to improve player protection measures on gaming machines? If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

For industry:

Can you provide estimates about (a) the potential implementation and running costs of this package of measures; and (b) the potential delivery timescales for these changes?

44 http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/New-data-to-inform-government-gambling-review.aspx

(ii) Online gambling

Overview of findings

5.10. The call for evidence invited views on the effectiveness of social responsibility measures across the gambling industry. A number of respondents raised online gambling, with some respondents questioning in particular whether the controls in place to protect young and vulnerable people are effective.

5.11. The Government is committed to ensuring young and vulnerable people are protected from gambling-related harm - both online and offline. The recently published Internet Safety Strategy[45] looks at how we can ensure Britain is the safest place in the world to be online. The Strategy considers the responsibilities of companies to their users, the use of technical solutions to prevent online harms and government's role in supporting users. Alongside this, the Government is clear that the gambling industry must play its part in limiting online harms and protecting consumers.

5.12. Like other consumer products and services, gambling has seen a rapid growth in the online sector. With many of the online operators based offshore, the Government moved to tackle the risks this posed by bringing forward legislation in 2014. The Gambling (Licensing and Advertising) Act 2014 brought offshore online gambling websites within the regulatory remit of the British regulator, meaning that all online websites - no matter where they are based - offering gambling services to consumers in Britain require a licence from the Gambling Commission and must adhere to the Licence Conditions and Codes of Practice (LCCP)[46] attached to their operating licence. These include requirements to prevent underage gambling and money laundering, and to ensure that gambling is provided in a socially responsible way. Player protection requirements include ensuring that consumers have access to gambling management tools such as financial limits, reality checks, 'time-outs' and can request to self-exclude from a gambling website. The licence conditions are kept under review to ensure they reflect developments in the industry or emerging evidence on the most effective means of promoting socially responsible gambling.

5.13. Statistics published[47] by the Gambling Commission in May 2017 show that the online sector generated £4.5bn in GGY and the Commission estimates there are around seven million individual consumers gambling online in Britain. Just over half of this gross profit was generated by online casino and slot games. While land-based venues

[45] https://www.gov.uk/government/consultations/internet-safety-strategy-green-paper
[46] http://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf
[47] http://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2017/Latest-industry-statistics-published.aspx

account for 56% of the profits made by the commercial gambling market in Britain[48] the online sector has grown rapidly. Alongside this, there has been a corresponding growth in the volume of advertising for online gambling which is considered in the next section of this document.

5.14. The most recent statistics on gambling participation and problem gambling are taken from the report on Gambling Behaviour in Great Britain 2015[49], published in August 2017, which showed an increase in problem gambling rates and participation in online gambling - although the proportion deemed 'at-risk' had declined since the last survey in 2012. The results found that 10% of the adult population participated in online gambling or betting in the past year (7% in 2012). Among those who did participate in online gambling, problem gambling rates were 5.1% (4.2% in 2012). Looking at more specific products within the online market, the survey found that 4% of the adult population participated in online slots, casino or bingo (3% in 2012), while problem gambling prevalence rates among this group were 10.6% (6.3% in 2012). We are clear that developments in the online gambling sector need to be monitored closely and the Gambling Commission are keeping this under review.

5.15. While all online operators are subject to the same or equivalent regulatory requirements as land-based operators, there have been cases where operators' compliance with the rules has fallen short. This is being tackled, with the Gambling Commission recently introducing a revised enforcement strategy which includes higher penalties for those found to have breached the licence conditions. This will act as a strong deterrent to those who do not take their obligations seriously. In addition, a number of new requirements or initiatives which aim to improve standards across the online sector and enhance the social responsibility measures currently in place are in progress.

Figure 3. Tougher approach to enforcement

In July 2017, the Gambling Commission introduced a revised enforcement strategy which aims to put customers first and raise standards across the industry. The strategy includes higher penalties for those found to have breached the licence conditions, particularly where the Commission identifies systemic and repeated failings. The Commission have removed the previous bias in favour of settlement, putting all regulatory tools, including licence review, on an equal footing. This revised approach will act as a strong deterrent to those who do not take their obligations seriously. In September 2017, the Commission imposed a record £7.8m penalty package against online operator 888 as a result of serious failings in its handling of vulnerable customers between September 2014 and September 2016. The Commission also ordered an independent audit of 888's processes relating to customer protection.

[48] Excludes National Lottery and large society lotteries.
[49] This report provides information about gambling behaviour in Great Britain using data combined from the Health Survey for England 2015, the Scottish Health Survey 2015 and the Wales Omnibus in 2015.

Free bets and sign-up offers

5.16. The Competition and Markets Authority (CMA) are currently investigating possible unfair terms and misleading practices around online gaming sign-up promotions and free bet promotions. In June 2017, the CMA opened enforcement cases against several online gambling firms suspected of breaking consumer protection law. In addition to this enforcement action, the CMA opened a new line of investigation into unfair terms and practices that could restrict customers' rights to withdraw money in their online gaming and betting accounts.

5.17. The CMA will provide an update on its investigation later this year. The Gambling Commission is working with the CMA to deliver sector-wide change in the areas of concern identified and to drive improved compliance with consumer protection law in the gambling sector. The Government fully expects the gambling industry to ensure terms and conditions are clear to consumers.

5.18. Bonus and promotional offers must only be made available in a socially responsible manner which is consistent with the licensing objectives. Such offers should never be marketed at young or vulnerable people, those who have self-excluded or those who have been identified as at risk of gambling-related harm. The Gambling Commission has the power to restrict the use of bonus and promotional offers which are designed to induce and encourage gambling. The Commission are monitoring the industry's approach to managing risks to the licence conditions arising from such offers and will consider whether regulatory intervention is required if operators fail to demonstrate they are sufficiently managing the risks. The Gambling Commission has the Government's full support in this work and we will continue to monitor this area to ensure these types of promotions are effectively regulated.

Customer interaction - identifying those at risk of gambling-related harm and making effective interventions

5.19. Unlike land-based gambling, all online gambling is account-based, which means operators know who their customers are, what they are spending their money on, and their patterns of gambling. This provides opportunities for operators to use customer data to identify and minimise gambling-related harm.

5.20. The Commission has found that standards and approaches to identifying those at risk of gambling-related harm and making effective interventions vary widely across the industry in their approach and delivery of customer interactions. While a number of operators are already developing and operating algorithm-based systems to identify harmful behaviours and activity, very few operators were able to review and evaluate the effectiveness of their approach.

5.21. The industry is working collaboratively with GambleAware to identify good practice, pilot responsible gambling messaging and understand the information players need to help them manage their own gambling, as well as new approaches to staff training around social responsibility.

5.22. In August 2017 GambleAware published phase two of the research they commissioned to explore the potential usefulness of industry-held data and behavioural analytics to identify harmful or risky behaviour.[50] This research found the industry could accurately detect problem gamblers using data held by operators today, with a refined set of 22 predictive markers used to create a customer specific risk score. The markers could be used to inform tailored interventions based on different risk thresholds. This is a key area of opportunity for operators to strengthen their processes to identify and minimise gambling-related harm.

5.23. The next phase of GambleAware's research into harm minimisation online is expected to conclude in 2019. The research aims to provide a best practice model that can be used by online gambling companies in their responsible gambling operations, including recommended interventions which have been evaluated for their effectiveness to reduce the risk of gambling-related harm.

5.24. The Government welcomes steps taken by some operators to incorporate behavioural analytics into their responsible gambling systems and the Commission's work to raise standards across the sector.

5.25. The Commission intend to draw on the findings and outcomes of the GambleAware research to inform their ongoing approach to raising standards across the industry. The Commission have already concluded that, in order to raise standards in this important area of player protection, they will need to make changes to the Licence Conditions and Codes of Practice (LCCP) and to issue guidance to the industry setting out expectations around customer interaction. The Commission will continue to enhance their understanding of the most effective methods of identifying people at risk of gambling-related harm and intervening to assist them, ahead of a consultation on changes to the LCCP next year.

Enhanced player protection

5.26. All licensees are required to make information readily available to their customers on how to gamble responsibly and how to access

[50] https://about.gambleaware.org/research/research-publications/

information about, and help in respect of, problem gambling. There are a range of online gambling management tools which operators must provide including:

- measures to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend;
- timers or other forms of reminders or 'reality checks' where available;
- self-exclusion options; and
- information about the availability of further help or advice.

5.27. The Gambling Commission recently announced revised technical standards placing new requirements on online operators. From April 2018, operators must:

- ensure consumers are able to directly access 3 months' worth of account and gambling information, with a minimum period of 12 months available on request;
- Ensure customers can access information about their net deposits (defined as the running total of all deposits minus withdrawals for the lifetime of the account);
- set financial limits across their entire gambling account as well as individual games.

5.28. These improvements will ensure greater consistency and clarity across the sector and help consumers to manage their gambling.

Self-exclusion

5.29. Self-exclusion is an important harm minimisation tool for those people who recognise they have a problem with gambling. It is a requirement under the Gambling Commission's Licence Conditions and Codes of Practice that every operator must exclude individuals upon their request.

5.30. A new multi-operator self-exclusion scheme for online gambling, called GAMSTOP, is expected to be in place by the end of 2017. This will allow customers to self-exclude from all online gambling operators licensed by the Commission in a single step. The website will also set out other measures that are available to help people manage their gambling and will signpost specialist advice and support services.

5.31. We welcome this important development, that will significantly strengthen the self-exclusion arrangements available for online gamblers. We want to see the industry promote awareness of the scheme and do more to increase the take up of this, and other responsible gambling tools that are available.

Government position for consultation

5.32. While we welcome the positive industry led initiatives outlined above, we also note concerns expressed by the Gambling Commission that the pace of change by the industry to enhance the measures currently in place to protect consumers and promote responsible gambling has not been fast enough.

5.33. We expect the industry to accelerate its work wherever possible. In particular, we expect industry to:

- Ensure that implementation of the new multi-operator online self-exclusion scheme is completed at the earliest opportunity. Industry must promote awareness of the scheme, and other responsible gambling tools that are available, so that more customers who would benefit from them use them. And there should be an evaluation of this scheme (GAMSTOP) to ensure it is delivering the benefits we want to see for those who want to self-exclude;
- Act on the findings of GambleAware's existing research into harm minimisation in the online sector and trial a range of harm minimisation measures to strengthen their responsible gambling policies and processes;
- Evaluate the action they take and share outcomes among industry, to raise standards across the sector;
- Respond constructively to the interim findings from the next phase of GambleAware's research into harm minimisation in the online sector, expected later this year, and adopt any findings which could strengthen existing responsible gambling policies;
- Commit to adopt in full the final findings of the next phase of GambleAware's research, expected to be completed in 2019.

5.34. We want to see a robust and consistent approach to harm minimisation and the prevention of gambling-related harm across the industry. We do not believe it is acceptable for operators to wait for the final outcome of the research to improve their processes when significant findings have already been published by GambleAware. While evidence of the most effective methods of identifying gambling-related harm and providing effective interventions continues to build, we consider that operators should look to adopt a more risk-based approach to their responsible gambling policies. The Government, and the Gambling Commission, will be paying close attention to industry progress in this area and will act accordingly.

5.35. The Government welcomes and supports the Gambling Commission's work on driving up standards across the online industry to address the risk of harm. It is essential that the regulatory action taken by the Commission results in better approaches to harm minimisation.

5.36. The Gambling Commission has made clear it will consider restricting the use of bonus and promotional offers if operators cannot appropriately manage the risks presented by such offers. The Government is also concerned about the prevalence of free bet offers and fully supports the Commission's stance in this area. We will continue to monitor closely developments in this area and keep the need for further intervention under review.

5.37. While gambling on virtual games on gaming machines is subject to stakes and prize limits, there are currently no limits placed on virtual games offered by online operators. The Responsible Gambling Strategy Board (RGSB) provided advice to the Gambling Commission in relation to the Government's call for evidence and commented that the justification for this could only be that, when compared to operators of gambling premises based in Great Britain, online operators have better (account based) data to monitor play and intervene where harm is identified. We agree with the RGSB that it is vital that the online sector capitalises on the data it holds and demonstrates it is actively supporting its customers and helping to manage the risk of harm from gambling. We are clear that the risk of harm should not be affected by whether individuals are gambling online or in land-based venues.

5.38. As such, the Government acknowledges that the Commission has a broad range of powers to regulate and respond to changes in this sector. We want to see the Commission exercise the full breadth of the powers available to it to manage the risks arising from the rapid growth of the online sector. Wherever Gambling Commission identifies specific risks to the licensing objectives we expect it to take prompt action to ensure that young and vulnerable people are protected from gambling-related harm. If the Commission's powers prove insufficient to manage any new or emerging issue or risks, then the Government will consider putting in place additional legislative controls.

5.39. As part of the Gambling Commission's commitment to raise standards across all gambling sectors it is currently undertaking a wide-ranging review of the online sector. The Commission is examining data, market trends, consumer participation and action by online operators on social responsibility and crime. This will build the evidence base over the next year and inform any future action in relation to online gambling.

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

If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

(iii) Gambling Advertising

5.40. The call for evidence asked if existing rules were appropriate to protect children and vulnerable people from the possible harmful impact of gambling advertising. Responses were received from broadcasters, the advertising industry and Advertising Standards Authority (ASA)/ Committees for Advertising Practice (CAP), sporting bodies, academics, charities and members of the public.

Overview of findings

5.41. Numbers of betting and gaming advertisements have increased substantially over the past decade. Before provisions in the Gambling Act 2005 came into force in September 2007, only bingo and lotteries could advertise on TV. The lifting of restrictions led to rapid growth; this also coincided with the dramatic increase in online gambling (as outlined in the section above), with most gambling advertising on television and in other media now being for online gambling sites.

5.42. In 2013 a major Ofcom study showed that gambling advertising impacts on TV - one person seeing one advert, the primary measure for advertising - rose more than fivefold for adults between 2005 and 2012, growing from 5.8bn impacts to 30.9bn. Children were seeing more than three times as many gambling adverts in 2012 than 2005. Since 2005 the use of social media, and advertising via social media sites, has also grown very significantly.

5.43. In 2014 the Government asked the Advertising Standards Authority (ASA), Committees for Advertising Practice (CAP/ BCAP), gambling industry and the Gambling Commission to carry out a four-strand review of gambling advertising. This concluded that there was no evidence that would justify further restrictions at that time. Industry took voluntary steps to tighten the Gambling Industry Code for Socially Responsible Advertising, including banning sign-up offers targeted solely at new customers before 9pm.[51] This was announced in August 2015 and the new code came into effect in February 2016. The Gambling Commission also tightened its Licence Conditions and Codes of Practice (LCCP) to increase the sanctions available to it in cases of misleading advertising. In 2015 CAP/BCAP consulted on whether they should tighten their guidance on content but received very few responses.

5.44. The 2014 reviews took into account a major research survey by Dr Per Binde, Associate Professor of Anthropology at Gothenburg University, published by the Responsible Gambling Trust (now GambleAware). This concludes that advertising's impact on problem gambling

[51] http://igrg.org.uk/wp/wp-content/uploads/2015/12/Gambling-Industry-Code-for-Socially-Responsible-Advertising-Final-2nd-Edition-August-2015.pdf

prevalence is 'likely to be neither negligible nor considerable, but rather relatively small'. It is one of many environmental factors which contribute to prevalence (the total effect of the environment may be substantial). It identified that further research still needed to be done, including on the impact of different types of message.

5.45. Problem gambling has remained statistically stable despite the rise in advertising, although gambling-related harm is harder to measure. Children's participation in gambling and their levels of problem gambling have declined since 2007.

5.46. CAP/ BCAP rules, as well as the industry voluntary code, already restrict the content of gambling advertising and where it can be shown. Adherence to these rules is also reflected in the Gambling Commission's Licence Conditions and Code of Practice (LCCP).

Figure 4. Existing restrictions on advertising (CAP/ BCAP rules)

Broadcast gambling adverts may not be placed in or around programmes aimed at under-18s or likely to appeal particularly to them (the prohibition is below 16 in the case of lotteries and pools).

Advertisements for gambling must not:

- Portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm
- Exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young people or other vulnerable people
- Suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression
- Suggest that gambling can be a solution to financial concerns, an alternative to employment or a way to achieve financial security
- Portray gambling as indispensible or as taking priority in life; for example over family, friends or professional or educational commitments
- Suggest that gambling can enhance personal qualities, for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration
- Suggest peer pressure to gamble nor disparage abstention
- Link gambling to seduction, sexual success or enhanced attractiveness
- Portray gambling in a context of toughness or link it to resilience or recklessness
- Suggest gambling is a rite of passage
- Suggest that solitary gambling is preferable to social gambling
- Be of particular appeal to children or young people, especially by reflecting or being associated with youth culture
- Feature anyone gambling or playing a significant role in the ad if they are under or appear to be under 25 years old. No-one may behave in an adolescent, juvenile or loutish way
- Exploit cultural beliefs or traditions about gambling or luck
- Condone or encourage criminal or anti-social behaviour
- Condone or feature gambling in a working environment (with an exception for licensed gambling premises)

Under the **voluntary industry code**, the only forms of gambling advertising permitted before 9pm on TV are for bingo, lotteries and sports betting (only around sporting events). Free sign up offers targeted at new customers are banned before 9pm and the website address for GambleAware must remain on the screen for at least 10% of an advert's length. There are other stipulations for online, print and radio advertising. All television and print adverts must carry an 18+ or 'no under 18s' message, except for lotteries, where the equivalent age is 16.

5.47. Content rules apply to all media, including online advertising. Children are not allowed to participate in most forms of gambling and it is an offence under the Gambling Act to invite a child to gamble.

5.48. Between January and September 2017, 631 complaints about gambling advertising were received, resulting in 500 discrete ASA cases. 34 of these were investigated formally and 25 were upheld or upheld in part. A further 42 cases were resolved with advertisers informally by their agreement to change or withdraw an advertisement. Compared with the average quarter in the preceding 12 months, Q3 2017 saw a 20% decrease in complaints about gambling advertisements.

5.49. The majority of complaints received by ASA relate to misleading free bet and bonus offers rather than breach of the codes regarding protection of vulnerable people. All television adverts must be pre-cleared by Clearcast, and all radio adverts by RadioCentre, which helps ensure compliance.

Call for evidence responses

5.50. Responses to the call for evidence focused mainly on television adverts but several pointed out that advertising is moving increasingly online. Of the public responses, 145 included comments on advertising and the campaigning organisation 38 Degrees submitted a 100,000 signature petition calling for action on advertising as well as B2 gaming machines (FOBTs).

Volume and scheduling of advertising

5.51. Many of the 145 public responses argued that there is too much gambling advertising on TV, citing the devastating effects of problem gambling and calling for advertising to be banned or heavily restricted because it promotes or ‘normalises’ gambling. This included, but was not limited to, concern about children seeing adverts during the day.

5.52. Responses from academics pointed out that many children watch television after the watershed, especially from the age of 11. On advertising in general, they argued for a need to focus on the impact on vulnerable people, not the general population. A mental health campaign group suggested a ban on broadcast adverts between 12am and 6am, to protect the mentally ill and those impaired by drink or drugs. It also said that a tool to block online gambling sites and advertising should be made available to vulnerable people.

5.53. Broadcasters, the ASA/CAP, the Advertising Association and sporting bodies cited the conclusion of Per Binde that the impact of advertising on problem gambling is small, the lack of any rise in problem gambling to correspond with the increase in advertising since 2007, and the conclusion of the reviews into gambling advertising in 2014. They pointed out that investment in sport and sports coverage, in particular free-to-air coverage, depends heavily on gambling advertising.

5.54. Broadcasters provided figures for gambling advertising impacts since Ofcom's research in 2012. These show that the number of adverts seen by children and young people aged 16-24 continued to rise until 2013, and has declined since. In 2016 children aged 4-15 saw 25% fewer gambling adverts than they did in 2012, and children aged 10-15 saw 28% fewer. This is in line with Ofcom research showing children spending more time online.[52] The number of adverts seen by adults has remained stable with a small decline from the peak in 2013.

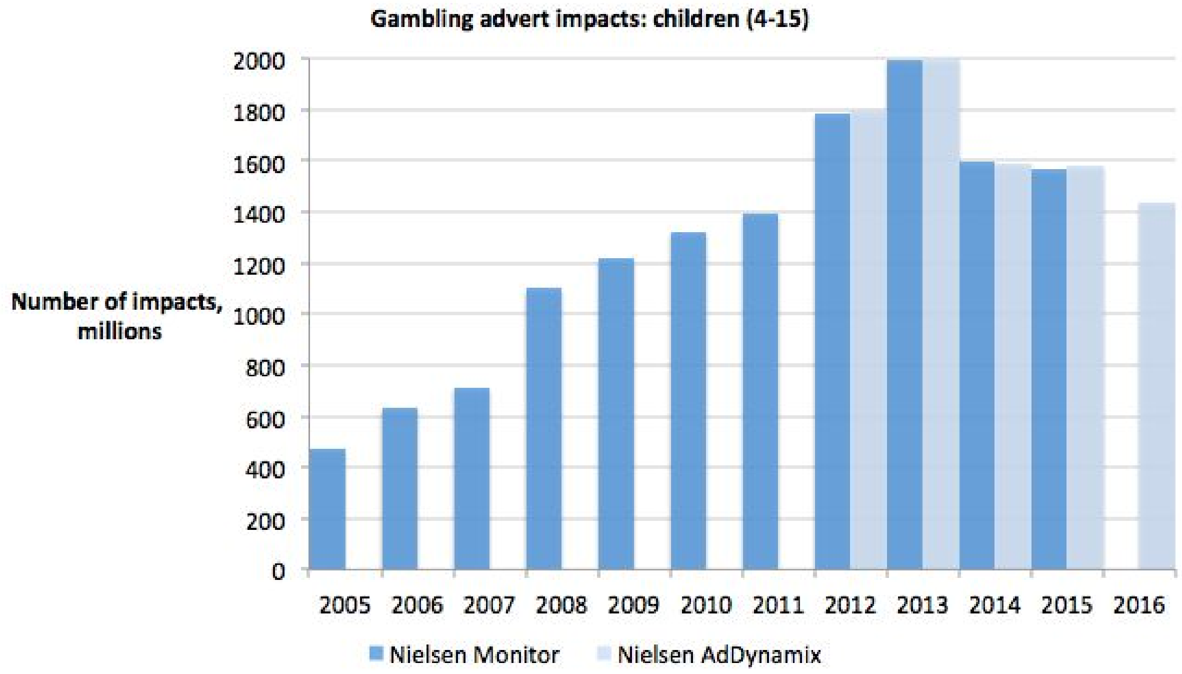
Tone and content of advertising

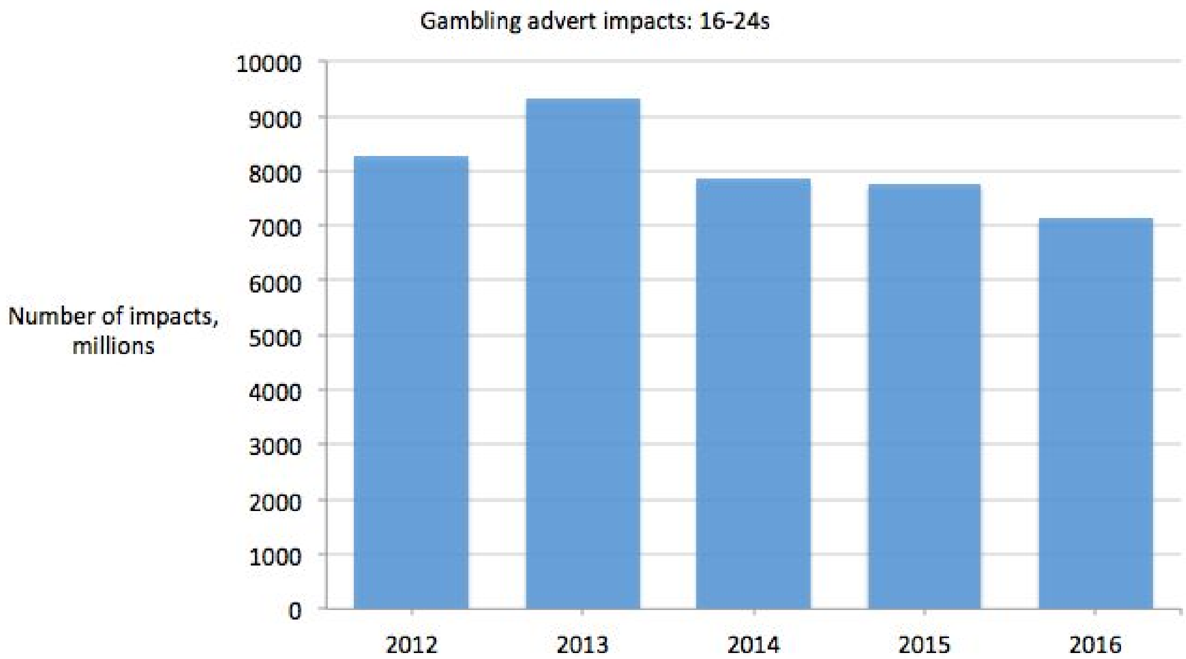
5.55. Relatively little was said in the responses about the tone and content of current gambling advertising. Several public responses argued that it gives a false impression that winning is likely and there is too little information about the risks. Academics pointed out that it is difficult to make an advert which appeals to adults without appealing to teenagers. Industry bodies offered to work with government if it was felt that changes to tone and content were required.

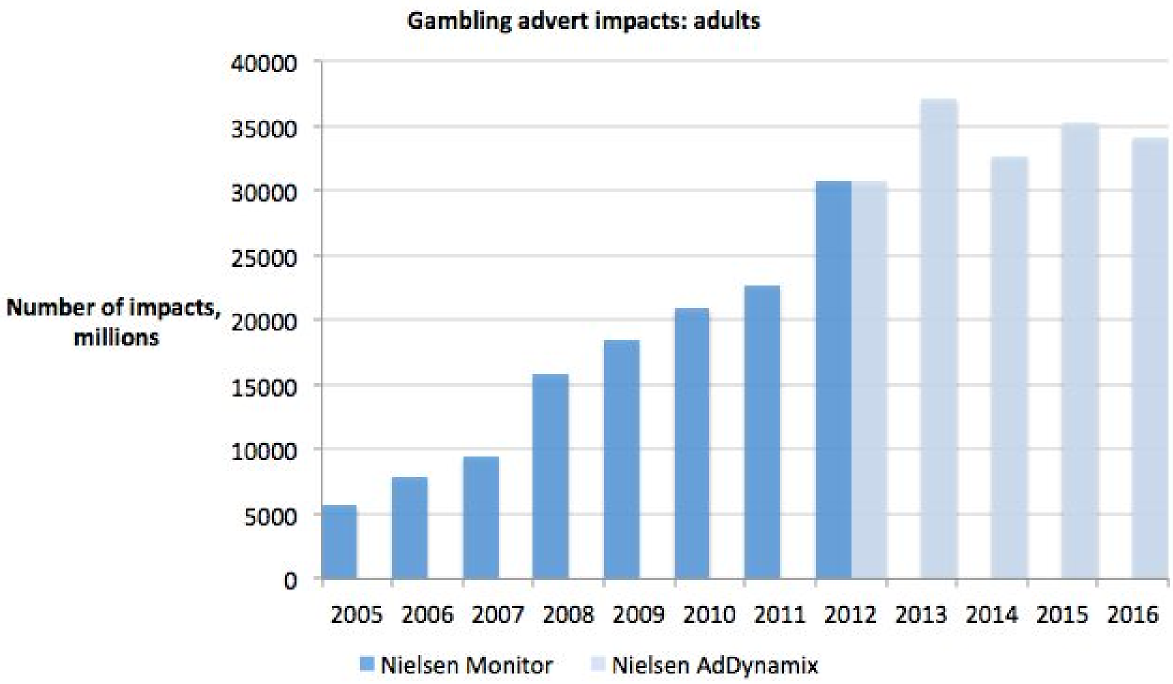
5.56. A campaign group suggested tougher and financial sanctions for breaches of the CAP and BCAP content codes, arguing that the ASA stopping an advert was insufficient sanction as the campaign has usually run its course anyway. Others suggested that the exemption in the voluntary industry code which allows daytime advertising of bingo is outdated, as online bingo sites also offer casino and betting.

[52] Children and parents: media use and attitudes report, Ofcom, November 2016

Figure 5. Gambling advert impacts







Government position for consultation

5.57. For millions of people gambling is a leisure activity and the Gambling Act 2005 permits licensed gambling to be offered and advertised. The Act also makes clear that regulation of gambling is subject to the key licensing objectives: keeping gambling free of crime, ensuring it is fair and open, and protecting children and vulnerable people from harm or exploitation.

5.58. The Government's objective for this review is to ensure it continues to strike the right balance between socially responsible growth and the protection of consumers and wider communities.

5.59. The increase in both broadcast and online gambling advertising in the years following the 2005 Act has clearly been a noticeable social change and caused concern, especially regarding the exemptions to the voluntary industry code which allow daytime advertising around sports events on television. Scheduling restrictions in the advertising codes ensure that no adverts are included in or around programmes targeted at children.

5.60. In considering the proposals in this document, the Government has taken into account the current state of evidence linking gambling advertising to harm, the existing regulatory environment and the protections that are in place, and whether there is a need for further action to protect vulnerable people.

5.61. Regarding the link between gambling advertising and harm, the evidence base has not changed significantly since the survey of evidence by Per Binde which was published by GambleAware in 2014. As outlined above, this found that the impact of advertising on problem gambling was likely to be rather small, as one factor among many which make up the environment.

5.62. The study found that the prevalence of advertising did not appear to be linked with the prevalence of problem gambling, with some countries with little gambling advertising having high problem gambling rates and others with average or low prevalence and relatively heavy advertising. In the UK, problem gambling has remained relatively stable below 1% of the adult population, despite a very significant rise in advertising. However, the survey did identify the need for further research, in particular on the effect of different messages on vulnerable groups, including children and those with an existing gambling problem. This has been commissioned by GambleAware (see below).

5.63. The Government is clear that on gambling advertising, as with other aspects of social responsibility, more should be done by operators and others who benefit from gambling to minimise the risks to vulnerable people.

5.64. The following section outlines a package of measures and initiatives by regulators, including the Gambling Commission and ASA/CAP, by broadcasters and the gambling industry and by GambleAware. These are intended to address concerns about gambling advertising on a number of levels; by addressing the tone and content of adverts to strengthen protections further, by providing counterbalancing messages to raise awareness of risks associated with gambling and by making sure the Gambling Commission has the right sanctions available to ensure that operators comply with the advertising codes.

Regulators

5.65. Advertising in general in the UK is currently regulated through a combination of self-regulation and regulation by Ofcom (the self/co-regulatory system). This system works well and the Government continues to support it. Gambling advertising (like that for other sensitive products such as alcohol) clearly requires particular protections.

ASA/ CAP guidance

5.66. Since the last gambling advertising review in 2014, CAP has continued to monitor the protections provided by the UK Advertising Codes and the ASA continues to enforce them.

5.67. As shown in Figure 4, the codes require gambling operators to behave responsibly and protect the vulnerable. Adverts must not be targeted through their placement or content at under-18s. For example, gambling adverts may not appear in children's media and appeals to youth culture or use of individuals (sportspeople or even characters) who are under 25 are prohibited. The codes also prohibit approaches that are irresponsible or might cause harm to people at risk of problem gambling. For example, adverts that play on people's financial worries or that condone specific problem gambling behaviours are prohibited.

5.68. CAP has published additional guidance to support compliance with the rules. This gives advertisers more clarity on what the ASA is likely to consider unacceptable when it enforces against specific advertisements.

5.69. Following the recent publication of guidance on the use of social media marketing and guidance on targeting advertising appropriately to avoid significant child audiences, CAP is also working on dedicated guidance around gambling promotions and the use of affiliates by operators. These will be published by the end of 2017.

5.70. On a wider level, CAP has committed to produce new guidance to protect those at risk of problem gambling. The work will look at, among other things, 'urgent calls to action', where offers are presented in a manner and context that limits the time people have to decide whether to participate. There is some evidence to suggest that such adverts could encourage impulsive behaviour and therefore risk exploiting problem gamblers in particular.

5.71. Problems with impulse control are known to play an important role in problem gambling. Social responsibility measures across sectors often focus on encouraging players to take a break from gambling and ensure gambling is mindful rather than impulsive or automatic. The rise of online gambling means a greatly increased availability of instant opportunities to gamble, at all times of day and without in-person interaction with providers. In this context advertising needs to be especially responsible.

5.72. CAP's guidance will draw on insights from ASA enforcement work and new research and statistics published this year on problem gambling, as well as from our call for evidence. Once it is published, the ASA will use it to interpret the Codes and begin to enforce against individual advertisements. At the same time, Clearcast and RadioCentre, which pre-clear adverts, will begin to apply the guidance in their work.

5.73. The new problem gambling-related guidance is likely to be published early in the new year. CAP will then carry out a similar exercise, to produce another piece of gambling advertising guidance focused on protection of children and young people. That is expected to be concluded in mid to late 2018. This new dedicated suite of guidance will help reinforce the protections provided by the Advertising Codes.

Gambling Commission

5.74. The Gambling Commission will consult on making compliance with the CAP/BCAP advertising codes a social responsibility code requirement of its Licence Conditions and Codes of Practice (LCCP), which means that breaches could be subject to the full range of the Commission's regulatory powers. This is already the case for the rules relating to misleading marketing practices.

5.75. As mentioned in the preceding section on online gambling, the Commission is also supporting the Competition and Markets Authority investigation to examine possible unfair terms and misleading practices around online gaming sign-up promotions and free bet promotions.

5.76. The Commission published an advice note earlier this year on ensuring direct marketing is not sent to those who have self-excluded from gambling. It has also been working closely with the ASA to address the issue of irresponsible advertorials. These include advertising which purports to be news and often seriously breaches the content restrictions in the advertising codes. The ASA ruled against several operators this year following publication of these stories by rogue affiliates. A condition in the LCCP holds licensed operators responsible for the actions and behaviours of their affiliates.

Online advertising, targeting and social media

5.77. Online advertising uses a number of techniques to work out who is likely to be interested in a product. This includes using information on recent browsing on a particular device (Online Behavioural Advertising), as well as advertising on social media sites.

5.78. This type of marketing is also governed by the CAP codes and must be responsible. For example, Appendix 3 on Online Behavioural Advertising requires that targeted advertisements are clearly labelled and that users can easily opt out. Operators and affiliates must comply with the requirements of the Privacy and Electronic Communications Regulations and the Data Protection Act, and the Information Commissioner's Office may take enforcement action if there is evidence of a breach. The ASA also has the power to take action if it receives evidence of irresponsible targeting.

5.79. However, because advertising is linked to interests, a regular gambler who may now wish to limit or stop their gambling will tend to continue seeing adverts for a time. Being aware of how to use settings to opt out can help to reduce this.

5.80. The Gambling Commission will encourage social media companies, with GambleAware support, to develop user-friendly guides on how a person wishing to limit their exposure to gambling advertising can do so by using settings and preferences within the platforms. This will help those wishing to control or stop their gambling. GambleAware is also commissioning an evaluation of the effectiveness of software which blocks gambling-related content.

5.81. As set out earlier, a new online multi-operator self-exclusion scheme known as GAMSTOP is due to be in place by the end of this year, allowing consumers to self-exclude from all online gambling operators licensed by the Commission in a single step. This will also include removing them from all marketing databases.

5.82. The Industry Group for Responsible Gambling (IGRG) has additionally strengthened the Industry Code on responsible gambling advertising to require operators to age-gate gambling content and gambling channels on social media. This will require them to use the tools provided by social media platforms to ensure their content is inaccessible to under-18s. This will reinforce the CAP guidance published this spring on targeting advertising away from children.

5.83. Through the Digital Charter the Government is looking to create a framework for how businesses, individuals and wider society should act online. This will include how big tech companies can play their part in tackling emerging challenges, such as online harms. We will look to examine the full range of possible solutions, including working with industry and regulators where appropriate.

Responsible gambling advertising campaign

5.84. GambleAware, broadcasters and gambling industry groups have drawn up proposals for a major responsible gambling advertising campaign, to run for two years with a budget of £5-7 million in each year. This will include television adverts, including around live sport, as well as radio, cinema, print and online. The scale is equivalent to or larger than the scale of a major Government public awareness campaign. The aim will be to raise public awareness of risks associated with gambling, as well as signposting to further advice and support where necessary.

5.85. Proposals for the campaign involve new funding from online gambling operators, with airspace and digital media provided by broadcasters. The bodies which are members of the responsible gambling group, Senet, will continue to fund its existing messaging and responsible gambling advertising work but bring this in line with the wider campaign. We would encourage others who benefit from gambling advertising, including social media platforms and sports bodies, to look at how they can contribute to raising awareness of the potential risks.

5.86. GambleAware will lead the campaign, ensuring the content is independently approved and meets the campaign objectives. It intends to set up a Campaign Board and Delivery Unit, appointing an independent chair of the Board and approving all campaign content.

5.87. The Government welcomes the initiative by broadcasters and the gambling industry to fund and work with GambleAware to deliver a major responsible gambling advertising campaign.

Strengthening evidence base

5.88. New research on the effects of marketing and advertising on children, young people and vulnerable groups has been commissioned by GambleAware after being identified as a priority in the Responsible Gambling Strategy Board's research strategy.

5.89. The overall objectives for this project are to:

- Explore whether gambling marketing and advertising influences children and young people's attitudes towards gambling, in what ways and the impact of this;
- Examine the tone and content of gambling marketing and advertising across all media, including social media affiliates, and explore the potential impact of this on children, young people, and vulnerable people; and
- Identify specific themes and features of gambling advertising that children, young people and vulnerable groups are particularly susceptible to.

5.90. The findings of this research will help inform the development of guidance and protections going forward.

5.91. The ASA and BCAP, with support from Ofcom, are currently developing their approach to monitoring television advertising for several types of products including gambling. This will enable the regulators to check up-to-date information about how much gambling advertising is broadcast, and who is seeing it, with a particular focus on children.

Q.13 Do you support this package of measures to address concerns about gambling advertising? If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

(iv) Research, Education and Treatment (RET)

Overview of findings

5.92. In order to ensure appropriate and effective player protection systems and to minimise the risk of harm from gambling we want to see industry support for relevant research to build the evidence base, action to raise awareness of the risks and where to find help and support, and support services to those at risk of or experiencing harm. If this voluntary system fails to deliver on these issues, the Government will consider alternative options, including the introduction of a mandatory levy.

The current voluntary system

5.93. Currently, industry are required by the Gambling Commission to make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling. The vast majority of operators donate to GambleAware (formerly the Responsible Gambling Trust) who recommend a voluntary donation of 0.1% of an operator's GGY. In 2016/17, GambleAware raised over £8m from industry, which was then allocated to research, education and treatment services for gambling-related harm, guided by the National Responsible Gambling Strategy published by the Responsible Gambling Strategy Board (RGSB).[53] We welcome progress made recently in this space including:

- The publication of a new National Responsible Gambling Strategy by the Responsible Gambling Strategy Board (RGSB) in April 2016 on which all stakeholders were consulted and now work from to deliver responsible gambling initiatives, including annual progress reports on the delivery of its objectives;
- A complementary research strategy, also published by the RGSB, setting out research priorities until 2019;
- The publication of a refreshed 5 year strategy from GambleAware which aims to treble the number of people who receive treatment in that time and increase its funding target to £10m per year. This revised fundraising target was endorsed by the RGSB as an appropriate sum to meet the current objectives set out in GambleAware's 5 year strategy, but came with the caveat that requirements around, for example treatment, could increase;[54] and
- GambleAware now has an independent chair and a much greater proportion of non-industry members on its board. In

[53] This arrangement between the Gambling Commission, RGSB and GambleAware is referred to as the 'Tripartite system'.
[54] RGSBs current assessment of the funding required by GambleAware to deliver its part in the National Responsible Gambling Strategy equates to £9.3m in 17/18 and £9.5m in 18/19

addition, it has made other governance changes around how it commissions research, and how it manages contracts for treatment to address any concerns of industry influence.

5.94. While progress has been made, this system must remain fit for purpose. We therefore want the three bodies who make up the tripartite system, alongside industry, to work together to continue to build on and improve these arrangements. In addition, we would welcome views, particularly from those currently in or who have received treatment under this system, experts in the field and industry, on how the delivery of RET can be improved in order to achieve its objective of reducing gambling-related harm.

Research

5.95. Research to improve our understanding of gambling-related harm is crucial to the success of the National Responsible Gambling Strategy as well as guiding policy and regulation on gambling matters. We therefore welcome the RGSB's publication in May 2017 of a research programme which sets out the priorities for research to be commissioned in the period from April 2017 to March 2019.[55] We support the aim to fill current evidence gaps, particularly around whether there exists a treatment gap between demand and supply, and encourage a wide range of academics, research agencies, industry and others to help deliver the work.

5.96. At the national level the Department of Health, working with Public Health England, are considering what scope there is for commissioning further research to better understand the impacts of gambling-related harm on health. We will work closely with them to develop this strand of work.

Education/Prevention

5.97. We welcome and support work that GambleAware are taking forward in this space. On prevention/education, this includes:

- Training frontline staff in GP surgeries, Citizen Advice Bureaus (CABs), housing offices and community nurses to help them identify gambling issues, provide interventions and signpost to further support. GambleAware have already funded some CABs to develop a model around this;
- Making funding and resources available to local authorities and charities to support interventions and help tackle and prevent problem gambling;
- Marketing material to promote sources of help and advice, for local authorities to distribute; and

[55] http://www.rgsb.org.uk/PDF/Research-programme-2017-2019-May-2017.pdf

- Leading a public information campaign (see gambling advertising).

5.98. We are encouraged that the Local Government Association (LGA) will be working with GambleAware to help identify interested local authorities (LAs) to ensure maximum reach for this programme of work, which could also include: access to frontline staff; consideration being given to the inclusion of gambling-related harm in LAs Joint Strategic Needs Assessments; and support in gathering data to help better understand the extent and nature of the problems facing local communities in relation to gambling-related harm.

5.99. In addition, the LGA will shortly be developing updated guidance on problem gambling for LAs, which will provide an opportunity to highlight the materials that GambleAware are developing.

Treatment

5.100. While problem gambling figures may under or overestimate the total population of people who could benefit from treatment, the latest data estimated that the problem gambling prevalence rate among adults in Great Britain was 0.8%, which equated to approximately 430,000 people.[56]

5.101. Problem gamblers can already access treatment services in primary and secondary care including specialised mental health services. Local authority commissioned specialist drug and alcohol services may also be able to offer treatment where a service for broader addictions has been specified.

5.102. In addition, we know that problem gambling can cause physical and mental health problems, including anxiety disorders and depression. The Improving Access to Psychological Therapies (IAPT) programme began in 2008 and has transformed treatment of adult anxiety disorders and depression in England. Over 900,000 people now access IAPT services each year, and the Five Year Forward View for Mental Health is committed to expanding services further, alongside improving quality. Although problem gambling is not listed amongst the provisional diagnosis categories that IAPT treats, IAPT practitioners would be able to treat common mental health disorders such as depression and anxiety, which problem gamblers may present with.

5.103. Elsewhere, the Royal College of General Practitioners (RCGP) have developed an online gambling diagnosis and treatment training resource that is available free to all health professionals and Public Health England (PHE) promotes the RCGP online training resource among all health professionals. Going forward:

[56] http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2015.pdf

- PHE has previously developed guidance for local authorities on gambling and is exploring what the local needs are; and
- The National Institute of Clinical Excellence (NICE), Department of Health and National Health Service England (NHSE) are considering whether NICE should produce treatment guidance on gambling.

5.104. Currently, the majority of dedicated treatment for gambling disorders is funded by GambleAware who fund the National Gambling Helpline and commissions a national network of treatment services which are locally accessible across Great Britain. While there is insufficient data to demonstrate the extent of a treatment gap, GambleAware aim to treble the number of those receiving treatment over the next 5 years. Currently, this is mostly delivered through GamCare which has networks across Great Britain and is funded by GambleAware. In addition, the National Problem Gambling Clinic, a specialist NHS clinic for problem gamblers, provides services for a proportion of those requiring treatment in England and Wales.

Government position for consultation

5.105. Going forward, we support GambleAware's ambition to open more clinics regionally, and to connect them to the existing GambleAware-funded network of treatment services; in particular, the initiative currently under development with Leeds City Council to establish a Northern NHS Gambling Clinic that would provide treatment to cities across the region. We encourage further engagement with relevant authorities in England, Scotland and Wales that have an interest in investing in the sort of initiative being developed in Leeds.

5.106. We also welcome the progress that has been made to bolster the current voluntary arrangements, including the work that has been done to cost the short term work of delivering the RGSB's National Responsible Gambling Strategy, providing GambleAware with targets for 2017/18 and 2018/19.

5.107. The industry must step up and fulfil their duties under these new targets. We would also like to see more work done to understand the longer term funding requirements for RET, particularly around treatment. For example, if treatment were to reach a materially greater proportion of problem gamblers, and if prevention efforts were increased to pre-empt gambling-related harm more generally, then the funding requirement could be much greater. The voluntary arrangements must be ready to scale up as and when required.

5.108. We will continue to work closely with the Gambling Commission, RGSB and GambleAware to monitor the progress made against objectives set out in both the RGSB's and GambleAware's strategies and on the issues set out above. We want to see all gambling operators engaging fully with the objectives set out in these strategies as well as the published funding targets. If there is insufficient support for the fundraising targets set by the RGSB, or related concerns about the ability of the current system to deliver the RGSBs strategy, the Government will consider alternative options, including the introduction of a mandatory levy.

Q14. Do you agree that the Government should consider alternative options, including a mandatory levy, if industry does not provide adequate funding for RET?

If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

6. Chapter Six: Local Authorities

Overview of findings

6.1. The call for evidence included a catch all question asking respondents for views on any other issue that they deemed relevant. Under this question, the predominant issue that was raised came from the Local Government Association (LGA) and a number of Local Authorities (LAs), who proposed the introduction of cumulative impact assessments (CIAs) to give more powers to manage gambling at the local level.

6.2. We received responses from 29 local authorities and one submission from the Local Government Association (LGA) to the call for evidence. We did not receive submissions from relevant authorities in Scotland and Wales, but our assessment below applies to the whole of Great Britain. Submissions received called for:

- Further powers for LAs[57] to control gambling at the local level - suggestions focused primarily on the introduction of cumulative impact assessments (CIA) to allow LAs to reject applications for new gambling premises licences; and
- To ensure effective use of a CIA, the introduction of additional licensing objectives in the Gambling Act 2005, which as well as requiring that gambling be fair and open, free of crime and disorder and protect the young and vulnerable, would also cover the ‘prevention of public nuisance’ and ‘improved public safety’.

6.3. In addition, a number of LAs acknowledged the effectiveness of the new planning laws that came into force in April 2015 in England which required a planning application for change of use of a building to a betting shop or the development of new betting shops.

Government position for consultation

6.4. The LGA, alongside a number of LAs, suggested that the introduction of local CIAs for gambling premises may be an effective tool in preventing further clustering, specifically of betting shops. We are keen to support LAs (in England and Wales) and Licensing Boards (in Scotland) in their management of gambling at a local level, but we believe that their objectives can be achieved using existing powers. Specifically, LAs can already set out the same assessment of the risk in a given location under their licensing statement of policy. The Gambling Commission advise that the implementation of this tool varies from one LA to another, but where it is used effectively and updated regularly, for example in Westminster Council, it can be an

[57] Including Licensing Authorities in Scotland

effective tool at rejecting licence applications or imposing conditions on new licences, as would be the case with the introduction of CIAs. We encourage LAs to continue to work closely with the Gambling Commission to ensure the effective deployment of the existing tools at their disposal.

6.5. In addition, where an increase in the number of betting shops is considered to be a local issue, having an up-to-date, relevant local plan policy in place will support the local planning authority in the determination of any applications for planning permission. The National Planning Policy Framework provides the framework within which local planning authorities and their communities can produce their own distinctive local plan which reflects the specific needs and priorities of their area.

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

If you have any evidence to support your position then please send to gamblingreviewconsultation2017@culture.gov.uk. When sending in evidence please provide your name and email address so that we may contact you. By evidence, we are referring to published research, data or supporting analysis.

Chapter Seven: Summary of questions

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?

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

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

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

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

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

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

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

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

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

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?

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

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

Appendix A: Gaming Machine Summary

Machine category	**Maximum stake**	**Maximum prize**	**Allowed premises**
B1	£5	£10,000 (£20,000 linked progressive jackpot on a premises basis)	Casinos
B2	£100	£500	Betting premises and tracks occupied by pool betting and all of the above
B3	£2	£500	Bingo premises, Adult Gaming Centre and all of the above
B3A	£2	£500	Members' club, commercial club or Miners' welfare institute only
B4	£2	£400	Members' club or Miners' welfare club, commercial club and all of the above.
C	£1	£100	Family Entertainment Centre, Qualifying alcohol licensed premises and all of the above.
D (money prize)	10p	£5	Travelling fairs, unlicensed (permit) Family Entertainment Centre and all of the above
D non-money prize (other than crane grab machine)	30p	£8	All of the above
D non-money prize (crane grab machine)	£1	£50	All of the above
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)	All of the above
D combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)	All of the above

Appendix B: List of respondents to the call for evidence

Industry/Trade Associations

ADP Gauselmann UK Ltd
Advertising Standards Authority
Aspers Group
Association of British Bookmakers
Association of Licensed Multiple Retailers
At the Races
Betfred
Bingo Association
British Amusement & Catering Trade Association
British Association of Leisure Parks, Piers and Attractions
British Beer and Pub Association
British Horseracing Authority
Castle Leisure
Commercial Broadcasters Association
Electrocoin
English Football League
Gala Leisure
Gambling Business Group
Genting Casinos UK Ltd
Global Gaming Ventures (Developments) Limited
Greene King
Industry Group for Responsible Gambling
Inspired Gaming
ITV
Hippodrome Casino
Ladbrokes-Coral
Les Ambassadeurs Club Limited
Marston's plc
Mirage Leisure
National Casino Forum
NB Leisure Ltd
Novomatic UK
Opera House Casino
Paddypower Betfair
People's Postcode Lottery
Praesepe
Rank Group plc
Remote Gambling Association
Satellite information Service
Senet Group
SG Gaming
Shipley Leisure Ltd

Sky Betting and Gaming
Sky UK
Sport and Recreation Alliance
Tombola
Viacom
William Hill

Local Authorities

Local Government Association
Barking & Dagenham
Bradford
Ealing
Enfield
Greenwich
Hackney
Haringey
Hounslow
Islington
Knowlsey
Leeds
Leicester
Lewisham
Medway
Newcastle
Newham
North East Lincolnshire
Peterborough
Rochdale
Sedgemoor
Sheffield
Sunderland
Tower Hamlets
Wandsworth
Wolverhampton

Parliamentarians

All Party Parliamentary Group on Fixed Odds Betting Terminals
Patrick Grady MP
Fabian Hamilton MP
Margaret Hodge MP

Faith Groups

Baptist Union
Christian Centre for Gambling Rehabilitation
Christian Institute

Church of England
Church of Scotland
Methodist Church
Quaker Action on Alcohol and Drugs
Salvation Army
United Reformed Church

Charities

Christian Action, Research and Education
GambleAware

Members of the public

We received 167 individual responses from the general public. We also received a petition containing over 100,000 signatures from campaign group, 38 degrees, calling for government to *'Crackdown on addictive betting machines and adverts.'*

Interest Groups/Academics

Advertising Association
Campaign for Fairer Gambling
Gambling Reform and Society Perception
Gamserve
Institute of Economic Affairs
Landman Economics
Law Society of Scotland
London Chinatown Chinese Association
Money and Mental Health Policy Institute
The Outcomes Group
Rethink Gambling
University of Birmingham/Gambling Watch UK, Professor Jim Orford
University of Bristol, Dr Sean Cowlishaw
University of London, City, Dr Margaret Carran
University of London, Goldsmith, Professor Rebecca Cassidy
University of London, Queen Mary, Dr Julia Hörnle

[DRAFT] Review of Gaming Machines and Social Responsibility Measures

Response to Consultation

This is the response to the Governments consultation from Leeds City Council, licensing authority for the Leeds district.

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?

As stated in our submission to the call for evidence the Council is supportive of a reduction to the maximum stake on B2 machines. This is because the Council is concerned about the link between gaming machines and problem gambling. Research undertaken for the Council by Leeds Beckett University in 2016 found that problem gambling rates in Leeds and areas like Leeds are likely to be double the national average, meaning that there are potentially 10,000 problem gamblers (18 years and above) in the city. The research also confirmed that whilst problem gambling can affect anyone at any time certain groups are more vulnerable including those living in areas of greatest deprivation and those economically inactive and/or on constrained incomes. In terms of the concentration of betting shops, Leeds is like many other areas in that there is a concentration of these premises on high streets in areas of greatest income deprivation. This together with the likely high rates of problem gambling reinforces our view that greater restrictions are welcome.

In terms of the levels at which the maximum stake should be set it is evident from the options set out in the consultation that the most responsible approach which would best protect vulnerable people would be option 4 reducing the maximum stake to £2. Even at this level 19% of players are identified as problem gamblers and 49% at risk, however this is significantly lower than the other three options with maximum stakes of between £20- £50, where between 42-46% of players are problem gamblers and 41-44% at risk. In addition, the Industry must be more consistent and pro-active around promotion of pre-set cash or time limits, as well as prompts/alerts for those playing electronic machines. Evidence shows that only 43% of gamblers are aware of self-exclusion or gambling management tools (Gambling Commission, 2017 “Gambling Participation in 2016: behaviour, awareness and attitudes”) which backs up our previous argument.

We do however wish to make it clear that although we are wholly supportive of restrictions to the maximum stake on B2 machines, that this alone will not reduce problem gambling. The focus of FOBTs should not distract us from the evidence that found other types of gambling such as spread betting, betting exchanges and poker were far more prevalent among problem gamblers **(NatCen Social Research | Gambling behaviour in Great Britain** in 2015) We would urge government to review the practices of all sectors, in particular the online sector considering its exponential year-on-year growth whereas playing on machines in bookmakers has remained stable (Gambling Commission 2017). Government is also urged to take a more rigorous approach to advertising – see question 13.

In addition to the above we would like the Government to exercise caution. The stakes and prizes for Category B3 machines are already set to £2/£500 but with a faster speed of play (every 2.5 seconds). A player on a B3 category machine can still spend £48 a minute gambling on these machines. Although they are likely to see a reasonable rate of return, this is a significant amount for players at risk who may play for several hours.

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

No comment

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

As stated in Q1, should the stakes and prizes for B2 machines be changed, B3 machines should be reviewed to ensure that this doesn't become the new standard category for betting shops. As stated in your consultation document, the speed of play for B3 machines is 2.5 seconds, whereas the speed of play for B2 machines is 20 seconds and is already available on all machines in betting shops.

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

No comment

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

No comment

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

The Government should give consideration to the process of exercising the automatic entitlement to 2 Category C machines in alcohol licensed premises. At present this entitlement is exercised by making an application to the licensing authority which comes at a cost to both the licensed premises and the licensing authority. If changes are being made, this automatic entitlement should be available to all alcohol licensed premises with the option to review and to remove the entitlement if there are genuine issues at the premises related to the misuse of the gaming machines.   This would be preferable to the current bureaucratic process.

However the Council would not support an increase in stakes or prizes for Category C machines. These machines are primarily found on alcohol led premises and the combination of gambling and alcohol should considered carefully.

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

No comment

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

Any increase in stakes and prizes is concerning. The Government should take into consideration the innovative approach the gambling industry takes with innovation always happening faster than regulation.

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

We agree with the government's proposal to maintain the status quo on allocations for casinos, arcades and pubs. As an authority which has issued a large casino licence under the Gambling Act 2005 it is important for the viability of that casino, and the financial and social benefits it brings to Leeds to maintain the status quo and to not increase any entitlements for converted casinos.

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

We agree with the government's proposal on contactless payments. It is important to ensure that players have control and space and time to think about how much they are spending. Contactless payment would reduce this capacity along with eroding further interaction with staff, so the government's proposal to bar contactless payment as a direct form of payment to gaming machines is welcomed.

Q11. Do you support this package of measures to improve player protection measures on gaming machines?

We are supportive of any measures to improve player protection and agree that further work is required by the industry on social responsibilities given the low take up of existing voluntary limits to take up and spend. Evidence shows that only 43% of gamblers are aware of self-exclusion or gambling management tools (Gambling Commission, 2017 "Gambling Participation in 2016: behaviour, awareness and attitudes"). The same study found that only 34% of respondents felt that gambling was fair and could be trusted, this rating has decreased year-on-year since 2011.

Therefore significant improvement is needed regarding consistent and pro-active awareness raising of player protection measures.

Research undertaken by Leeds Beckett University in 2016 into the extent of problem gambling in Leeds included interviews with a small number of gamblers and problem gamblers. When asked about player protection measures the general consensus was that current measures were too subtle and that more obvious alerts were required. For example, notifications reminding customers how much they have spent, and clearer message around setting a voluntary limit.

Q12. Do you support this package of measures to improve player protection measures for the online sector?

The Council is supportive of measures to improve player protections in all areas of the industry and welcomes measures that focus on the online sector. However, given the rapid growth and development of the sector over the last few years, the proposed measures and harm minimisation actions are developing at a much slower pace. Research by GambleAware into harm minimisation for online gambling isn't due until 2019, whilst reviews by the Gambling Commission and the Competition and Markets Authority are ongoing. We would therefore ask for accelerated action on all of these areas.

We do know that only 43% of gamblers are aware of self-exclusion or gambling management tools (Gambling Commission, 2017 “Gambling Participation in 2016: behaviour, awareness and attitudes”) and that the general public’s perception of fairness and trustworthiness of the sector is getting more negative every year (only 34% of respondents felt that gambling was fair and could be trusted in the UK). This in part justifies improvement of player protection measures.

Furthermore, evidence found other types of gambling such as spread betting, betting exchanges and poker were most used among problem gamblers **(NatCen Social Research | Gambling behaviour in Great Britain** in 2015). This justifies much stronger player protection measures for online gambling as spread betting and betting exchanges are mostly accessed online.

Q13. Do you support this package of measures to address concerns about gambling advertising?

We welcome the Government proposals in particular having identified that research evidence around the impacts of advertising, in particular on children and vulnerable people, is very limited and out of date. The most recent critical research review of gambling advertising is nearly 4 years old and, considering year-on-year growth of the online sector, a more current picture is required with some urgency. It is also paramount that this research should inform GambleAware’s commissioning of campaigns and education (and arguably treatment) going forward.

Any research should give particular consideration to the impact of social media advertising on children, young and vulnerable adults. The Gambling Commission found that young adults (18-24 year olds) are more likely to gamble because of posts and adverts on social media. 49% of this age group followed a gambling company on social media, a 12% increase compared to 2015. As this age group will contain a relatively high proportion of economically inactive/low income people, they are therefore more at risk of problem gambling.

The Advertising Standards Authority and Gambling Code of Practice do not appear to have set guidance on the distance a gambling poster or billboard can be in proximity to a vulnerable site. Gambling advertising rules are designed to ensure that marketing communications for gambling products are socially responsible, with particular regard to the need to protect children, young persons under 18 and other vulnerable persons from being harmed or exploited by advertising that features or promotes gambling. However there is no specific guidance on how close marketing materials can be in proximity to vulnerable sites.

As an example the council has created a mapping tool to assist its large casino with their marketing campaigns. The casino wanted to advertise on bus shelters across the city but needed to ensure the most deprived areas and vulnerable client groups were not targeted. In organising this mapping tool, the council created a list of potential areas that would be accessed by vulnerable groups and have asked the casino operators to consider not advertising their establishment on bus shelters that are located within 100m of these sites. On trying to agree a suitable distance, the council established the 100m distance from desktop research which revealed advertising site owners such as JC Decaux have a policy not to run gambling adverts within 50m of a school and operators such as Ladbrokes have a policy not to advertise within 100m of a school. However there is no consistent or standard distance to adhere to.

In order to protect those most vulnerable or susceptible to gambling related harm Leeds City Council took specific themes and mapped them for the casino operator to take into consideration. In order for the casino to not target their marketing campaigns to those under 18, all Universities, schools, colleges and early year centres were mapped across Leeds. Leeds City Council highlighted on the map the most deprived areas on the map. The Council also highlighted areas with the highest Jobseeker Allowance Rates and asked the casino to be aware of vulnerable groups within these areas.

The council defined vulnerable groups as those who access supported accommodation and food banks. The groups include the homeless, young people, offenders, those with mental health conditions, those recovering from drug and alcohol addictions and older people. Data on the locations of vulnerable groups is highly sensitive and cannot be mapped. Therefore bus shelters that were located within 100 metres of such locations were highlighted instead. The Casino was then advised to avoid bus shelters that were labelled as 'Restriction Zone Bus Shelters'.

Q14. Do you agree the Government should consider alternative options including a mandatory levy if industry does not provide adequate funding for RET?

The Council is supportive of a mandatory levy on the industry. Latest statistics show that the industry made £13.7bn in gross gaming yield in 2016-17 an increase of 1.8% on the previous year and yet contributions to GambleAware have remained just under £8m which is less than 0.1% of this profit. A mandatory levy would allow fairer, longer term and more sustainable approach to research, education and treatment (RET) to be adopted.

GambleAware's strategy 2016 – 2021 sets out a tiered model for service provision. The government should be looking to the industry to fund the services, interventions, training, workforce development etc. that run across these tiers. GambleAware's strategy also states that national and local government authorities "have a role to play" in providing harm minimisation and treatment services - this needs clarity in particular regarding expectations of future funding.

The consultation document describes the use of local authority commissioned specialist drug & alcohol services and also CCG commissioned IAPT but doesn't say where additional funding requirements are to come from.

We recommend that a critical appraisal should be undertaken of how RET resources are to be distributed (by Gamble Aware) to Regions, Local Authority and CCG areas *based on need,* not demand. As a Council, we welcome involvement in the commissioning process which is currently centrally led by GambleAware / Gamcare.

As research indicates, problem gambling is a hidden addiction and general awareness of the problem in society is currently low. This was evidenced in the research undertaken for Leeds City Council by Leeds Beckett University on the extent of problem gambling. The research found that not only is there a lack of support available in the city for those with a gambling problem but also that there general lack of awareness of the issue amongst existing support organisations. We know that problem gamblers are more likely to have a debt problem, have a relationship breakdown, suffer mental ill health and have a co-existing addiction. It is very likely that problem gamblers may already be accessing services commissioned by the local authorities and the NHS, but may never divulge their gambling addiction.

As a result we are undertaking work to increase awareness of problem gambling and gambling related harm through a wide spread communications campaign and through training frontline staff, not just within the Council but also health and third sector, to spot signs and symptoms of problem gambling. We believe that eventually greater awareness will lead to more people starting to discuss gambling and self-reporting any problems, seeking support and treatment and we are in discussions with GambleAware on how this demand can be met.

An increasing number of local authorities are starting to look at gambling related harm, greater engagement and discussion on the issue can only lead to an increase in demand for a range of support options, which need to be sufficiently funded by the industry.

The consultation does state that NICE, Department of Health & NHS England are considering the production of treatment guidance on gambling. We would welcome this and for this guidance to provide clarity on commissioning and funding responsibilities.

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

From a Licensing perspective the Council would support the introduction of a cumulative impact policy style power within the Gambling Act to protect specific areas from over clustering of betting shops. Although the Government considers that Local Authorities have sufficient powers to refuse premises licence applications already, this is not our experience. Even a good local area profile in the policy does not provide enough practical information to counteract the legal might of the betting industry who often attend licensing subcommittee hearings with a QC and are prepared to fight the case through the Courts. Bearing in mind the very low number of gambling licence applications heard by a licensing subcommittee, even in a large licensing authority like Leeds, the whole process can be one sided in favour of the industry.

From a Public Health perspective, the Gambling Act does not currently strike the right balance between freedom for businesses to develop and the concerns and needs of local communities. Health has very limited influence on application and appeal decisions, no matter how strong the evidence, as health is not a licensing objective. We argue that if gambling-related harm is to be "a public health issue", there should be a legal/legitimate basis for health considerations to be taken on board, alongside the existing licensing objectives.

With regards to local authority powers within Planning to restrict the siting of gambling premises and especially betting shops, the removal of bookmakers from the A2 use class and moving them into the Sui Generis use class does require bookmakers to apply for planning permission. Therefore local authorities have more control over their location than they previously did.

However, for there to be control there needs to be local policies. In Leeds in protected shopping frontages in the City Centre, technically, betting shops are not permitted as only A uses are supported under the local policy. However, it's rare for this policy to be used to refuse planning consent in the City Centre. Similarly with Town and Local Centres local policies support uses within A1, A2, A3 use classes (with some exceptions) within protected shopping frontages. Now that bookmakers are Sui Generis there would be no support for them in protected shopping frontages.

However, the purpose of the above policies is to protect the shopping function of centres. They are not designed to prevent the proliferation of bookmakers. Areas within town centre boundaries, but outside of protected shopping frontages have no such protection. Bookmakers are a recognised town centre use and are generally policy compliant with town centres provided they adhere to policies designed to protect amenity. Outside of town centres bookmakers are not policy compliant and have to pass a sequential test to demonstrate that there isn't a vacant unit within a town centre that could accommodate the bookmakers. Therefore although there are policy protections in place to prevent against clustering, in the main they are slightly accidental and certainly aren't universal.

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 comments.

Contact details

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LICENSING COMMITTEE WORK PROGRAMME 2017/18 - LAST UPDATED 21/12/17 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 9th January 2018			
Update/ monitoring report on the Victoria Gate Casino	To receive a report by the Head of Elections, Licensing and Registration which provides an update / monitoring report on the Victoria Gate Casino	N Raper	B
LCC's response to the Triennial Review of stakes and prizes under the Gambling Act	To receive a report by the Head of Elections, Licensing and Registration which provides the City Council's response to the triennial review of stakes and prizes under the Gambling Act	S Holden	SC
Review of the City Centre Cumulative Impact Policy Areas	To receive a report by the Head of Elections, Licensing and Registration which sets out details of the annual review of the City Centre Cumulative Impact Assessment areas (CIP).	S Holden	B
Clean Air Zone - Update	To receive an update by the Director of Environments and Housing on proposals around the clean air zone	Andrew Hickford	B

Key:
RP – Review of existing policy DP – Development of new policy PM – Performance management B – Briefings SC – Statutory consultation

LICENSING COMMITTEE WORK PROGRAMME 2017/18 - LAST UPDATED 21/12/17 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 6th February 2018			
LA03 Statement of Licensing Policy Consultation	To receive a report by the Head of Elections, Licensing and Registration which sets out the consultation arrangements for the LA03 Statement of Licensing Policy	S Holden	SC
Licensing Annual Report 2017	To consider a report by the Head of Elections, Licensing and Registration which present the annual report of Entertainment Licensing and Taxi and Private Hire Licensing.	N Raper/ A White	PM
Meeting date: 6th March 2018			
Policing and the Night Time Economy	To receive a Presentation from Sergeant Dave Shaw, West Yorkshire Police on the issues of “Policing and the Night Time Economy”	D Shaw	B
Meeting date: 3rd April 2018			
Licensing Authority Policy Statement (2016-2018)	To receive a report by the Head of Elections, Licensing and Registration requesting approval of the public consultation in respect of the Licensing Authority Policy Statement (2016 – 2018)	S Holden	SC

Key:
RP – Review of existing policy DP – Development of new policy PM – Performance management B – Briefings SC – Statutory consultation

LICENSING COMMITTEE WORK PROGRAMME 2017/18 - LAST UPDATED 21/12/17 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM

Key:
RP – Review of existing policy DP – Development of new policy PM – Performance management B – Briefings SC – Statutory consultation

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Report author: Nicola Raper
Tel: 37 85339

Report of the Head the Head of Elections, Licensing and Registration

Date: **9th January 2018**

Subject: **Gambling Act 2005 – Licensing of the Large Casino Schedule 9 Agreement - Annual Update**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City & Holbeck	☒ Yes	☐ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? Appendix A is exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3)	☒ Yes	☐ No

Summary of main issues

1. In May 2013 the council granted a provisional statement to Global Gaming Ventures Limited (GGV Ltd) to operate a large casino at Eastgate, Leeds, now known as Victoria Gate. In March 2015 the provisional statement was superseded by the grant of the full premises licence, and in February 2016 the premises licence was transferred to Global Gaming Ventures (Leeds) Limited.

2. The casino licence is subject to a Schedule 9 agreement which is a legal agreement made between the council and the licence holder and ensures that the benefits evaluated as part on the large casino application process are secured.

3 The Schedule requires the licence holder to provide reports on its progress in delivering the benefits.

Recommendations

4 That Licensing Committee note the contents of the appendices to this report, in addition to the presentations by Global Gaming Ventures (Leeds) Limited and the councils Financial Inclusion Team.

1.0 Purpose of this report

1.1 The large casino opened to the public on the 26th January 2016 and Global Gambling Ventures (Leeds) Ltd, together with the council's Financial Inclusion Team will provide Members with an update on the delivery of the benefits of the Schedule 9 Agreement as a condition of the casino premises licence.

2.0 Background information

2.1 The Gambling Act 2005 allowed 16 casinos across England, Scotland and Wales – 8 large and 8 small casinos. A large casino allows for up to 150 gaming machines and a small casino 80 gaming machines.

2.2 Following the approval of Executive Board in March 2006, the Director of Development submitted a bid to HM Government's Casino Advisory Panel for a large casino in Leeds.

2.3 Leeds City Council was successful in their bid for a large casino, together with Great Yarmouth, Middlesbrough, Kingston upon Hull, Milton Keynes, Newham, Solihull and Southampton.

2.4 In May 2013 the Licensing Committee granted a provisional statement for a large casino licence to GGV Ltd., for the site at Eastgate, Leeds, now known as Victoria Gate.

2.5 The provisional statement was granted following a competition exercise and utilising approved evaluation methodology and scoring criteria, which sought to maximise the financial, social and economic benefits for the city.

2.6 GGV Ltd went on to secure the full casino premises licence in March 2015, and in February 2016 the casino premises licence was transferred to Global Gaming Ventures (Leeds) Ltd., a subsidiary company of GGV Ltd.

3.0 Main Issues

3.1 On being granted the licence, GGV Ltd committed to undertake a range of benefits, including commitments to employment, training, the mitigation of problem gambling, and commitment to environmental principles to the physical development of the casino.

3.2 Such benefits are secured by a Schedule 9 Agreement. The Schedule 9 Agreement is strengthened by a condition on the casino premises licence which ensures that the benefits evaluated as part of the large casino application process are secured.

3.3 The Schedule 9 Agreement consists of a Schedule 1 document which sets out 38 benefits that the casino will deliver.

3.4 For the purpose of this annual update report, GGV (Leeds) Ltd have produced the document at appendix A that provides update on the delivery of the 38 benefits.

3.5 Representatives from GGV (Leeds) Ltd will be in attendance at the Licensing Committee to present the contents of **Appendix A**.

3.6 As part of the Schedule 9 Agreement the casino operators agreed to financially contribute to a Social Inclusion Fund, with an initial upfront payment received in 2013 and subsequent annual payments once the casino is open. Funding received prior to casino opening funded projects and initiatives that support the city's anti-poverty agenda. Now the casino is open and for the duration of the licence, monies will also fund projects that mitigate potential harmful social effects of gambling. During the 2017/18 and 2018/19 financial years the following projects are in progress or scheduled to begin:

- A project to deliver money skills and financial capability in schools
- A project on food poverty and alleviating hunger for children during school holidays
- A digital access programme to allow webchat and skype services at Citizens Advice Leeds
- A high level marketing campaign to raise awareness of support available for gambling related harm
- Training of frontline service employees across the advice sector and across council departments.

3.7 The Social Inclusion Fund is managed by the councils Financial Inclusion Team.

3.8 Under clause 21 of the Schedule 9 Agreement GGV (Leeds) Ltd pays to the council a sum of money for the costs incurred or to be incurred by the council in connection with monitoring activities. Such activities include:

i. monitoring the performance of the Licensee and its compliance with the requirements of Schedule 1, such costs to include the costs of instructing external consultants to review the reports submitted by the Licensee and advise the Council thereon;

ii. the operation of a robust system of monitoring, management and mitigation to ensure that the social and health risks are closely monitored to minimise any potentially harmful effects of the new casino; and

iii. To work with a relevant support organisation to establish a service for local people who have questions, concerns or other needs with regards to gambling issues.

3.9 The Financial Inclusion Team also co-ordinates this area of work and have supplied the briefing note at **Appendix B** for Members information. A representative of the Financial Inclusion Team will be present at the Licensing Committee meeting to provide Members with any additional information as required.

3.10 It should be noted that the contents of appendix A and the presentations to be provided before the Licensing Committee by GGV (Leeds) Ltd and the councils Financial Inclusion Team are potentially exempt information under Access to Information Procedure Rule 10.4(3) as these include information relating to the financial or business affairs of any particular person and in all circumstances of the case, the public interest in maintain the exemption outweighs the public interest in disclosing the information.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The large casino premises licence was awarded in accordance with the Gambling Act 2005.

4.1.2 The current Gambling Act Statement of Licensing Policy 2016 to 2018 was reviewed and approved by Full Council in November 2015 having firstly been presented before the Licensing Committee, Scrutiny and Executive Board.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The Gambling Act Statement of Licensing Policy is subject to an Equality, Diversity, Cohesion and Integration Assessment, and a screening form has been completed.

4.3 Council Priorities and Best Council Plan

4.3.1 The licensing regime contributes to the following Best Council Plan 2015-20 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Be safe and feel safe
- Make it easier for people to do business with us.

4.3.2 The licensing regime is linked to the Best Council Plan objectives:

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council
- Promoting sustainable and inclusive economic growth
- Building a child friendly city

4.4 Resources and Value for Money

4.4.1 Employment and financial benefits have been secured through the Schedule 9 agreement. These will be monitored by the casino management group.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications for this report.

4.6 Risk Management

4.6.1 There are no issues relating to risk management.

5 Conclusions

5.1 GGV (Leeds) Ltd hold the large casino premises licence to operate from Victoria Gate, Eastgate, Leeds.

5.2 The Schedule 9 Agreement is strengthened by a condition on the casino premises licence which ensures that the benefits evaluated as part of the large casino Stage 2 application process are secured.

6 Recommendations

6.1 That Licensing Committee note the contents of this report and associated presentations, and for GGV (Leeds) Ltd to provide on an annual basis, or lesser period as required, a report on its progress in delivering the benefits set out in the Schedule 9.

7 Background documents[1]

7.1 There are no unpublished background documents that relate to this matter.

[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Appendix B

Problem Gambling in Leeds - Briefing Note of the Financial Inclusion Team

Introduction

It was agreed at Executive Board March 2014, and in accordance with the Large Casino's licensing agreement, that a portion of the Social Inclusion Fund (SIF) is to be used on projects that mitigate problem gambling. This briefing note provides an update on the work being undertaken to improve support for gambling related harm across Leeds.

Research into the prevalence of problem gambling

In April 2016 the Council commissioned a team from Leeds Beckett University (LBU), to conduct a study into the prevalence of problem gambling in Leeds. The aim was to ensure that the Council is in an informed position to discuss the needs of those struggling with problem gambling, and that support services are resourced and targeted towards those most in need.

The study evaluated the national data on problem gambling and concluded that there could be in the region of 10,000 problem gamblers in Leeds with a further 30,000 people who might be at risk of harm from their gambling behaviour. There can also be impacts on immediate family members. This is a relatively small proportion of the estimated 67% of the UK population who participate in some form of gambling. However, national data indicates that fewer than 3% of problem gamblers actually come forward for help and support.

The final research was launched in early 2017, and disseminated at a national conference held in the city in March 2017.

Funding for Support

Support for problem gambling and gambling related harm is currently nationally funded via a voluntary levy on the gambling industry. GambleAware distributes the funding from the industry on education, prevention and treatment services and commissions research to broaden public understanding of gambling-related harm.

GamCare is commissioned by GambleAware and is the national provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. They operate the National Gambling Helpline, provide treatment for problem gamblers and their families, create awareness about responsible gambling and treatment, and encourage an effective approach to responsible gambling within the gambling industry.

NECA (North East Council for Addictions) is the local specialist counselling provider for Leeds on behalf of GamCare. NECA is a regional provider of specialist face to face advice and counselling services related to gambling related harm and problem gamblers. They have just the one counsellor providing support in Leeds.

For the most severe cases of gambling addiction, which requires clinical support, clients are referred to the National Problem Gambling Clinic. This is based in London, funded by GambleAware.

Problem Gambling Project Group

The research highlighted key areas in which the Council and partners can work together to help mitigate gambling related harm in Leeds. This would require an integrated approach between the Council, advice partners and the Gambling Industry to raise awareness of how to recognise, help, signpost and support those suffering from or at risk of gambling related harm. In order to progress this work, the Problem Gambling Project Group was established which brought together the local problem gambling counselling service, partners from the gambling industry, third sector advice agencies and a cross section of departments from the Council.

Actions for Support
Discussions with the group have led to the following work areas which are currently in progress:

- A marketing and communications campaign

Compared to other similar social issues, problem gambling does not have a very high profile and the availability of support services is not generally well known. The industry promotes services within its own establishments but this message does not get out to the general population in any respect. This results in a lack of open discussion on the subject.

The Leeds problem gambling campaign uses the slogan 'Beat the Odds' and strap line 'talk gambling Leeds'. The aim of the campaign message is to reduce the stigma and encourage people to talk about gambling and seek support. It was launched on the 16th of October to coincide with National Responsible Gambling week which was organised by the industry. The local campaign will be ongoing and refreshed as appropriate. The 'Beat the Odds' campaign is visible in council buildings, health and care settings, advice centres and other community venues across the city.

Printed material includes; pull up banners, posters, postcards, and business cards. The campaign also includes advertising on; bus stops, buses, pubs, garage forecourts, mobile phones, social media. An accompanying animation is also being displayed on screens in hospitals, Millennium square and community hubs.

The web link which features on the advertising is www.talkgamblingleeds.org.uk and this re-directs the public to the Council's Money Information Centre (MIC) website, which signposts people to relevant support and information. In the absence of a local helpline and very limited specialist provision in Leeds, the campaign encourages people to contact the national GamCare phone number and website which offers 'chat' support and peer support forums.

- Frontline Training

As the research found, advice and support for problem gamblers is limited in Leeds. A problem gambler in Leeds can currently access national support online or over the telephone via GamCare or local face to face counselling.

In order to integrate with the current national and local support provision, work has begun to train frontline staff on how to spot signs of people at risk of gambling related harm and offer brief intervention and signposting services. This will allow a referral flow of clients between Leeds advice network and problem gambling support, so that each party can help the client according to their area of expertise.

- Increasing support for problem gambling

Currently, severe cases of gambling addiction, which requires clinical support are referred to the National Problem Gambling Clinic. This is the only clinic in the UK and is based in London, funded by GambleAware.

GambleAware has an ambition to open more clinics regionally, and are currently considering how this can be achieved.