

Report of Chief Officer Elections and Regulatory

Report to Licensing Committee

Date: 2nd March 2021

Subject: Review of the Gambling Act 2005 – Call for Evidence – Draft Response

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- On 8th December 2020 Nigel Huddleston, Minister for Sport, Tourism and Heritage announced an intention to review the Gambling Act 2005.
- A Call for Evidence has been issued with a closing date of 31st March 2021.
- A response has been coordinated by Entertainment Licensing on behalf of the Council and is now presented to Licensing Committee for endorsement.

2. Best Council Plan implications (see the [latest version of the Best Council Plan](#))

- The licensing regime contributes to Best City Priorities 2019/20:
 - Culture
 - Safe, Strong communities
- Inclusive Growth

3. Resource implications

- No resource implications for the licensing authority are identified.

Recommendations

- a) For Licensing Committee to consider the draft response prepared in conjunction with officers from Entertainment Licensing, Financial Inclusion and Public Health, and member of Licensing Committee.
- b) For Licensing Committee to endorse the draft response as the response from Leeds City Council.

1. Purpose of this report

- 1.1 The purpose of this report is to present the draft response to the Government's Call for Evidence on the review of the Gambling Act for endorsement.

2. Background information

- 2.1 The Gambling Act 2005 sets out how gambling in Great Britain is regulated. It came fully into force in September 2007, and covers arcades, betting, bingo, casinos, gaming machines, society lotteries, and remote gambling (including online gambling). It also created and set the functions and objectives of the Gambling Commission as the principal regulator. In 2014, it was amended to cover all online gambling companies who offer gambling to customers in Great Britain, wherever they are based.
- 2.2 The government wants all those who choose to gamble in Great Britain to be able to do so in a safe way. The sector should have up to date legislation and protections, with a strong regulator with the powers and resources needed to oversee a responsible industry that offers customer choice, protects players, provides employment, and contributes to the economy.
- 2.3 The government is reviewing the Gambling Act 2005 to ensure the regulatory framework can protect children and vulnerable people, prevent gambling related crime, and keep gambling fair and open in the digital age.
- 2.4 Through this Review, the government's objectives are to:
 - Examine whether changes are needed to the system of gambling regulation in Great Britain to reflect changes to the gambling landscape since 2005, particularly due to technological advances
 - Ensure there is an appropriate balance between consumer freedoms and choice on the one hand, and prevention of harm to vulnerable groups and wider communities on the other
 - Make sure customers are suitably protected whenever and wherever they are gambling, and that there is an equitable approach to the regulation of the online and the land based industries.
- 2.5 The Review will be led by Ministers at the Department for Digital, Culture, Media & Sport, with engagement from across government, the Gambling Commission, the industry, health and charitable sector, those with lived experience of gambling harm, and other stakeholders.

2.6 After this initial 16 week call for evidence, the government will assess the evidence presented, alongside other data, with the aim of setting out conclusions and any proposals for reform in a white paper next year.

3. Main issues

3.1 The opportunity to provide information, evidence and experiences in relation to existing legislation is rare, and it is customary for the Council to compile a response.

3.2 In relation to previous gambling related consultation, for example with the Gambling Commission, officers from Entertainment Licensing, Financial Inclusion and Public Health have coordinated such a response which has been approved by Licensing Committee, either at a committee meeting or via email if timescales necessitate it.

3.3 However, the government has provided a 16 week consultation and this is a wide ranging scope, with particular regard to:

- The protection of online gamblers, including rules to minimise the risks associated with online products themselves, and the use of technology to support harm prevention
- The positive and negative impacts of the advertising and marketing of gambling products and brands
- The effectiveness of our regulatory system, including the Gambling Commission's powers and resources to regulate and keep pace with the licensed market and tackle unlicensed operators, and funding flows from the industry to the regulator
- The availability and suitability of redress arrangements for individual customers who feel they have been treated unfairly by gambling operators
- Children's access to Category D slot machines, the effectiveness of age controls, protections for young adults, and the age limit for society lotteries (currently available to 16 and 17 year olds)
- The outcome of changes to the land based sector introduced in the Gambling Act 2005, particularly for casinos, and whether they are still appropriate in a digital age

3.4 As requested by Licensing Committee at the January meeting, officers from Entertainment Licensing, financial Inclusion and Public Health have produced a draft response and distributed it to Licensing Committee members for comment. Those comments have been incorporated into the response which is attached at Appendix A.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 Consultation on this report has taken place with senior officers, and legal services during the report clearance process.

4.2 Equality and diversity / cohesion and integration

4.2.1 There are no implications for equality, diversity, cohesion or integration in relation to this report.

4.3 Council policies and the Best Council Plan

4.3.1 The licensing regime contributes to Best City Priorities 2019/20:

- Culture
- Safe, Strong communities
- Inclusive Growth

Climate Emergency

4.3.1 There are no implications for the climate emergency in relation to this report.

4.4 Resources, procurement and value for money

4.4.1 There are no implications on resources, procurement or value for money in relation to this report.

4.5 Legal implications, access to information, and call-in

4.5.1 There are no legal implications in relation to this report. As this report relates to a Government consultation there are no implications in relation to access to information or call-in.

4.6 Risk management

4.6.1 Members have the option of not responding to this consultation, which is low risk.

5. Conclusions

5.1 On 8th December 2020 Nigel Huddleston, Minister for Sport, Tourism and Heritage announced an intention to review the Gambling Act 2005. A Call for Evidence has been issued with a closing date of 31st March 2021. A response has been coordinated by Entertainment Licensing with input from financial inclusion, Public Health and Licensing Committee which is now presented to Licensing Committee for endorsement as the Leeds City Council response to the Call for Evidence regarding the review of the Gambling Act 2005.

6. Recommendations

6.1 For Licensing Committee to consider the draft response prepared in conjunction with officers from Entertainment Licensing, Financial Inclusion and Public Health, and members of Licensing Committee.

6.2 For Licensing Committee to endorse the draft response as the response from Leeds City Council.

7. Background documents¹

7.1 None

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.