

## Written submission from Midlothian Council

I refer to the consultation about the changes to the Gambling legislation.

On behalf of Midlothian Council, I am to advise that:-

- 1 It is recognised that the proposal is limited in as much that
  - (i) it only applies to betting premises and not casinos or track premises;
  - (ii) it would only apply to new applications and not existing premises; and
  - (ii) it only applies to machines with a single maximum stake over £10,

but the Council supports the view that the Scottish Government be given the power to regulate on all such machines wherever situated and in respect of existing premises as well as new applications. Concern is expressed about the long standing issue of the lacuna in the Act which has meant that no significant enforcement activity has been carried out in licensed premises in Scotland.

- 2 It is also considered that devolution of these powers only where the maximum charge for a single play (of more than £10) is too high and should be lowered.

- 3 An 'over provision policy' should be introduced to allow numbers of betting shops in a locality to be restricted.

Problem gamblers are more likely to suffer from low self-esteem, stress, anxiety and depression than the general population.

Gambling addicts are also more likely to go to prison as a result of criminal activity. This is almost entirely theft and fraud. There is also a link between gambling and alcohol abuse. Research shows that many gambling addicts are also addicted to alcohol.

According to the local branch of Gamblers Anonymous, Fixed Odds Betting Terminals are predominantly used by younger people and there is evidence of gamblers losing a week's wages in half an hour at one of these machines. Gamblers Anonymous are very supportive of any moves to restrict the number of these terminals and to limit the maximum stake at these terminals.

For the above reasons we believe that it is important to have local powers to address the adverse impact of gambling on our communities, not simply having responsibility for actions to mitigate the negative impact of Fixed Odds Betting Terminals.

- 4 The Scottish Government should seek to apply their devolved powers to reduce the impact on our communities of gambling generally rather than focussing solely on the use of Fixed Odds Betting Terminals.

5 To welcome the proposal to at least devolve the power to vary the number of FOBTs authorised by a betting premises licence granted by a Licensing Board in Scotland where the stake is more than £10.

In answer to the specific questions, the following comments are made.

*1. What would be the benefits and disadvantages for you as a consequence of the UK Government's proposed provision in the Scotland Bill 2015?*

**Benefits**

The proposal, to devolve the power to vary the number of FOBT authorised by a betting premises licence granted by a Licensing Board in Scotland where the stake is more than £10 is welcomed;

**Disadvantages**

The provisions will only permit the variation of the number of FOBTs authorised by a new betting premises licence, but not existing betting premises licences. The new legislation should permit the variation of the number of gaming machines authorised by existing gaming licences as well as to other types of gambling premises.

*2. What would be the benefits and disadvantages for you as a consequence of the proposed alternative provision suggested by the Scottish Government?*

**Benefits**

The proposed alternative would address the issues in regard to the type of premises and the application to existing licences.

**Disadvantages**

The Scottish Government alternative does not address the issue that the Scottish Parliament should be able to limit the number of machines irrespective of the value of the stake.

*3. Which of these approaches do you prefer, and why?*

The alternative proposal of the Scottish Government, in that it more closely reflects the original recommendations of the Smith Commission in tackling the perceived harm caused by FOBT.

*4. Are there any changes in this area of law you would like to see which are not covered by either proposal, and why?*

The Scottish Government should seek to apply their devolved powers to reduce the impact on our communities of gambling generally rather than only focussing on the use of FOBT in particular;

*5. Please make any further comment you feel is relevant to Committee's inquiry into FOBTs.*

The Scottish Government should seek

- To establish a regulatory link between gambling and public health e.g. to control irresponsible advertising of gambling activities, prevent clustering or allowing local authorities to consider over-provision of betting shops;
- To establish a role for local authorities or the Gambling Commission inspection of the machines once they are on site; and
- That gambling should be addressed as a public health issue and regulated accordingly, rather than solely as a leisure activity or entertainment.