

Written submission from West Dunbartonshire Council

West Dunbartonshire Council has 21 licensed betting premises and approximately 81 Fixed-odds Betting Terminals (hereinafter referred to as "FOBT") and would respond as follows as to the questions posed:

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

Benefits

This proposed devolved power is welcomed. It provides powers to Scottish Ministers in respect of FOBT.

Disadvantages

West Dunbartonshire Council are concerned about the proliferation of such machines. A disadvantage of the current proposal is that it does not address existing premises (Section 45 (6) of the proposed Bill) and indeed the proposed provision limits it to only betting premises. It is of course the position that such machines are in other premises too. Though in respect of betting premises this is welcomed as a positive move, albeit we note the limitations of the current proposals as identified. Another disadvantage is that the proposal only looks at machines over a certain value. Though given the concerns with regard to such a targeted approach to machines over a certain maximum charge for use is welcomed, albeit there are still concerns with regard to such gaming machines in licenced premises and the use of such.

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

Benefits

A clear advantage of the proposed Scottish Government revision is that this alternative provision would not limit it to new licence applications. This would of course allow an opportunity to address the current proliferation of such existing FOBT.

The other benefit would be the extension of the definition to include FOBT in other premises. This would not solely limit it to betting shops.

Disadvantages

The proposal is positive as it seeks to address wider than what is proposed already. However, arguably this proposal does not address the wider question of such gambling machines and how such are regulated however; it is to be welcomed as a positive attempt to build on what is proposed in the Bill.

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

West Dunbartonshire Council prefers the alternative proposal of the Scottish Government. West Dunbartonshire is in agreement with the reasoning stated at page 18 of the Scottish Government's response. To meaningfully, address such then the existing proliferation needs to be looked at and the alternative proposal gives scope

for such. A wider definition also allows matters to be looked at across the board, rather than just a mere focus on betting shops which, is arguably restrictive. Whether either of such proposals go far enough is another question (see below in response to question 4) but in terms of approaches, West Dunbartonshire Council supports the Scottish Government's alternative proposal.

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

The issues with regard to problem gambling are wider than just FOBT however; the current proposed devolved powers allows some kind of ability to vary such numbers in new licences. If restricted to comment on this area of law then it is clear that this is only just one area of concern, but indeed is a key area of concern for Councils. West Dunbartonshire Council welcomes any further proposals that address the impact of gambling premises on the economic wellbeing of communities.

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

The number of fixed odds betting terminals has an impact on land use planning. The Scottish Government in terms of its planning responsibility has recently responded to criticism about the perceived proliferation of betting shops and payday lenders, and has updated Scottish Planning Policy to allow planning authorities to consider the impact of such uses on the economic wellbeing of the community. West Dunbartonshire Council is currently working with the Scottish Government and Glasgow City Council on a pilot project related to the Scottish Government's Town Centre Action Plan to develop a robust evidence base and planning policy to support its position on payday loan and betting shops planning applications and appeals. Uses such as betting offices often cluster within the core retail area and betting shop operators will open a further unit in order to allow the provision of more fixed odd terminals.