

Written submission from Argyll and Bute Council

Argyll and Bute Council and the Argyll and Bute Licensing Board have considered the issue of Fixed Odds Betting Terminals (FOBT) at meetings held in December 2014 and January 2015. The responses to the consultation questions detailed below reflect decisions made at those meetings.

There are 11 licensed betting premises with approximately 40 FOBT in Argyll and Bute. The Council's view was that legislative change was required to mitigate the potential negative impact of FOBT in Argyll and Bute, acknowledging the fact that there is little scope for local authorities to do so directly under the current regime.

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

- Argyll and Bute Council acknowledges that the Bill will establish a role for Scottish Ministers and Licensing Boards in relation to FOBT;
- In particular, 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

Argyll and Bute Council believes that the current form of the Bill does not give proper effect to paragraph 74 of the Smith Commission Agreement which stated '*The Scottish Parliament will have the power to prevent the proliferation of Fixed-Odds Betting Terminals*'. In particular:-

- The provisions will only permit the variation of the number of FOBTs authorised by a new betting premises licence, but do not apply to existing betting premises licences. In our view 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;
- Similarly the Scottish Parliament should be able to limit the number of machines irrespective of the value of the stake.

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 noted above 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?

Argyll and Bute Council prefers the alternative proposal of the Scottish Government, subject to the concern noted at paragraph 2 above, 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?

It is the view of Argyll and Bute Council that 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.

This Council supports the following strategies:-

- 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.