



NORTHAMPTON BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE

28 September 2015

BRIEFING NOTE:

BETTING SHOPS CODE OF PRACTISE

1 INTRODUCTION

1.1 The Gambling Act (The Act) introduced a unified regulator for gambling in Great Britain – the Gambling Commission – and a new licensing system for commercial gambling to be managed by the Commission or by local authorities, depending on the matter that needs to be licensed. The only exceptions are spread betting (regulated by the Financial Services Authority), remote gambling and the National Lottery (regulated by the Gambling Commission). We, the Licensing Authority, and the Gambling Commission, share responsibility for all matters previously regulated by the Magistrates' Court.

1.2 The Gambling Commission are responsible for granting operating and personal licences for commercial operators and personnel in the industry. The Licensing Authority issue premises licences for:

- betting offices and racetracks;
- Casinos
- bingo clubs;
- adult gaming centres; and
- family entertainment centres.

1.3 Under the Act, we must consider the licensing objectives as set out in section 1 of the Act.

The licensing objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- making sure that gambling is carried out in a fair and open way; and
- protecting children and other vulnerable people from being harmed or exploited by gambling.

2 Premises Licenses

2.1 Any person or business that wishes to offer gambling for which an operating licence from the Gambling Commission is required, and which is premises based, must apply to the Licensing Authority for a premises licence.

- 2.2 For each premises type the Act makes it clear that the primary activity should be that described in the premises licence type. It is the Council's opinion that all gambling premises, whether subject to an application or currently licensed, must operate primarily in the use of the licence type applied for or issued.
- 2.3 A premises licence issued by the Licensing Authority will be subject to mandatory and/or default conditions and conditions imposed by the council. The council may consider that conditions, other than the mandatory or default conditions, are necessary to ensure that the premises operate in a manner that is reasonably consistent with the licensing objectives, the Commission's codes of practice and/or local authority guidance, and this statement of principles.

3. Code of Practice

- 3.1 In recent years we have seen significant attention given to Betting Shops and associated activity for a number of reasons including;
- The changes to how betting shops advertise themselves and services
 - Concern over Fixed Odds Betting Terminals (FOBT's)
- 3.2 This has resulted in the Gambling Commission consulting widely and publishing a code of practice (attached) for gambling establishments including betting shops. Much of the responsibility for regulation has been left to the operators and customers to manage these responsibilities. These are not for the Licensing Authority to enforce unless the Gambling Licensing Objectives are breached
- 3.3 The key developments included in the guidance are:
- new requirements on under-age access that will make it demonstrably much harder for children to access gambling
 - measures on customer interaction that will help remove some of the existing barriers to identifying those experiencing harm and intervening effectively
 - setting a clear deadline for implementing a land based multi-operator self-exclusion scheme, which has already begun to drive progress in this area
 - introducing a new annual assurance statement for the most significant operators. We expect this measure to help stimulate a greater focus on, and accountability for, reducing gambling related harm at the most senior levels of leadership in gambling businesses
 - local risk assessments, designed to provide opportunities for much greater collaboration and partnership working with licensing authorities
 - tightening up rules on marketing and advertising, which has been a source of public concern, to make it clearer what is fair and open and make it harder for the less responsible to undercut by dubious claims or over-aggressive marketing.

4 CONCLUSIONS

4.1 In Northampton, whilst the impression may be that there has been a significant rise in the number of betting shops, there are currently 32 Licensed Betting Shops which is the lowest number for some years, there were 35 in 2013. There is only one independent bookmaker left in the town and we have seen large bookmakers closing branches.

We continue to monitor and undertake test purchase operations at gambling establishments. While this still presents challenges, the proliferation of gambling and betting through phones, tablets etc is an area of concern which we have no control of whatsoever.