

Gambling Bill

Decisions

1. That:
 - (i) Members are asked to appoint a task group or lead member to take forward work on the Bill;
 - (ii) Members are asked to note the most recent parliamentary briefing and the amendments submitted to date.

Action

2. Officers to carry out actions as determined by the Board.

Action by: LGA Secretariat

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Gambling Bill

Summary

1. The Gambling Bill was published on 20 October and is already in Committee Stage in the House of Commons. This is a fast moving process and members are asked to consider appointing a task group or member to lead on the Bill and also to note the activity and amendments submitted to date.

Background

2. The Budd Report (2001) recommended a radical change in the regulation of gambling. The LGA held a Policy Review Group (PRG) in June 2003. The draft Bill was published at the end of 2003 and a Joint Select Committee was set up to scrutinise the draft Bill. The Public Protection Executive appointed a task group to oversee work on the Bill and members of that task group gave oral and written evidence to the Committee in January 2004 and met with the Gaming Board of Great Britain in June 2004.
3. In response to the LGA's recommendations to the Committee, the Government introduced powers within the legislation for local authorities to resolve not to allow new casinos in their area.

Provisions of the bill

4. The bill has 18 parts which:
 - Define licensing authorities and the different concepts of gambling used in the bill;
 - Establish the gambling commission, its powers and duties;
 - Set out general offences and specific offences, including the participation of children and young people in gambling and their employment;
 - Set out the range of operating licences the gambling commission can issue, the conditions linked to them and the powers to raise levies on licence holders, as well as provision for personal licences;
 - Provide for premises licences issued by local authorities, setting out functions, types, application procedures and conditions, as well as resolution making powers for councils to limit the number of casino licences in an area;
 - Set out a new framework of regulation for gaming machines;
 - Establish a new lotteries regime, with a new category of lawful lottery – the customer lottery;
 - Provide for prize gaming in certain locations, and private and non-commercial gambling;
 - Deal with inspection powers for police, local authorities and other enforcement officers to carry out their functions under the bill;
 - Establish a new regime for advertising, bringing together different pieces of legislation and setting out new offences relating to advertising foreign or unlawful gambling; and

- Provide for contracts relating to gambling, repealing 18th and 19th law on gaming debts.

LGA activity on the Bill

5. The LGA and LACORS has been involved in discussions with DCMS, as well as the Gaming Board of Great Britain, on the Bill and implementation of the changes through officer advisers who sit on the DCMS consultative group looking at premises licensing and social impacts of the proposed reforms. This is an ongoing process.
6. Since the Bill was published in October we have issued parliamentary briefings on each stage (the most recent relating to the Commons Committee stage is attached at Appendix 1) as well as producing amendments to be laid in relation to these issues.
7. The LGA key messages are summarised as follows:
 - The LGA welcomes the Bill's transfer of licensing powers over gambling premises to local councils;
 - We oppose any moves to introduce a national cap on the number of casinos rather than this decision being made at the local level;
 - The LGA appreciates that some councils will want to take advantage of the opportunities for regeneration but also recognises that an increase in the availability of gambling could increase the potential for harm to children and other vulnerable people;
 - We welcome the Government's proposals to allow local councils to ban further casinos in their area but believe that this should be extended to all types of gambling premises;
 - We believe the Bill should be strengthened through the addition of a new licensing objective of "the prevention of public nuisance";
 - We believe that a local authority elected member should be appointed as a Commissioner on the Gambling Commission;
 - Although the DCMS has suggested a system with some flexibility in relation to local fees, we believe that the only way to ensure that all licensing authority costs are covered is for fee levels to be set locally;
 - Licensing committees should be set up in line with local need and not subject to the same unhelpful approach set out in the Licensing Act 2003;
 - A reasonable amount of time must elapse between the Licensing Act going live and the start of the new gambling regime;
 - We are pleased that the Government has announced they will be bringing measures forward to make casinos a separate planning Use Class.
8. On 9 November leading members of the Board met with the DCMS Minister, Lord McIntosh, to discuss the issues above.
9. On 25 November the LGA is holding a major conference, jointly with DCMS and LACORS, to introduce the Bill and key players in the gambling industry, and will take a look at the practical implications for local licensing authorities and the

possible impact on problem gambling of deregulation as well as the opportunities for regeneration that could be provided by large casino developments. Further information may be found on the LGA website – www.lga.gov.uk.

Implications for Wales

None identified at this time.

Financial/Resource Implications

There are no direct financial implications for the LGA.

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