

LA BULLETIN SEPTEMBER 2019

News

Latest licensing authority statistics published

We have published the [licensing authority statistics](#) for the year ending 31 March 2019. This latest edition provides a comparison on data covering the period 2014 to 2019. We have also published an [Excel version](#) of the statistics to provide more transparency and an element of interactivity with the figures and enable you to compare your activity with other LAs.

For the sixth year running all 380 licensing authorities (LAs) submitted their returns – many thanks again to LAs for the full house once more. The report contains information about the number of permits, temporary use notices, and occasional use notices issued, as well as the number of gambling premises inspections conducted.

Between 1 April 2018 and 31 March 2019:

- **275** LAs conducted visits during the year (up from 259 LAs in March 2018).
- **5, 098** inspections /visits to gambling premises by LAs (up1% from March 2018). This includes proactive and reactive visits, follow up inspections and test purchasing exercises.
- **2,838** gambling-related permits were issued or notifications received (down 37% from March 2018).

How gaming & gambling affect student life

The Young Gamers and Gamblers Education Trust (YGAM) recently [published the results of a survey](#) of over 2000 higher education students about their attitudes to gaming and gambling.

Whilst a large number of those asked said that they enjoyed the social side of both gaming and gambling, the survey results indicate that it can also have a negative impact on the academic performance of students and the quality of their friendships and social activities. In addition, for the students who gamble, nearly half said that they are constantly concerned about their financial situation.

Summary of results:

- **Gaming is a popular way to reduce stress.** Students are finding the university experience stressful. With **79%** of students playing digital games, easing the pressures may be a positive benefit but **48%** of those who game every day said it has got in the way of friendships and studies.
- **The more frequently students game, the greater the impact.** The research revealed that for those who game every day, one fifth have a negative sense of belonging at university, and over one-third say it has got in the way of their social life.
- **264,000 students in the UK are at some risk from gambling** with around **88,000** already defined as problem gamblers.
- **59% of students who gamble say they are always worrying about their financial situation** while **16%** have gambled more than they could afford.
- **Students gamble to escape the stresses of university.** For students who are moderate risk or problem gamblers the findings show they are more likely to gamble to 'cheer them up when they are depressed', even though **9 in 10** feel guilty about the way they have gambled.

- **One third of these students say their gambling habits have a negative effect on their wellbeing**, over half have considered dropping out of university and one in seven have a negative perception of their overall university experience.

Howard League's Commission on Crime and Problem Gambling

The impact of problem gambling on crime is a burgeoning area of international concern, with a scale and diversity of offending that reflects a growing national and international portfolio of gambling activities. Launched during the summer, the Commission will run for three years to develop our understanding of, and ability to respond to, the links between problem gambling and crime.

Chaired by Lord Peter Goldsmith GC, the Commission will investigate patterns of crime linked to problem gambling and the societal harms that link crime and problem gambling, before seeking to make recommendations for government, the gambling industry and within the criminal justice system.

Further details of the Commissioners and how to submit evidence is available on the [Howard League website](#).

BACTA & Cat D machines

Over the summer BACTA asked their members to undertake a trial to put stickers on Category D reel based cash payout machines advising that the use of such machines was restricted to those over 16 years of age unless accompanied by an adult. BACTA has advised that over 4000 stickers have now been sent out to its members, who are enforcing the approach, and it will be incorporated into the trade body's Code of Conduct and Social Responsibility Charter.

LAs are reminded that these stickers are not a requirement of the Gambling Act but a voluntary step taken by [BACTA members](#) within the industry to help address public concerns even though under 18s are legally permitted to play these machines.

24 hour service pilot for GamCare's national gambling helpline

Following funding from GambleAware, GamCare will be providing a 24-hour service via the [National Gambling HelpLine](#) from October 2019 for advice, information and support for anyone affected by gambling problems. The pilot will initially run for two years.

Blog: move to mobile

Our most recent [annual participation statistics](#) show that 44% of online gamblers had reported gambling on mobile in the past four weeks, almost double the rate recorded when we began tracking this data in 2015 (23%). We commissioned 2CV to undertake research in to why people gamble and how gambling fits into their lives, including some insights about [the role played by mobile phones in gambling behaviour](#).

£1.8m fine for land based casino

Following a Commission investigation into its Park Lane Club in Mayfair, [Silverbond Enterprises Limited](#) has received a £1.8m fine, an operator licence warning and had additional conditions added to its licence for social responsibility and money laundering failings.

Consultations and call for evidence

DCMS consultation on the minimum age for playing National Lottery games

The Department is [consulting](#) on whether the availability of all National Lottery games to those under 18 remains appropriate and is seeking views on three options:

- Option 1 - Do nothing, retain the minimum age of 16 for all National Lottery games
- Option 2 - Raise the minimum age to 18 for National Lottery instant win games (i.e. scratchcards and online instant win games)
- Option 3 - Raise the minimum age to 18 for all National Lottery games

The consultation closes on 8 October 2019.

Feature article

Yorkshire & Humber's public health Framework for gambling related harm reduction

By Myrte Elbers (Public Health – Leeds City Council) and Magda Boo (Public health – Sheffield City Council)

In January 2018, Public Health England (Yorkshire and Humber) with Leeds City Council, organised a problem gambling masterclass. This enabled the sharing of current work in Leeds, Sheffield and Doncaster. The Gambling Commission spoke about local and national regulation, and treatment providers also presented.

Following this masterclass, the Yorkshire Humber Association of Directors of Public Health established a problem gambling working group, at present it is chaired by the Leeds Director of Public Health. This has provided an opportunity to share activities and learning at place level but also to cover a wider range of topics relevant to gambling-related harm such as licensing, children and young people, migrants and students. Even during a short time, the degree of interest has risen substantially.

The Yorkshire and Humber group decided to translate the Commission's [Measuring Gambling Related Harms: A framework for action](#) (Wardle et al 2018) into a public health framework of practical actions, providing a consistent approach to harm across the region.

A starting point has been a vision that councils and partners would take action:

- To reduce the exposure of vulnerable people and groups to gambling products;
- To reduce consumption of gambling products;
- To reduce gambling related harm – to individuals, families, and communities;

Yorkshire & Humber's Framework for gambling related harm reduction offers a "pick and mix" menu of actions under the headings:

- Leadership and partnership
- Influencing the regulatory environment
- Reducing exposure of vulnerable people to gambling products
- Improving identification and recognition of problem gambling
- Self-management and support
- Providing effective treatment
- Promoting and maintaining recovery
- Protecting children & young people from gambling related harm
- Addressing gambling-related debt
- Workplace health and wellbeing
- Building and sharing the evidence base

The challenge was to develop a Framework that addressed the very different resource and capacity of councils in the Yorkshire & Humber region which include cities such as Leeds and Sheffield, market towns, seaside towns, and rural areas.

The “pick and mix” approach reflected that councils may have different starting points for taking action, and the amount of traction may depend on who is leading the work in each authority e.g. financial inclusion may make good progress on debt but not regulation; licensing may make headway on regulation but not on treatment; public health may fully comprehend treatment pathways but fail to get engagement on planning.

The Framework is intended to be a practical document to enable councils to make a start. We could easily be paralysed into inaction by the enormity and complexity of a comprehensive harm-reduction programme - which may be unachievable within existing resources.

This area of work is dynamic and iterative. The Framework is therefore a snapshot in time of actions that appear to be relevant in 2019. It will need to be updated in line with a number of developments currently in the pipeline, led by the government and bodies such as Public Health England, the Local Government Association, the Commission, Gambleaware, which will change the landscape of this work, for the better.

The Framework is available on the [Yorkshire & Humber Public Health Network website](#):

Gambling Commission advice and guidance

New bingo in alcohol licensed premises checklist

We have added a new [checklist](#) on the LLEP website - designed to assist authorised local authority officers to check the compliance of bingo in alcohol licensed premises.

The lottery library

Lotteries typically generate lots of queries for LAs and for us.

We have a raft of information relating to large and small society lotteries and licensing authority lotteries on our website as summarised below:

Advice for LAs dealing with lottery related queries:

[Guidance to Licensing Authorities, Part 34](#) – guidance on small society lotteries

[Licensing authority lotteries toolkit](#) - contains advice, quick guides and case studies to help licensing authorities in their regulatory responsibilities in relation to:

- [Organising small lotteries](#) – Advice note setting out the requirements for exempt lotteries.
- [Customer lotteries](#), [incidental lotteries](#), [private lotteries](#)) - Webpages setting out the requirements for each type of exempt lottery.
- [Running a lottery \(quick guide\)](#) – Advice note providing a brief overview of all permitted lotteries.
- [Promoting society and local authority lotteries advice note](#) – Advice for large and small society lotteries and licensing authority lotteries that require a licence from the Commission and small society lotteries that require a registration from a LA.
- [Prize competitions and free draws](#) and [Quick guide](#) – Advice notes explaining prize competitions and free draws, and where the boundaries lie between them and lotteries.

- [Society lotteries](#) – Webpage setting out the definition of a large and small society lottery.
- [Lottery ticket vending machines](#) – Webpage explaining what lottery ticket vending machines are and where and how they can be sited.
- [Lotteries on social media](#), [house competitions](#), [raffling big ticket items](#) and [100 clubs](#) – Webpage advice.
- [Reverse](#) and [penny](#) auctions – Webpages explaining what they are.
- [Running lotteries for other good causes](#) – Webpage providing advice to societies on how to do this.

Information for LAs looking to apply for an operator licence to run their own lottery:

- [Licensing authority lotteries](#) – Webpage for licensing authorities wishing to set up their own lottery.
- [Promoting society and local authority lotteries advice note](#) – Advice for large society lotteries and licensing authority lotteries that require a licence from the Commission and small society lotteries that require a registration from a LA.
- [External lottery managers](#) – Webpage setting out the definition of an External Lottery Manager.
- [External lottery managers advice note](#) – Advice note explaining the licensing requirements relating to external lottery managers and their role in promoting society and licensing authority lotteries.
- [Promoting multiple society lotteries](#) - Advice for society lotteries and external lottery managers promoting individual lotteries under one brand.
- [Lottery proceeds advice note](#) – Advice note relating to the distribution of lottery proceeds.
- [Lottery-specific LCCP extracts](#) – webpage linking to extracts of the licence conditions and codes of practice applicable to remote and non-remote lotteries.

Relevant parts of the Gambling Act 2005 in relation to lotteries are:

Section 14 - defines a lottery (s14(5) defines prize competitions)

Section 19 - defines a non-commercial society

Section 98 - provisions about lottery operating licences

Section 99 - mandatory lottery operating licence conditions

Part 11 - Lotteries

Sections 252 to 257 clarify the meaning of various terms, of note:

Section 252 - Promoting a lottery

Section 253 - Lottery ticket

Section 254 - Proceeds and profits

Section 255 - Draw

Section 256 - Rollover

Section 257 - External lottery managers

Sections 258 to 263 sets out offences and relevant penalties

Schedule 2 - lotteries, definition of payment to enter (relevant to free draws)

Schedule 11 - provisions for each type of exempt lottery (including small society lotteries registered with Licensing Authorities).

Reference materials

LLEP assessment templates

To help you meet LA regulatory obligations under the Gambling Act 2005 we worked with Leicester, Leicestershire and Rutland Licensing Forum and LLEP to produce a [range of resources](#) including a suite of assessment templates, information for premises and assessment outcome letters. Please share the findings of your visits with your compliance manager so that we can continue to build a broad picture of premises' compliance.

E-Learning modules

The Institute of Licensing and the Commission have worked together to produce some gambling e-learning modules:

- Gaming machines - three separate modules which cover the various types of gaming machines, the physical components and signage requirements and how to deal with non-compliant machines
- Inspection powers and inspection preparation – designed to help co-regulators familiarise themselves with their powers to enter and inspect gambling premises and the preparation to undertake before conducting an inspection of any gambling premises.
- Introduction to inspecting a betting premises – aimed at helping co-regulators improve their understanding of what to check when conducting an inspection of a betting premises - both inside and outside the premises.

These modules can be accessed by anybody via the [IOL website](#), and all are CPD accredited. Once on the website simply click on the 'e-learning' tab on the top right, then log in if you have an existing account, or request a log in via membership@instituteoflicensing.org to get started.

We also have several refresher modules for licensing officers which compliance managers can deliver at licensing meetings. Topics include machines, permits, money laundering, poker. If you are interested in receiving such training, please contact your compliance manager.

Quick guides and template letters

Some quick guides are designed to give to operators when undertaking visits, others provide an accessible 'how to' for licensing staff:

- [Public Health and Gambling](#)
- [Sharing information and intelligence](#)
- [Statement of Principles \(for councillors\)](#)
- [Money laundering](#)
- [Gaming machines in pubs](#)
- [Race night, casino night or poker night](#)

- [Members' club or commercial club](#)
- [Poker in clubs](#)
- [Poker in pubs](#)
- [Facilitating betting in pubs and clubs is illegal](#)
- [Skills with prizes](#)
- [Illegal gaming machines](#)
- [Comparing lottery ticket dispensers and B3A machines](#)
- [Illegal siting of gaming machines](#)
- [Fairs and fairgrounds](#)
- [Running a lottery](#)
- [Running prize competitions and free draws](#)
- [Multi activity sites](#)
- [Police statutory powers under the Gambling Act](#)
- [LA statutory powers of inspection under the Gambling Act](#)
- [Examples of non-complex category D gaming machines](#)
- [Templates for notification of automatic entitlement and application for licensed premises gaming machine permit](#)

Gambling Act statutory notices and forms

It is a statutory requirement that applicants use the correct forms to give proper notice of applications, variations etc to all responsible authorities, including the Gambling Commission.

We host all the [statutory notices and application forms](#) as they are no longer available on the DCMS website.

Find operating licence holders

We [publish](#) the names of all companies and individuals who hold, or have applied for, operating licences in Great Britain along with the names of companies or individuals whose licences have lapsed, been revoked, forfeited, expired, suspended or surrendered in the last 6 months.

LAs must check the operator licence quoted on premises applications with the register before granting a premises licence. An application for premises licence may only be made by persons who have an operating licence which allows them to carry out the proposed activity for example a bingo operating licence for a bingo premises or have applied for an operating licence (although the premises licence cannot be determined until an operating licence has been issued).

Premises licence register

The information on our publicly available [premises register](#) is based on the statutory notifications received from LAs regarding grants, variations, revocations, lapses etc, and is updated monthly. LAs are encouraged to send **all** necessary correspondence to info@gamblingcommission.gov.uk. Where email notification has been made it is not necessary to follow up by post.

In relation to gaming machines, we only require notification of grant/rejection of Club Machines Permits and Gaming Machine Permits. There is no requirement to advise us when an alcohol licence holder submits their notification for an automatic entitlement to two gaming machines. However, LAs must keep a record of how many automatic entitlement notifications it receives each year, as that information is requested in the [annual LA returns](#).